

WILLS

DEPOSITING YOUR LAST WILL AND TESTAMENT AND/OR CODICIL WITH THE PROBATE COURT

- Eaton County residents may deposit their Last Will and Testament and/or Codicil at the Eaton County Probate Court.
- Your Last Will and Testament and/or Codicil may be deposited by you or someone under your direction.
- Your Last Will and Testament and/or Codicil should be placed into a sealed envelope (you may obtain a Will or Codicil envelope at the Probate Court office) with the following information on the outside:
 - Your name
 - Your address
 - Last four digits of your social security number
 - Your date of birth
- There is a \$25.00 filing fee to deposit the Last Will and Testament and/or Codicil.
- You will be given receipts for the deposit of the Will and filing fee.

RETRIEVAL OF A LAST WILL AND TESTAMENT AND/OR CODICIL

During your lifetime, you may retrieve your Last Will and Testament and/or Codicil at anytime at no charge. However, there is a \$25.00 filing fee each time your Last Will and Testament and/or Codicil is re-deposited.

- In person:
 - To retrieve your Last Will and Testament and/or Codicil, you must present personal identification, either your driver's license or state ID card.
- By another person:
 - If you are unable to present yourself personally to the Court, you may request your Last Will and Testament and/or Codicil, by completing the Authorization to Release Will held for Safekeeping ([PC 548](#)). Your designee shall present the Authorization form to the Court and your Last Will and Testament and/or Codicil will be released.
- By mail
 - You may request your Last Will and Testament and/or Codicil, by completing the Authorization to Release Will held for Safekeeping ([PC 548](#)) and mailing it to the Court. Your Last Will and Testament and/or Codicil will then be mailed to you by certified mail, return receipt requested.

DELIVERY OF ORIGINAL LAST WILL AND TESTAMENT AND/OR CODICIL UPON DEATH OF THE TESTATOR TO THE PROBATE COURT

- Regardless of where your Last Will and Testament and/or Codicil is stored, upon death, your Last Will and Testament and/or Codicil must be delivered to the Probate Court of your county of residence.
- If your Last Will and Testament and/or Codicil is not stored with the Court, the custodian or person having possession of the Last Will and Testament and/or Codicil must deliver it to the Probate Court with reasonable promptness upon your death.
- A person who neglects to promptly deliver your Last Will and Testament and/or Codicil (without reasonable cause) is liable for damages.
- A person who willfully refuses or fails to deliver your Last Will and Testament and/or Codicil after ordered by the Court to do so is guilty of contempt of Court and subject to penalty for contempt (fine or jail).