

New
Calhoun County Probate Court
Procedure Manual

With OnBase Additions
Updated 3/5/2019

Rev March 5, 2019

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Before You Begin... General Information Section:

Familiarize yourself with JIS/TCS System:

- 1) Name Entry: LAST,FIRST,MIDDLE,SUFFIX (if any)
Suffix - anything that needs to go AFTER the name (JR/SR/prisoner id #)
No Abbreviations, spaces or punctuation. Examples:
STJAMES,ROBERT,PAUL (No period or space after St.)
SAINTCLAIR,SUSAN,J (No space after Saint)
OCONNELL,RICHARD,B (No punctuation for O'Connell)
BROWN,ROBERT,E,SR (Example for Suffix)
BROWN,ROBERT,,SR (Example for Suffix without middle name - use commas as
spacers for missing middle name/initial)
NOTE: You can go to CAS, T for Title, to change how the name will print on court documents

- 2) Standard Function Keys (F#) - Usually displayed on each screen with brief description
F2 - will always position your cursor at the 'hop' (Next field at top of screen)
F3 - will always exit a screen without making changes/updates
F4 - will always give you options for that field
F6 - will always allow you to create a new entry
F14 - [shift] F2 - full comments view
F16 - [shift] F4 - access to inventory/date calculator
F20 - [shift] F8 - bond screen
F21 - [shift] F9 - Print

- 3) Hop Line - at top of screen - directs where you will go next
Default Court (right hand side) - always P 13 13 for Probate Court
(F 37 13 when looking at specific Family Court case)
NAM - for name lookup
CAS and case number - to go to Case Screen
PTY and case number - to go to Party Screens for a case
EVT and case number - to go to Event Screens for a case
ROA and case number - to go to ROA for a case
AEV and case number - to add an event to a case
(Or EVT and case number, then F6 to create)
CAL - to go to calendar screen
(P# of jurist will take you to their docket - J 47209 for Judge Jaconette)
CRP - to go to calendar report screen (to print docket)
ATY - to go to attorney/bar file

Familiarize yourself with OnBase System:

Case numbers in OnBase are configured: YYYY##### (Year with 6-digits, 0's as placeholders, for example 2014-252-GA becomes 2014000252 in OnBase).

Doc Types – documents are grouped by type of document (petition, order, letters, etc.)

Doc Codes – usually correlate to event codes in TCS.

Familiarize yourself with the TABS and ICONS. Here are the ones you will use most:

- Home Tab – Icons:
 - Custom Query – Most often used to ‘look’ at a ‘file’ by case number
 - Retrieval – Most often used to locate specific documents or entries by doc type or code
 - Workflow - Will take you to Queues visible to Probate clerk staff
 - PB-High Priority – high priority doc’s (time sensitive scheduling or transport orders that need to be processed)
 - PB-Indexed – documents after indexing that need action
 - PB-Returned to Clerk – documents with hearing dates or that have been signed that need to be processed
 - PB-Clerks – other documents that need action
 - PB-Proposed Orders – orders waiting for hearing/signing
 - PB-Pend – documents can be ‘held’ for a specified time period
 - Batch Scanning – only available from Window or Scan Station
 - Batch Processing – to index batch-scanned documents
- Batch Processing Tab – Select batch to start indexing (Icon)
- Workflow Tab – Icons:
 - Add Probate Note (to add a green sticky note to a document)
 - Route to Judicial Staff – for scheduling
 - Route to Register – for handling or questions directed to Register
 - Route to Judge – for signature
 - Route to JUD-High Priority – time sensitive scheduling
 - Sign – opens TrueSign for signing/mark up
 - Stop Workflow – takes document out of Q when you are finished
- Document Tab – Icons:
 - Send to – to print or email a document
 - Re-index – to change a doc type (after a proposed order is signed, for example)
- Image Tab – Edit pages or Document separation

For more information, go to the OnBase Manuals (Word Documents):

Z:OnBase/_Training Materials/Training Manuals/Unity Client Workbook - Calhoun County

Z:OnBase/_Training Materials/Training Manuals/P13 Workflow Course Workbook

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NEW CASES

Filing fees for new files:

Petitioners must pay filing fees or request that fees be waived.

