

APPLICATION FOR INFORMAL PROBATE CHECKLIST

This information is not intended to be legal advice, but a brief explanation of the basic procedure that is required. Probate Court personnel cannot give legal advice about your particular situation or complete forms for you. You are not required to have an attorney; however the Court cannot act as your attorney. If you choose not to obtain an attorney, you are expected to act as your own attorney. If you do not understand the process or these instructions, you will need to obtain other assistance.

Required to File:

- \$175 filing fee to the Berrien County Probate Court (payable by cash, check, or credit card)
- \$12.00 fee for each certified copy of the Letters of Authority (optional)
- Application for Informal Probate and/or Appointment of Personal Representative (Testate/Intestate) ([PC 558](#)) The Application must be completely filled out, including:
 - a list of all heirs and devisees,
 - a statement about whether or not there is a valid Will,
 - a nomination of a personal representative,
 - a statement of what you are requesting the court to do, and
 - a signature and date, with address and phone number.
- Death Certificate** for the decedent
- The original Last Will and Testament and any Codicils (if they exist)
- Testimony to Identify Heirs ([PC 565](#))
- Appearance of Parent ([PC 606](#)) – required if an interested person is a minor
- Supplemental Testimony to Identify Nonheir Devisees ([PC 566](#)) – applicable only if there is a Will that gifts to a nonheir (such as a friend or a trust)
- Renunciation(s) ([PC 567](#)) – required if there are persons with equal or higher right to appointment.
Or
- Notice of Intent ([PC 557](#)) and Proof of Service ([PC 564](#)) – required if there are persons with equal or higher right to appointment and he/she does not sign a renunciation.
- Register's Statement ([PC 568](#))
- Acceptance of Appointment ([PC 571](#))
- Letters of Authority ([PC 572](#))

File/Mail to:

Berrien County Probate Court
811 Port Street
St. Joseph, MI 49085

Probate Court does not accept faxed/emailed copies. You must file the original with the Court. Probate Court staff cannot provide copies of your filings. It is the Applicant/Petitioner's responsibility to make arrangements for copies prior to filing. If you file by mail, and copies are provided to be court stamped, you must include a self-addressed stamped envelope for return.

After Appointment

Once appointed, a personal representative has several duties.

- ✓ File Inventory and pay the inventory fee
- ✓ Administer the Estate
- ✓ Properly Close the Estate

It is the personal representative's responsibility to understand and comply with these duties.

Additional Documents

- Notice of Appointment ([PC 573](#)) and Proof of Service ([PC 564](#)) You must serve Notice of your Appointment on all interested parties within 14 days of your appointment. Original Notice and Proof of service must be submitted to Berrien County Probate Court.
- Inventory ([PC 577](#)) and Proof of Service ([PC 564](#)) – due within 91 days from appointment – You will be required to pay the Inventory fee prior to making any disbursements from the estate or within one (1) year from appointment (whichever is first). Copy of inventory must be served to all interested parties.
- Notice to Creditors ([PC 574](#)) – If the decedent passed away in the previous three years, this form must be completed. You must publish in Berrien County approved newspaper. (click here)
 - No disbursement shall be made from the estate until after the creditors period has expired.
- Notice to Known Creditors ([PC 578](#)) – required to be served if the decedent had creditors and you know their identity. The original must be filed with the Court. A copy must be sent to the creditor.
- Send Notice to Friend of the Court ([PC 618](#)) - must serve on Friend of the Court
- Notice of Continued Administration ([PC 587](#)) and Proof of Service ([PC 564](#)) – must be filed annually within 28 days of the anniversary date of appointment until ready to close the estate.
- Account of Fiduciary ([PC 584](#)). You are required to complete an Account annually and serve on interested persons once a year. You are not required to file this with the Court on Informal Estates.
- Close estate by filing either: - must be served on interested persons and filed with the court
 - Sworn Statement ([PC 591](#)) or Sworn Statement Summary Proceeding ([PC 590](#)) and Certificate of Completion ([PC 592](#))
 - OR
 - Petition for Complete Estate Settlement ([PC 593](#)) Schedule of Distributions and Payment of Claims ([PC 596](#)) Account of Fiduciary, final ([PC 584](#)), Order for Complete Estate Settlement ([PC 595](#)), Notice of Hearing ([PC 562](#)), and Proof of Service ([PC 564](#))

Additional Links:

See Berrien County Probate Court's [Frequently Asked Questions](#) page for additional information. For an Overview of Informal Proceedings offered by Michigan Legal Help, click [here](#)

If you wish to obtain assistance filling out documents and/or to obtain an Informal Estate packet, contact Berrien County Self-Help Legal Resource Center at 269-983-7111 x 8790 or visit their [webpage](#).