

Petition for Assignment (PC556m)

Filing fee is \$25.00 plus the statutorily mandated inventory fee* based on the value of the estate. Must also provide a copy of the Death Certificate and the Funeral and Burial Expenses.

Certified copies of the Order are \$13.00/each
(add \$1.00 for each additional page attached to the Order)

Filing and/or to request certified copies:

In Person: Monroe County Courthouse
Probate Court Office, 2nd Floor
106 East First Street
Monroe MI 48161
Please contact us at 734/240-7346 for current business hours

By Mail: Mail Petition and necessary documentation and/or request to the above mentioned address. Include correct payment for filing fee, the number of certified copies and inventory fee based on the value of the estate.

Payment Methods: Cash (exact amount)
Check (Payable to: Monroe County Probate Court)

* Inventory fee calculation may be obtained by calling Probate Court Office or visit www.co.monroe.mi.us "Government" "Courts" "Probate Court" "Estate Inventory Fees"

PETITION AND ORDER FOR ASSIGNMENT (Small Estate Assignment)

If a decedent's estate is small enough, Michigan law (MCL 700.3982) allows the estate to be probated using an expedited process that does not require the appointment of a personal representative, **takes no notice of any will**, and results in a court order assigning assets. However, this expedited process has several requirements:

1. You must fill out the Petition for Assignment (PC 556m). **There is a \$25 filing fee, each certified copy fee is a minimum of \$13.00 of the order (based on number of pages), and a statutorily-mandated inventory fee based on the value of the estate.**
2. The decedent must have been a **Monroe County resident** or was not a Michigan resident but left property in our county.
3. The total value (as of date of death) of the estate, subtracting any funeral and burial expenses which are either unpaid or were paid by someone other than the decedent after the decedent's death, is **\$25,000 or less** (review table below for year and amount verification).

Date of Death - Year	Maximum value – cost-of-living adjustment
2022	\$25,000
2021	\$24,000
2020	\$24,000
2018 - 2019	\$23,000
2014 - 2017	\$22,000
2012 - 2013	\$21,000
2009 - 2011	\$20,000
2007 - 2008	\$19,000
2005 - 2006	\$18,000
2002 - 2004	\$17,000
2001	\$16,000
10-01-1994 - 12-31-2000	\$15,000
12-13-1984 - 09-30-1994	\$5,000
07-01-1979 - 12-12-1984	\$2,500
10-01-1972 - 06-30-1979	\$1,500
08-28-1964 - 09-30-1972	\$1,000
09-03-1949 - 08-27-1964	\$500
09-10-1942 - 09-02-1949	\$200

4. Funeral and burial expenses are those expenses directly connected with a funeral or memorial service and with the burial or cremation of body. **Funeral and burial expenses must be accounted for by a bill from the funeral home.**

5. If someone paid some or all of the funeral or burial expenses for the decedent, **there must be a receipt from the funeral home indicating who paid and the amount paid.**
6. A detailed description and value must be given of all property within the decedent's estate. Statute explicitly requires the valuation to be on the **GROSS VALUE of the estate**, and so any liens, encumbrances, mortgages, etc., should not be listed.
7. You must list the **heirs of the decedent**. If the decedent left a surviving spouse, that spouse is an heir. If the decedent left any children, they are all heirs. If a child pre-deceased the decedent, then any children of that child are heirs. If the decedent left no descendants, then the parents (if living) are heirs.
8. Since small estate assignment is an expedited probate procedure, statute is very strict on how a decedent's estate may be assigned using the process.
 - First**, the estate must be applied to pay any unpaid funeral or burial expenses to the funeral home. If the estate is less than or equal to the amount of the unpaid funeral and burial expenses, then all of the estate goes to the funeral home.
 - Second**, if there are assets left over after full payment of the funeral home, then any individuals or entities (including FIA) paying towards the funeral and burial expenses are to be recompensed. If the estate is less than the total amount paid by others, then the estate is to be pro-rated according to the percentage each individual or entity paid.
 - Third**, if the funeral home and any paying funeral or burial expenses have been recompensed and there are still assets remaining, the remainder is to be assigned to the surviving spouse. If there is no surviving spouse, then the remainder is to be assigned to the decedent's heirs. If the heirs happen to be children or other descendants of the decedent, then the assets will be assigned such that each child (whether alive or pre-deceased) represents an equal share.
9. **An individual entitled to receive all or a portion of a decedent's estate through small estate assignment may not him- or herself assign the property to someone else.** However, such an individual may disclaim their interest in the estate, which would then allow the assets to be distributed amongst the other heirs. [Forms are available if you need them.]
10. The Petition and Order for Assignment (small estate assignment) process may not be appropriate in cases where a bulk of the estate is made up of an automobile, household belongings, or real property and there are multiple individuals entitled to the property.