Fee Waivers:

- 1) Packets at window will contain:
Affidavit & Order, Suspension of Fees/Costs (MC 20) - 2 pages
with Probate Court Financial Statement inserted.
- 2) Petitioner must complete and sign page 1 of MC 20 and Probate Court Financial Statement (p 2) if not receiving public assistance.
- 3) Clerk/Deputy Register will check for completeness, verify information and sign MC 20.
- 4) Clerk/Deputy will use Waiver Worksheet to determine annual household income. Fee waivers are granted/denied based solely on household income and number of persons living in household.
- 5) Always keep Affidavit/Order for Suspension of Fees, even when denied, as a paper trail to show that they requested fees be waived.

Federal Poverty Guidelines 2018

Persons in Household	Poverty Guidelines	125%
1	\$12,140	\$15,175
2	\$16,460	\$20,575
3	\$20,780	\$25,975
4	\$25,100	\$31,375
5	\$29,420	\$36,775
6	\$33,740	\$42,175
7	\$38,060	\$47,575
8	\$42,380	\$52,975
For each additional person, add	\$4,320	\$5,400

Fee Schedule At-a-Glance
Updated May 1, 2016
(* Includes new Electronic Filing System Fee)

Initial Filing Fees:	
MI/DD files – Any petition filed by subject	NO CHARGE
Claim of Appeal	\$ 25.00
All other cases	\$ 175.00 *
Service Fee (preparation, copy, mailing of documents)	\$ 20.00
Publication Costs, if needed	\$ 75.00
Certified Copies:	
Certification Fee - Any Document	\$ 10.00
Each page	\$ 1.00/each
Letters of Authority	\$ 12.00/each
Petition/Order for Use of Funds - Minor	NO CHARGE
Exemplification (if going out of state)	\$ 10.00
Photocopies	\$ 1.00/page
EACH Account	\$ 20.00
Petition for Reinstatement	\$ 20.00
Motion, Petition, Amd Pet, Demand for Ntc, Objection, Answer, Response etc. -	
MI files	NO CHARGE
DD files - If GDN over EST	\$ 20.00
DD files - if no GDN over EST	NO CHARGE
All other files - One fee regardless of number of documents <i>filed together in one case</i>	\$ 20.00
Filed with any other document requiring a filing fee in same case	NO CHARGE
Filed by the Court Ward or GAL	NO CHARGE
Answer in CZ Files	NO CHARGE
Briefs, Reports, etc.	NO CHARGE
Petition for Assignment of Small Estate	\$ 25.00
Plus Certified Copy	\$ 12.00
Plus Inventory Fee	DETERMINED
Will for Safekeeping	\$ 25.00
Microfilm Search Fee (includes up to 20 photocopies from file)	\$ 20.00
Certification Fee	\$ 10.00 plus \$1/page
Filing of Letters by Foreign Personal Representative	\$ 45.00
Petition to Open Safe Deposit Box	\$ 35.00
Registration of Trust	\$ 25.00
Secret Marriage License	\$ 3.00

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AT THE WINDOW

Review Pleadings:

- 1) When accepting pleadings, review form in its entirety. Are all required boxes checked? Are all fields completed, including phone number? Are all interested parties identified? MCR 5.113.
- 2) If an address of an interested person is unknown, petitioner must complete Declaration of Intent to Publish and list specifically what they have done to find the address of the INP. Need one form for each interested party.
- 3) Specific things to look for by case type:
 - DD Have they been to Summit Pointe? If not, refer them to Summit Pointe (966-1460) for DD eligibility assessment. Summit Pointe (CMH) is responsible for providing services to Calhoun County's developmentally disabled population, including DD screening, evaluations, and assistance with guardianship paperwork. An attorney or individual may file a petition without going through Summit Pointe.
 - GA If Petition indicates "mental deficiency" on #6 as reason for guardianship, make inquiry regarding whether the individual is developmentally disabled. See DD section (above) for information regarding DD Guardianship Screening.
 - CA If Account being filed:
 - Is there Petition to Allow Account?
 - Are there bank statements attached? (Needs to have bank name, address, account number, balance, and account caption.)
 - CA/CY - Verification of Funds - Is there a bank statement attached? (Needs to have bank name, address, account number, balance, and account caption.)
 - LG Initial Petition:
 - Limited Guardianship Placement Plan required
 - Are visits and contact (#2) completed to an extent that will be sufficient to maintain bond with child (needs to be specific)? Is it signed by both parent and proposed guardian?
 - LG Petition to Modify/Terminate:
 - A **Parent *without custody cannot*** file for termination of guardianship (send to Circuit Court to seek custody).
 - B **Only Parent *with custody*** can file Petition to Modify limited guardianship. Must file new Placement Plan with Petition to Modify.
 - C If parent who established LG has disappeared, guardians can file petition to modify from LG to GM.
 - LG/GM If minor, parent, and petitioner all reside in same household, must file LG
 - DA/DE If filed by Petition, look at #14C & #18 - If supervised administration is requested, case type is DA - All others are DE

