

INFORMAL DECEDENT ESTATE (UNSUPERVISED)

(APPLICATION)

PLEASE READ BEFORE PROCEEDING

The information provided here is informational only. The information is a brief explanation of the basic procedures that are required. Probate court staff cannot give legal advice about your particular situation or complete forms for you. You are not required to have an attorney; however, if you cannot complete the forms or have a basic understanding of the process you may wish to seek the advice of an attorney.

Decedent estates - General

The probate court has jurisdiction over proceedings to admit a will (i.e., find it to be valid), appoint a personal representative and administer a decedent's estate. ***The admission of a will as valid and the appointment of a personal representative can only be made by the Probate Court.***

Application (Informal)

The Application process does not require a hearing before the Judge and is administered by the Probate Register. The Application for Informal Probate can be used for estates with or without a Will. However if the decedent had a Will the **original** Will must accompany the Application or the original will must already be on file with the Probate Court. If you only have a copy of the Will the Estate must be filed by Petition. This is not to say that a copy of a Will is invalid, however only a Judge can admit anything other than an original Will thus the estate would need to be opened via a Petition and set for a hearing.

In order for the Court to appoint a Personal Representative via the Application process there must be no underlying conflicts that require a ruling(s) from the Judge. The individual (Petitioner) requesting in the Application to be appointed as Personal Representative, must be the person with the highest priority for appointment. If there are other individuals who have equal priority to appointment those individuals must renounce their right to appointment by signing a *Renunciation of Right to Appointment, Nomination of Personal Representative, and Waiver of Notice* ([PC 567](#)) which is submitted with the Application.

Under some circumstances you may also be able to file Notice of Intent to Request Informal Appointment of Personal Representative [PC557](#) . If you are filing the PC557 in lieu of a Renunciation, you may wish to seek the advice of an attorney prior to filing to ensure that you are complying with all the requirements of using this form.

WHAT MUST BE FILED

- Application for Informal Probate and/or Appointment of Personal Representative (Testate/Intestate) ([PC 558](#))
- Personal Identifying Information ([MC97](#))pdf
- Testimony to Identify Heirs ([PC 565](#))
- **Death Certificate** (photo copy is acceptable) date of birth & social security number **MUST** be redacted
- The original Will and any Codicils (if they exist) (**if you are filing by e-mail the original Will must be sent via US mail or delivered to the Court within 14 days of filing**)
- Register's Statement ([PC 568](#))
- Acceptance of Appointment ([PC 571](#)) & ([MC97a](#))pdf
- Letters of Authority ([PC 572](#))
- Contact Information Form ([MC505](#))pdf

- \$175.00 filing fee to the Eaton County Probate Court – If you are filing via e-mail you will be sent an electronic payment link to pay online.
- \$12.00 for each set of certified copy you may require

FILING THE PETITION

The completed Petition and all other required documents can be submitted to the Court in the following ways:

- By e-mail at: probateoffice@eatoncounty.org (documents must be in PDF format)
- Mailed to the Probate Court via U. S. Postal Service to:
Eaton County Probate Court
1045 Independence Blvd
Charlotte, MI 48813
- In person Monday – Friday 8:00 am to 5:00 pm – The Court does not ensure same day filing if you file in person.

If you want a copy of the documents you filed you must provide the copies and a self-addressed stamped envelope.

Once the Application and other documents are accepted for filing it will be processed. The Letters of Authority will be issued and sent to you via e-mail and/or regular US mail.

AFTER APPOINTMENT

Once appointed, a personal representative has several duties, including:

- Paying a statutorily-determined inventory fee based on the value of the estate.
- Administer the estate
- Properly close the estate

It is the personal representative's responsibility to understand and comply with these duties.

ADDITIONAL FORMS YOU WILL OR MAY NEED

- Notice to Creditors ([PC 574](#)) – must publish in an Eaton County approved newspaper. Approved publications include:
 - The County Journal
 - The Charlotte Shopping Guide
 - The Delta Waverly Community News
 - The Grand Ledge Independent
 - The Eaton Rapids Community News
 - The Flashes
 - The Lansing State Journal
- Appearance of Parent ([PC 606](#)) – required if an interested person is a minor
- Supplemental Testimony ([PC 566](#)) – required if the decedent's will gives property to anyone other than an heir
- Notice of Appointment ([PC 573](#)) – must be served on all interested persons within 14 days of appointment
- Inventory ([PC 577](#)) – due within 91 days from appointment – based on gross value of estate, do not deduct for liens or encumbrances. Pay the Inventory fee prior to making any disbursements from the estate or within one (1) year from appointment (whichever is first)
- Notice to Known Creditors ([PC 578](#)) – required to be served on known creditors
- Notice of Informal Probate ([PC 575](#)) required to be served on interested persons if estate was opened to admit a Will with no P. R. appointed
- P. R. Notice to the F.O.C. ([PC 618](#)) – must serve on Friend of the Court and copy sent to the Probate Court
- Notice of Continued Administration ([PC 587](#)) – served on interested persons and filed annually
- Sworn Statement ([PC 591](#)) or Sworn Statement Summary Proceeding ([PC 590](#)) and
- Certificate of Completion ([PC 592](#))