NOTES:

If the Petition for Assignment is filed with the Probate Court and additional assets are discovered at a later date, another form must be completed and current filing fees will apply or depending on the total amount of the decedent's estate a "probated" estate may be required.

Suggested list of assets to review at the completion of the Petition for Assignment (registered in the decedent's name alone or joint property, but the other individual(s) have pre-deceased or payable to estate of decedent) [list is not intended to be inclusive]:

Checking Accounts, Saving Accounts, Certificates of Deposit

Stocks, Mutual Fund Investments or Bonds (which may include U.S. Savings Bonds)

Refund Checks (Insurance, Medical, Federal or State Taxes)

Insurance Proceeds (which does not have a beneficiary designation or beneficiary is deceased)

STATE OF MICHIGAN PROBATE COURT MONROE COUNTY	PETITION FOR ASSIGNMENT	CASE NO. and JUDGE
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Court address 106 E. FIRST STREET, MONROE, MI 48161	Court telephone no. 734-240-7346
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In the matter of _____ Put last 4 digits of SSN
First, middle, and last name of decedent **XXX-XX-** in box 2 on MC 97.
Last four digits of SSN

Petitioner's name, address, and telephone no.

Petitioner's attorney, bar no., address, and telephone no.

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. The decedent's personal and real property, gross values, and lien amounts (if any) are listed below. The values of all property are calculated as of the decedent's date of death. *For real property only, if the date of death is on or after March 28, 2013, the gross value of a parcel can be reduced by any lien amount on that parcel; however the remaining inventory value of that parcel cannot be less than zero. For personal property, the gross value and inventory value are the same. (Attach separate sheet if necessary.)

Note: Do not provide financial account numbers on this form. If an account number is necessary to distinguish between accounts, put it on form MC 97.

Legal description of real property	Gross value	Lien amount	Inventory value (less lien)*
Legal description of real property	Gross value	Lien amount	Inventory value (less lien)*
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Totals	Total Gross Value		Total Inventory Value

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

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		
			Street address		
			City	State	Zip
			Street address		
			City	State	Zip
			Street address		
			City	State	Zip
			Street address		
			City	State	Zip

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

a. for funeral and burial expenses, \$ _____ to _____, Name
\$ _____ to _____, Name, and \$ _____
to _____, Name.

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.

Date

Petitioner signature

Date

Attorney signature

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE MONROE	PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE
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Court address 106 E. FIRST STREET, MONROE, MI 48161	Court telephone no. 734-240-7346
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Plaintiff's/Petitioner's name	v	Defendant's/Respondent's name
In the matter of _____		

This form is nonpublic because it contains personal identifying information (PII) that is protected from public inspection under MCR 1.109(D)(9)(a). Use this form to provide PII only for a person who is a defendant, respondent, or decedent. If the person is a plaintiff, petitioner, or other individual, use form MC 97a.

Instructions:

- When PII (such as date of birth) must be filed with the court on a public document, DO NOT include it on that public document. Instead, you must provide it on this form.
- **Provide only** the protected PII required for your particular case. For example, if you are filing a public document that requires you to provide a date of birth to the court, complete only that field on this form.

Name of form/document that this MC 97 is being filed with: PETITION FOR ASSIGNMENT

Printed name of individual completing form and date _____

Instructions: Provide the name of the person that the PII applies to, followed by the specific PII that is required to be provided. For Other, specify the type of PII in addition to the PII itself. Use the below reference number (Ref. No.) in the public document in place of the protected PII. For example, insert "Ref. No. 1" in place of the DOB in the public document.

Ref. No.	Name (required)
1	Date of birth
2	National ID no. / Last 4 digits of SSN XXX-XX-_____
3	Driver's License / State-issued ID no.
4	Passport no.
5	Other

Ref. No.	Instructions: List the name of the financial institution and the account number. List the paragraph that references the account, if needed for clarity. Use reference number (Ref. No.) when necessary to refer to account in public documents.		
6	Financial institution	Account no.	Paragraph no.
7	Financial institution	Account no.	Paragraph no.
8	Financial institution	Account no.	Paragraph no.
9	Financial institution	Account no.	Paragraph no.