NAM - Check names and cases for all parties involved in case:

- 1) When doing NAM look up, if an individual you are working with has a red W, it stands for warrant.
 - A) Excuse yourself from the window (to pull the file, check on something, etc.) and from another phone/office, call Circuit Court Clerk #6518.
 - B) Provide Circuit Court Clerk with the name. They will check the case numbers and warrant status.
 - C) You may return to the window and continue assisting the customer. If there is a valid outstanding warrant, circuit court will call security and ask them to proceed to our office to make the arrest. If it is not a valid, outstanding warrant, they will take action to correct the system.
- 2) Obtain updated information from the individual, pleadings, or other NAM screens
Update NAM with newest information (If DL or NA case or Will activity, use that name)
Verify through address, DOB, SS# or other identifying information
Be sure to put all available and updated information from all screens on ONE screen
Consolidate names whenever possible - Print screen NAM for Name Check/Name Consolidation folder in Register's Office, highlight the one updated and used, give to Register for combining Family Court cases and/or to delete duplicate names
- 3) If opening an estate file, check for Will (W for Will Activity). If we have in paper form, pull the will to scan with the file. If we have in electronic form, create copy for the new estate file.
- 4) If opening a guardianship or conservatorship, look for OPEN Family Court Case (DL, NA, or any suffix beginning with D - DM, DO, DS, etc.) for any minor or parent. If an OPEN (Case Status) Family Court Case, they must file in Family Court.
- 5) If we have an existing closed file, Reopen existing file ONLY if a decedent's estate or petition/order for assignment:
 - A) Administratively closed decedent's estate - must file Petition to Reopen
 - B) Reopen decedent's estate - not administratively closed - may file Application or Petition to Reopen
 - C) Amending a Petition & Order for Assignment (small estate).
- 6) If a NEW Petition (Mental, Guardianship, Conservatorship, etc.) is filed on someone who has a closed file, OPEN a new file and assign a new number.

Security Alerts/Information:

- 1) Calling for Security - Transport Sergeant x-6343
- 2) If no one answers - Jail Intake x-6304
Tell them Transport Sergeant didn't answer - They can radio for help
- 3) Security Alerts - NAM Index - Y in Security Risk field (bottom left) with comment in Desc field (describe the type of security risk involving this person)
- 4) Security Alerts - PTY
Add CCSD Transport Sergeant as party in any case involving security risk
Whenever a hearing is scheduled, include notice to CCSD Party for security/back-up

Case Initiation/Receipting:

- 1) Next Action: CSI & Case Number Enter
- 2) Case Initiation Screen: Add Case Type Code Enter
- 3) Edit Probate/Civil Screen: Jurist/Judge Jaconette J 47209
Service Type:
 - DE V
 - CY R
 - CA/PO/DA/DD B
 - TV A
 - Others BlankProbate Type:
 - If Living A for Adult
M for Minor
 - If Estate T if will
I if no will

Enter
- 4) Name Selection
 - a) Select NAM for Header – If a Minor and UNDER AGE 14, “N” in Notices Field;
Enter
 - b) Select NAM for Petitioner, add attorney (if one), put relationship on PTY
Comment line.
 - c) In CZ case, parties will be Plaintiff and Defendant
- 5) When returned to Name Selection, F3
At Edit Event Screen, F3

Initial Receipt for Case:

- 1) Next Action: CSH & Case Number Enter
- 2) Cash Receipts Screen: Cashier: 3 digit password

FINANCIAL SECTION

Credit Card Receipts:

Credit card receipts are processed through GovPayNet at their website:

<https://www.govpaynow.com//gps/user/cyg/plc/a001tp>

There is a link on our website which allows customers to pay online. Employees may take electronic payments over the phone, by following the link and filling in the fields. There is also a credit card reader at the workstation at the probate window which will auto-fill most fields.

Payment Confirmation Emails:

Every payment processed by GovPayNet will send an email to crude@calhouncountymi.gov and probate@calhouncountymi.gov . Keep them in the inbox until they are confirmed in a Probate Court Summary email.

