

Oakland County Probate Court

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

Tel. 248-858-0260

Fax 248-452-2016

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

INSTRUCTIONS FOR FILING PETITION AND ORDER FOR ASSIGNMENT (PC 556)

These basic instructions will help you complete and file a *Petition and Order for Assignment* (sometimes referred to as a “**Small Estate.**”) The probate staff can help with your procedural questions, but we cannot give legal advice. If you have legal or complicated issues, we suggest that you consult an attorney.

Do not deduct real estate liens to determine if the estate qualifies as a small estate.

- 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 paid in full, it must show who paid it such as “Paid in Full by _____.” A statement showing simply “Paid” or \$0 balance is not sufficient. Whoever paid any part of the funeral bill is listed in #4 and will be reimbursed in #6 for the amount they paid. If it has not been paid, the statement must show the balance owing.
- In #3, specifically describe the property that was solely owned by the decedent. (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 #3, list the gross value of the property **as of the date of death**. For real estate, that is double the State Equalized Value (SEV) located on the tax bill. “Blue book” values for vehicles are acceptable. For stock, determine the value of the shares on the date of death. List only real property liens/mortgages and subtract them to get the “Inventory value (less lien).”
- We are strictly limited to this chart. Total up the gross value then subtract the funeral and burial expenses (Do not subtract real estate liens). If the amount falls under the value below, this proceeding is appropriate. After reimbursement/payment of funeral expenses in #4, any balance is assigned to the parties listed in #5. (If there is a spouse, the balance goes to the spouse. If there is no spouse, it is split between all heirs.)

Date of death in 2018 - Present	\$23,000		
Date of death in 2014-2017	\$22,000	Date of death in 2005-2006	\$18,000
Date of death in 2012-2013	\$21,000	Date of death in 2002-2004	\$17,000
Date of death in 2009-2011	\$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

- The filing fee is \$25. Probate staff will also calculate the Gross Estate Fee (GEF) based on the “Total Inventory Value” in #3, which reflects the deduction of liens (mortgages) for each parcel of real estate only up to the parcel’s value. GEF examples: \$25 for \$1,000 in assets; \$119 for \$20,000 in assets. Each certified copy of the Order is \$12.
- **Our hours are 8:00-4:30. Please arrive by 4:00 to allow ample time for processing.**