

# Jackson County Probate Court

312 S. Jackson St.  
Jackson, MI 49201  
Phone: 517-788-4290  
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## Instructions for Petition and Order for Assignment (Small Estate)

If the estate of a deceased person consists of property valued at \$51,000 or less if the date of death is on or after 2/21/2024, the Court may issue an order that the property be assigned to the surviving spouse or, if there is not a spouse, to the decedent's heirs.

Completed paperwork must be legible and typed or written in ink. The Court is required by law to refuse any paperwork that is not legible.

You **MUST** include the following documents when you file.

- Petition and Order for Assignment (included in this packet)
- Two copies of the death certificate. The petitioner must redact from one of the copies being filed all protected personal identifying information as required by MCR 1.109(D)(9).
- Proof of all funeral expenses
- If the funeral expenses have been paid, proof of who paid those expenses

### Funeral Expenses

A copy of the funeral and burial invoice/statement must be provided to the court indicating if the funeral expenses have or have not been paid. If the expenses have been paid, a RECEIPT from the funeral home *must specify who paid the bill and the amount paid*. **No exceptions**. An invoice/statement showing only a zero balance or simply marked "paid" is insufficient. Failure to provide the appropriate documentation may result in a denial of your petition. Filing fees are non-refundable.

If the funeral expenses were paid by someone other than the decedent, the decedent's assets must be assigned to the individual or individuals who paid the funeral expenses first as reimbursement for those expenses.

If the funeral expenses were paid using the decedent's assets, no reimbursement is necessary.

### Liability

If the decedent's assets are assigned to someone other than a surviving spouse, or the decedent's minor child, a person receiving those assets is responsible for any unsatisfied debt of the decedent, up to the amount received for 63 days after the date of the order.

### Fees (Fees cannot be returned if your petition is denied.)

- Filing Fee - \$25.00
- Certification Fee - \$11.00 (This fee ONLY is waived if the total value of the estate is \$500 or less.
- Inventory Fee – Varies based on the value of the estate. )  
Call the Probate Office at the number above to verify the fee in your case.



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 \$50,000 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 |
|      |     |              |                |      |           |
|      |     |              | 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 \_\_\_\_\_, and \$ \_\_\_\_\_  
 Name  
 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

**ORDER ASSIGNING ASSETS**

In the matter of \_\_\_\_\_  
First, middle, and last name of decedent

**IT IS ORDERED:**

7. The property described above is assigned as follows:

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

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.**

8. The petition is  denied.  dismissed/withdrawn.

\_\_\_\_\_  
Judge signature and date

|  |   |                       |
|--|---|-----------------------|
| STATE OF MICHIGAN<br>JUDICIAL DISTRICT<br>JUDICIAL CIRCUIT<br>JACKSON COUNTY PROBATE | PROTECTED PERSONAL<br>IDENTIFYING INFORMATION | CASE NUMBER and JUDGE |
|--|---|-----------------------|

Court address

Court telephone number

|                               |   |                               |
|-------------------------------|---|-------------------------------|
| 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: \_\_\_\_\_

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 number / Last 4 digits of SSN<br>XXX-XX-_____ |
| 3        | Driver's License / State-issued ID number                 |
| 4        | Passport number   |
| 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 number | Paragraph number |
| 7        | Financial institution   | Account number | Paragraph number |
| 8        | Financial institution   | Account number | Paragraph number |
| 9        | Financial institution   | Account number | Paragraph number |

# Petition for Assignment

## Checklist - Small Estate

Michigan law prohibits court employees from providing legal advice and completing forms, petitions, or documents. MCL 700.1211.

1. **Gather the following documents:**
  - a. Death Certificate
  - b. Copy of Paid Funeral Contract
  - c. Information about Property
    - i. **Real Estate:** Copy of tax statement with state equalized value (SEV) for year of death or appraisal (from certified appraiser) within one year of death.
    - ii. **Automobile:** Year, make, and model; also VIN number, if possible.
    - iii. **Bank Account:** Name of bank and account number or branch location. (Include this information on the MC97 form)
    - iv. **Stocks:** For each stock, name of company, number of shares, and share price on date of death. Certificate numbers or investment account numbers should also be included, if possible.
2. **Fill out the following SCAO forms:**
  - a. PC 556, Petition and Order for Assignment. **DO NOT complete the order portion of the petition as the court will complete it.**
  - b. MC 97, Protected Personal Identifying Information with decedent's information and if applicable, financial account numbers for assets being assigned
3. **Submit your documents to the Court in the following order**
  - a. PC 556, Petition for Assignment
  - b. MC 97, Protected Personal Identifying Information with decedent's information, and
  - c. Copy of Death Certificate (or alternative documentation of death)
  - d. Copy of Paid Funeral Contract, and
  - e. Supporting documentation for value(s) of asset(s) (for example, the tax assessment for year of death for real property being assigned).
4. **Filing Fee**
  - a. \$25 Filing Fee + \$11 Certification Fee + Inventory Fee based on the value of the estate, see <https://www.mijackson.org/309/Inventory-Fee-Calculator> for inventory fee calculator.
5. The assets will be assigned first for the payment (or reimbursement if paid by someone else) of the decedent's funeral and burial expenses and then to the decedent's surviving spouse, or decedent's heirs via intestate succession if no surviving spouse regardless of a testamentary document (will) or agreement attempting to alter shares. See MCL 700.3982
6. **NO LETTERS OF AUTHORITY ARE ISSUED AND NO PERSONAL REPRESENTATIVE IS APPOINTED VIA THE PETITION FOR ASSIGNMENT SMALL ESTATE PROCEDURE.**