Probate Summary Emails – HIGH PRIORITY - Do first thing in the morning:

Every workday morning a list of payments processed the previous day/s (if any) will be sent to the same email addresses.

- 1) Print this email.
- 2) Check names of payers against payment confirmation emails. Delete payment confirmation emails after they appear on a Summary email.
- 3) Check names against TCS to make sure we can accept their payment.
- 4) If we CANNOT accept their payment:
 - A) Look up NAM or CNI to see if they may be paying the wrong court. Call the other court to confirm if they owe money to get their Pay Location Code.
 - i. Circuit Court – Call Sonja @ 6919 or Teri @ 6920
 - ii. District Court – Call Abby @ 6698 or
 - B) Call GovPayNet 800# (on the bottom of the email); ask them to transfer the funds to the correct pay location code.
- 5) If we CAN accept the payments, start the Daily Cash Audit Report:
 - a. Initial “Credit Card Payments - Review List” & write in amount
 - b. Attach Summary Email
 - c. Hand off to Primary Receipt Person (whoever is working the window) for TCS receipts

ACH Transfer Summary Emails:

Every afternoon a list of payments transferred to the county’s bank account (if any) will be sent to the same email addresses. Compare ACH Summary Email to the Probate Summary Email (received in the morning). If all payments from Probate Summary were transferred (shown on ACH Summary), delete the Probate Summary email. The ACH Transfer Summary Email must be kept (move into GovPayNet Transfers folder) and used in Month End financial processing.

Credit Card Receipts:

- 1) Window Staff will generate a TCS receipt for each payment on Probate Summary Email.
- 2) On Daily Cash Audit Report, initial credit card payments and write in the amount.
- 3) Attach Summary Email to Daily Cash Audit Report.
- 4) Hand off to Mail Opener.

Opening Mail:

- 1) When mail is opened by probate clerk staff, mail with filing fees is separated from other mail.
- 2) Stamp all checks with "For Deposit Only" stamp.
- 3) Run 2 tapes, showing check numbers and amounts.
- 4) Initial Daily Cash Audit Report (or start Daily Cash Audit Report if no credit card receipts were done on this day) and write in the amount of "Mail Opened".
- 5) Hand off Daily Cash Report, daily mail with fees, and tape to Mail Receipt Person.

Mail Receipts:

- 1) Confirm check #'s and amounts received. Initial tape and keep with checks.
- 2) Process receipts from mail. Write receipt #'s on the back of each check.
- 3) If any filing fees are incorrect/returned:
 - a. Create PTY in YYYY-MISC for individual you are returning check to (INP F4)
 - b. Create EVT in YYYY-MISC:
 - i. MAC Comment: Return Check # to [Name]/Reason/File #, if any
 - ii. PTY NTF Mail to party; keep copy of check with our copy in 2017-MISC
 - c. Itemize Mail Returned on Daily Cash Audit Report
- 4) Run tape, showing amount of receipts from mail. Date and initial. Keep with checks from mail, separate from other funds. Place in locked cabinet.

Window Receipts:

- 1) Window staff is main receipt person; mail receipt person is primary back-up.
- 2) Most receipts are done as Cash Receipts (CSH); some are done through financial orders ("Z" for receipts from NAM screen).
- 3) Manual receipts should only be done as a last resort (if computers are down, if cash receipt is needed by temporary employee alone in the office, or if a cash receipt is needed between the FTW/FTC process). Original to payer, yellow copy with money.
 - a. Computer receipts processed from Manual receipts should include the Manual Receipt # in the comment section.
 - b. Write the Computer receipt # in the Receipt Book.
- 4) Stamp all checks "For Deposit Only". Write receipt number on check.
- 5) Funds are kept in the locked cabinet.
- 6) Each person doing receipts must keep their funds separate from others.

Financial Day End:

- 1) At end of day, main receipt person gathers all funds from locked cabinet. Confirm all checks are endorsed with "For Deposit Only" stamp and receipt numbers.
- 2) Verify amounts from everyone who receipted that day. Run tape to add all items together and verify total amount. Write in total on Daily Cash Report.
- 3) Run FTWP and verify that it matches total on Daily Cash Report.
- 4) Place Daily Cash Report, FTW, and all funds in Daily Transmittal Folder in locked cabinet.
- 5) Count/verify 'petty cash' (\$100). If able, make change from daily cash. If necessary, go to Circuit Court Collections Officer to break down large bills.

