

Cass County Probate Court

Law & Courts Building
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This document is for informational purposes. It is not a substitute for legal advice. The Cass County Probate Court staff cannot tell you what to file or what to do. If you have legal questions or need help deciding what to do, you should speak with an attorney.

PETITION AND ORDER FOR ASSIGNMENT

Estate Not Exceeding \$23,000 (adjusted annually)

***You may NOT deduct liens on real estate in order to qualify the estate for the Petition and Order procedure.**

If a decedent's estate is below the statutory amount (\$23,000 if the decedent died in 2019), the estate may qualify for the small estate procedure. With this type of filing, the Court may issue an order assigning the property in accordance with the provisions of [MCL 700.3982](#).

The applicable statute requires that any person who paid the funeral bill be reimbursed first. If the bill has not been paid, the funeral home would be assigned the amount of the bill owed and the remaining assets would be divided equally among the heirs. An heir may assign his/her share to another person. (If an heir wants to assign his/her share, a written statement must accompany the Petition and Order for Assignment). Except for the share of a surviving spouse or minor child, the share of each heir, for 63 days from the date of the Order for Assignment, shall be subject to any unsatisfied debt of the decedent up to the value of the property received through the Order for Assignment.

For this type of filing, the following is required:

- Petition and Order for Assignment ([Form PC 556](#))
- Testimony to Identify Heirs ([Form PC 565](#))
- Copy of Death Certificate
- Copy of funeral bill
 - *Receipt to confirm who paid the bill, or*
 - *Documentation showing the amount still unpaid.*
- Documentation supporting assets of the estate.
 - For example, a tax statement of the property, bank statement, copy of check left in decedent's name, "Blue Book" page for auto/truck, etc.
- Filing fee of \$25.00, certified copy fee of \$12.00 and a statutorily mandated inventory fee based on the value of the estate.
 - For example, if the assets value \$15,000, the estate inventory fee would be \$94.00 (plus the \$25.00 filing fee and the \$12.00 certified copy fee).

*If the decedent left a Last Will and Testament, it **WOULD NOT** be admitted to Probate by filing a Petition and Order for Assignment. However, any person in possession of an original will must deliver it to the Probate Court in the county of residence of the decedent.*