

Oakland County Probate Court Information Sheet

CLOSING A DECEDENT'S ESTATE

Under the Estates and Protected Individuals Code (EPIC)

- I. Unsupervised Administration** (File No. suffix is "DE")
If an estate is an unsupervised estate, it may be closed by filing a **Sworn Statement** OR a **Petition for Complete Estate Settlement**, regardless of whether it was opened informally (by "Application") or formally (by "Petition").
See IV. below for specifics.

Supervised Administration (File No. suffix is "DA")
If an estate is being administered as a supervised estate, it must be closed by one of the two **Petitions for Complete Estate Settlement**. *See IV. below for specifics.*
MCR 5.310(G); MCR 5.311(B)(1)

- II. The court requires the following before any estate file may be closed:**
- Has the estate been open for at least 5 months? [Does not apply for Summary Proceedings]
 - Has the inventory fee been paid? *MCR 5.307(A)*
 - Are there any estate/inheritance taxes owing? Do you have proof of payment?
 - Was Notice to Creditors published > 4 months ago? (if required)? *MCR 5.306*

- III. For supervised estates, the court also checks that the following has been filed:**
- Inventory** ([PC 577](#))
 - Annual Accounts** ([PC 583](#) or [PC 584](#)) filed and allowed
 - Notice of Appointment and Duties** ([PC 573](#)) with **Proof of Service** ([PC 564](#))
 - Notice regarding Attorney Fees** ([PC 576](#)) with **Proof of Service** ([PC 564](#))
 - Notice to Spouse of Rights** (if applicable) ([PC 581](#))
 - Affidavit** of any required publication *MCR 5.310*

- IV. You must then close the file either "informally," by Sworn Statement (IV.A.) or "formally," by Petition for Complete Estate Settlement (IV.B.) according to the criteria described above (under I.):**

A. SWORN STATEMENT
Used for unsupervised estates (DE suffix) only

You must present one of the following, depending on the case facts:

- Sworn Statement to Close Unsupervised Administration** ([PC 591](#))
- OR**
- Sworn Closing Statement, Summary Proceeding -Small Estates** ([PC 590](#))

PLUS, you must present:

- Certificate of Completion** ([PC 592](#))

B. PETITION for COMPLETE ESTATE SETTLEMENT
Can be used for unsupervised (DE suffix) or supervised (DA suffix) estates

You must present one of the following Petitions, depending on the case facts:

Petition for Adjudication of Testacy and Complete Estate Settlement (PC 594)
(if the Personal Representative wants a “formal closing” following an “informal opening”)

OR

Petition for Complete Estate Settlement, Testacy Previously Adjudicated (PC 593)
(if testacy was previously adjudicated through a formal opening or a testacy proceeding)

PLUS, you must present:

- Schedule of Distributions and Payment of Claims (PC 596)**
- Order for Complete Estate Settlement (PC 595)**

***An Order of Discharge is not required. It will only be issued if the Personal Representative requests a discharge in the Petition for Complete Estate Settlement, and if the following have been done:**

- All documents required for a supervised estate and **Proofs of Service** filed.
(See III. above for complete list)
- All accounts allowed.
- All **Receipts of Distributive Shares** filed. (PC 588)
- Satisfaction of Claims** filed (if any). MCR 5.311(B)(3)

Please note that the Oakland County Probate Court is prohibited from giving legal advice on any of the above proceedings other than to answer your specific questions regarding filing requirements. You should consult with an attorney if you have specific legal questions regarding which method you should use to close administration given the specific facts of your case. MCL 700.1211

- ❖ *EPIC (Estates and Protected Individuals Code) is found at MCL 700.1101 to 8102.*
- ❖ *MCR citations refer to the Michigan Court Rules.*
- ❖ *PC refers to the State Court Administrative Office (SCAO) form.*

Oakland County Probate Court
1200 N. Telegraph Rd.
Pontiac, MI 48341
(248) 858-0260
Office Hours: 8:00 a.m. to 4:30 p.m.
Monday through Friday

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