Financial Audit/Close & Daily Deposit:

- 1) Financial Audit/Close and daily deposit are completed by Register/Manager (Judicial Staff or Court Administration as back-up). This must be done between the FTW (end of one day) BEFORE any receipts are done the following day.
- 2) Retrieve Daily Transmittal Folder from locked cabinet. Count/verify 'petty cash' (\$100). If necessary, break down into smaller bills from daily deposit.
- 3) Compare day end tapes to FTW. Combine all funds. Run tape to verify total.
- 4) Run FAU. Confirm amount of cash/checks. Make sure back of all checks have deposit stamp and receipt number. Check receipt #'s (none missing from one day to next). Check voids and manual receipts, if any. Brad in Monthly Financial Transmittal Folder
- 5) Run FTC. Sign and brad in Monthly Financial Transmittal Folder.
- 6) Complete bottom of Daily Cash Audit Report. Brad in Daily Transmittal Folder.
- 7) Prepare Deposit. Run tape to verify Deposit Slip. Place tape, deposit slip, and all funds in secure bank bag, log into Dispatch Deposits folder, and place in locked cabinet for pick up by Chemical Bank Courier.

Deposit Slips:

- 1) Deposits are picked up daily by Chemical Bank Courier.
- 2) Bank Couriers bring back deposit slips.
- 3) Deposit slips go to Judicial Staff.

Month End/Deposit Summary:

- 1) Performed by Probate Register/Manager (Judicial Staff or Court Administration as back-up).
- 2) At the end of the month, run tapes to total the amounts in each column of bank deposit list. Write in at the bottom.
- 3) Run FST (Financial Summary of Transmitted Funds), combined report, for dates of daily transactions deposited during that month (use dates from the deposit list for the month – usually the 1st through the last day of the month) to verify amounts.
- 4) Keep FST (put in Voucher folder) for transmittal of funds to State of Michigan.

Month End EFT Transfer:

- 1) Performed by Probate Register/Manager (mail opener as back-up).
- 2) Print ACH Transfer emails for the month.
- 3) Compare to credit card payments listed on Bank Deposit List. Does total match Deposit list?
- 4) Prepare EFT Transfer memo and attach to all ACH Transfer emails for the month. Send to County Treasurer Fiscal Office, fiscaloffice@calhouncountymi.gov
- 5) Place documentation under Bank Deposit List.
- 6) Hand off Monthly Financial Transmittal folder to judicial staff for bank reconciliation/transmittal.

Month-End Bank Reconciliation/Transmittal to Treasurer:

- 1) Month-end bank reconciliation/transmittal is performed monthly by judicial staff. Probate register/manager is back-up. Transmittal verifies total amount of deposits made during the month and advises Treasurer how to apply funds.
- 2) During the month, collect deposit slips as delivered by bank courier. Make sure you have a receipt for each deposit listed.
- 3) Run tape from deposit slips. Make sure it matches total on deposit list.
- 4) Add amount of credit card payments to deposit total.
- 5) Run FST (Financial Summary of Transmitted Funds), combined report, for dates of daily transactions deposited during that month (use dates from the deposit list for the month – usually the 1st through the last day of the month).
- 6) Compare totals from tapes, credit cards, and FST to make sure they match.
- 7) Sign original FST. Make copy of FST and all deposit slips.
- 8) Attach original receipts to original FST. Send to “Fiscal Office – Treasurer – Marshall”.
- 9) Brad a copy of FST and copy of all deposit receipts in Financial Transmittal Folder. Give folder to Register/Manager.

NSF Checks:

- 1) Email Fiscal Office (Treasurer’s Office) for journal entry to put back in funds.
FCC Work with Cash Codes - Locate affected cash code(s)
P Price 5 Display
- 2) Event:
ATF NSF Check
MAC Create Fin Order for amount of NSF plus \$30 NSF Fee (current as of 07/19/2017)
PTY NTF Imports language from Fin Ord

Monthly Statements & Delinquency Letters:

- 1) Statements are generated and mailed monthly on/about the 1st of the month.
- 2) Delinquency Letters are generated and mailed with statements when:
 - A) Estate Inventory Fees remain unpaid after 1 year
 - B) Other money owed to court (Guardianship Review fee, Surcharge, NSF fees, etc) unpaid after 30 days
 - C) No payment has been made within the last 30 days
- 3) Stamp & Initial Delinquency Letter - Mail original - Keep copy for file
EVT: DLL
- 4) If 3 DLL are generated without any payments being made, prepare Motion/Order to Show Cause (MC 230) - See below. Have it served by Sheriff Department.
- 5) At Show Cause Hearing, Judge may issue Warrant.
- 6) Once a show cause/warrant process has been started, monthly statements will continue to be sent, but there is no need to continue to send/process delinquency letters.
- 7) To generate a DLL on demand, NAM, F (Financial), D (Del Ltr). If not authorized, may have to ask Register or Judicial Clerk to print.

