

**INSTRUCTIONS FOR COMPLETING A
PETITION AND ORDER FOR
ASSIGNMENT**

1. Complete in full the Petition and Order for Assignment form (PC556) don't forget to sign and date the form. Please reference any financial institution's using name, address and account number in the description of property box. The Attorney signature line is used only if you are using an attorney to assist you in filing this petition.
2. Attach a copy of the individual's death certificate, it does not need to be certified a photocopy is sufficient.
3. Attach a copy of the funeral bill; be sure that it includes information about who paid the services (full name). If there are remaining fees for the funeral expenses, the assets will be assigned to the funeral home that provided the services (in an amount sufficient to bring the balance to zero).
4. There is a \$25.00 filing fee along with an inventory fee which is based on the total value of the assets. Once you have completed the petition you will need to contact the Ottawa County Probate Court at 616-786-4110 to obtain the inventory fee due. You may also use the inventory fee calculator found at:
<http://www.miottawa.org/CourtsLE/Probate/calculator.htm>
5. If a certified copy of the Petition and Order for Assignment is needed (for a bank, investment company, etc) the fee will be \$12.00 per copy; this is in addition to the above fees #4.
6. A copy of the Petition and Order for Assignment will be mailed to the Petitioner once the Judge has signed it.
7. Additional information regarding amounts allowed for this type of filing and other information is also included in this packet, see next page.

PLEASE NOTE: If a petition and order for assignment was previously filed, an order signed by the judge, and is now closed, a filing fee of \$25.00 will be charged to reopen the estate for any changes made. The certification and inventory fees also will apply.

COURT STAFF IS PROHIBITED BY LAW FROM GIVING LEGAL ADVICE, IF YOU HAVE ANY LEGAL QUESTIONS DURING THIS PROCESS PLEASE CONTACT AN ATTORNEY.

Ottawa County Probate Court
12120 Fillmore Street
West Olive MI 49460

Hours: Mon-Fri 8:00 AM- 5:00 PM
Phone: 616-786-4110
Website: www.miottawa.org

PETITION AND ORDER FOR ASSIGNMENT LIMITS

Limit is \$15,000 after payment of funeral/burial expenses if person died prior to January 1, 2001.

If the person died in calendar year 2001, the limit is \$16,000 after payment of funeral/burial expenses.

If the person died in calendar year 2002 through 2004, the limit is \$17,000 after payment of funeral/burial expenses.

If the person died after 1/1/05, the limit is \$18,000 after payment of funeral/burial expenses.

If the person died after 1/1/07, and before 12/31/08, the limit is \$19,000 after payment of funeral/burial expenses.

If the person died after 1/1/09, the limit is \$20,000 after payment of funeral/burial expenses.

If the person died after 1/1/12, the limit is \$21,000 after payment of funeral/burial expenses.

700.3982 Court order distributing small estates

- (1) Upon a showing of evidence, satisfactory to the court, of payment of the expenses for the decedent's funeral and burial and if the balance of a decedent's gross estate consists of property of the value of \$15,000.00 or less, the court may order that the property be turned over to the surviving spouse or, if there is not a spouse, to the decedent's heirs.
- (2) Upon a showing of evidence, satisfactory to the court, that the decedent's funeral or burial expenses are unpaid or were paid by a person other than the estate, and if the balance of the gross estate after payment of the expenses would consist of property of the value of \$15,000.00 or less, the court shall order that the property be first used to pay the unpaid funeral and burial expenses, or to reimburse the person that paid those expenses, and may order that the balance be turned over to the surviving spouse or, if there is not a spouse, to the decedent's heirs.
- (3) Other than a surviving spouse who qualifies for allowances under this act or the decedent's minor children, an heir who receives property through an order under this section is responsible, for 63 days after the date of the order, for any unsatisfied debt of the decedent up to the value of the property received through the order. The court shall state in the order the condition on the distribution of property provided by this subsection.
- (4) If a decedent's estate meets the criteria for using the procedure under either this section or section 3983 and if a person is authorized by this act to use either procedure, a person, other than the court, shall not require the authorized person to use 1 procedure rather than the other.
- (5) A dollar amount prescribed by this section shall be adjusted as provided in section 1210.

History: 1998, Act 386, Eff. Apr. 1, 2000

Popular Name: EPIC

STATE OF MICHIGAN PROBATE COURT COUNTY OF	PETITION AND ORDER FOR ASSIGNMENT	FILE NO.
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Estate of _____, decedent XXX-XX-
Last four digits of SSN

PETITION

I, _____, represent that:
Name and relationship

1. Decedent died on _____ .
Date

2. Decedent was a resident of _____ in this county.
City/Township

Decedent lived outside of Michigan and left an estate within this county to be administered.

3. Funeral and burial expenses are \$ _____ .

The following persons have paid the following amounts toward the funeral and burial expenses: (Statements and receipts are attached.)

NAME	AMOUNT	NAME	AMOUNT

The amount of funeral and burial expenses remaining unpaid is \$ _____ .

The total value of the decedent's property remaining after payment of funeral and burial expenses does not/will not exceed \$15,000 as adjusted for cost of living.

4. The decedent's property and its gross value is as follows: (Attach separate sheet if necessary.)

DESCRIPTION OF PROPERTY	VALUE
Total	

(SEE SECOND PAGE)

Do not write below this line - For court use only

5. The name and address of the surviving spouse or, if there is not a spouse, the name, age, relationship, and address of each of the decedent's heirs are as follows:

NAME	AGE	RELATIONSHIP	ADDRESS

6. I **REQUEST** that the property listed above be assigned as follows:

- a. for funeral and burial expenses, \$ _____ to _____, \$ _____
to _____, and \$ _____ to _____.
- b. to the surviving spouse, _____.
- c. to the following heirs in the stated proportions, _____.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Attorney signature

Date

Name (type or print) Bar no.

Petitioner signature

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

ORDER ASSIGNING ASSETS

7. **IT IS ORDERED** that the property described above is assigned as follows:

- a. for funeral and burial expenses, \$ _____ to _____, \$ _____
to _____, and \$ _____ to _____.
- b. to the surviving spouse, _____.
- c. to the following heirs in the stated proportions, _____.

For 63 days from the date of this order, the share of each heir other than a surviving spouse or minor child shall be subject to any unsatisfied debt of the decedent up to the value of property received through this order.

Date

Judge Bar no.

I certify that I have compared this copy with the original on file and that it is a correct copy of the original.

Date

Deputy register