

Oakland County Probate Court

1200 N. Telegraph Rd., Dept. 457, Pontiac, MI 48341

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www.oakgov.com/probate (for information and forms)

INSTRUCTIONS FOR FILING PETITION AND ORDER FOR ASSIGNMENT

These instructions are meant to help you complete and file a *Petition and Order for Assignment* PC 556 (sometimes referred to as a “**Small Estate.**”) They are not all-inclusive, but cover all of the basics. The probate staff can help with your procedural questions, but we cannot give legal advice. If you have legal issues, we suggest that you consult an attorney.

- The petition must be legibly typed or printed in ink in the English language.
- Next to “Estate of _____” fill in the name of the decedent, then the last four digits of the decedent’s Social Security Number at the end of the line.
- Insert your name and relationship to the decedent. Only an heir or an individual who paid the funeral bill may petition the court.
- You must have a **death certificate** (a copy is acceptable). List the date of death in #1 of the form.
- The death certificate must show that the decedent was a resident of Oakland County except if the decedent lived outside of Michigan but had property located in Oakland County, the death certificate will show the non-Michigan residence and is acceptable (check the appropriate box in #2).
- You must also have a paid itemized **funeral bill** or statement of amount owing. If it has been paid in full, it must include this language: “Paid in Full by _____” indicating who paid it. The party or parties who paid any part of the funeral bill are listed in #3 and will be reimbursed in #6 for the amount they paid. If the funeral bill has not been paid, the statement must show the balance owing.
- In #4, specifically describe the property that was solely owned by the decedent. (Note that we may only assign real estate located in Michigan). For real estate, include the complete legal description (not just the address). For bank accounts, include the bank name, location and account number. For stocks and bonds, list the corporation and number of shares.
- Also, in #4, list the value of the property **as of the date of death**. For real estate, double the State Equalized Value (SEV) located on the tax bill to arrive at the value. “Blue book” values for vehicles are acceptable. For stock, determine the value of the shares on the date of death.
- We are strictly limited to the following chart. Total up the value then subtract the funeral and burial expenses. If the amount falls under the value on the chart, this proceeding is appropriate. After reimbursement/payment of funeral expenses, the balance is assigned to the parties listed in #5. (If there is a spouse, the balance goes to the spouse. If there no spouse, it is split between the heirs.)

Date of death in 2012	\$21,000	Date of death in 2002-2004	\$17,000
Date of death in 2009-20011	\$20,000	Date of death in 2001	\$16,000
Date of death in 2007-2008	\$19,000	If date of death before 1/1/01	\$15,000
Date of death in 2005-2006	\$18,000		

- The filing fee is \$25. There is a Gross Estate Fee based on the value of the property listed. Examples of the fee: \$25 for \$1,000 in assets; \$69 for \$10,000 in assets; \$119 for \$20,000 in assets. There is also a \$12 fee for each certified copy of the Order requested.
- **Our hours are 8:00-4:30. Please arrive by 4:00 to allow ample time for processing.**