Motion and/or Order to Show Cause (MC 230):

- 1) Complete Motion:
 - A) Complete heading (county, case name, case number); Interested in this matter as “Deputy Probate Register”
 - B) #2 - Name of Payer - in contempt for “Failure to pay inventory fee” or “Failure to cover NSF check”, specificity: “Subject has not paid despite monthly statements and previous delinquency letters.
 - C) #3 - Name of Payer - civil contempt.
- 2) Complete Order:
 - A) TO: Name/Address of Payer
 - B) Hearing/court information, civil contempt for reasons stated in motion.
 - C) To be served personally 7 days before hearing.
Can serve by mail if outside Calhoun County – or if previous attempt to serve personally resulted in non-service
- 3) EVT: MSC Motion to Show Cause
Comment: Reason for Show Cause to Judge for signature
- 4) After Judge signs order:
EVT: OSC Order to Show Cause
Comment: Filed by [Name] for [Reason]
Next Action: SCH, Date/time
- 5) If filed by court or GAL, have Sheriff Dept personally serve (take to Sheriff Administration)
If filed by another party/professional fiduciary/attorney, Petitioner is responsible for service.

Lost Payers:

Suppress bills; REV for 6 years to clear financial records. In the meantime, REV every 6 months to look for new address. If found, reactivate bills.

ADULT GUARDIANSHIPS

Who May File Petition:

MCL 700.5303(1):

Anyone interested in the individual's welfare may file Petition for Guardianship (PC 625).

Interested Persons:

MCR 5.125(C)(22):

Individual, POA, placement, proposed guardian, GAL, governmental agency paying benefits (social security), spouse, adult children, parents - If no spouse, adult children or parents, then presumptive heirs (including minor children)

Service:

MCR 5.105, Manner/Method of Service

MCR 5.108, Time of Service

MCR 5.402(C), Responsibility for Service

Petition, Order Appointing GAL, Notice of Hearing – to all interested parties – 14 days by mail.

Subject also gets Notice of Rights – personal service required for initial petition – done by GAL. (We serve GAL with paperwork.)

If petition was filed by an attorney, attorney serves interested parties; if filed by individual, they are responsible for service unless they pay service fee, then Court will serve. Court serves if filed by government agency or if filing fees were waived.

Priority for Appointment:

MCL 700.5313

(1) Person previously appointed in another jurisdiction; (2) Subject's preference; (3) Spouse; (4) Adult child; (5) Parent; (6) Other relative; (7) Nomination by caregiver or benefit provider; (8) Any competent person willing to serve, including professional.

Do-Not-Resuscitate (DNR) Orders:

MCL 700.5314(D)

Guardian under EPIC can execute DNR Order.

ECT Treatment:

MCL 330.1717:

Full Guardians have authority to sign for ECT (Electro Convulsive Treatment). Temporary Guardians and/or Limited Guardians must have language outlined above on Order (not required on Letters). Court requires testimony of a doctor for authorization of ECT Treatments.

Entry/Removal from LEIN:

MCL 700.5107

Upon entry of order finding individual to be legally incapacitated (Order Appointing Guardian), court shall order MSP to enter into Law Enforcement Information Network (LEIN). If a subsequent order is entered terminating the guardianship because the individual is no longer legally incapacitated, court shall send to MSP for removal from LEIN.

Independent Evaluations (ICE) by Mental Health Professional (MHP):

MCL 700.5304

- 1) Use Region 3B Area Agency on Aging whenever possible. If MI file, evaluation must be done by a doctor (MD or PhD).
- 2) If using someone other than Region 3B, call MHP. If a hearing is scheduled, give them the date/time of the hearing and ask if they are able to do evaluation and report prior to the hearing and attend the hearing. Some MHP will give you the date/time for the evaluation; others will require the petitioner/GAL/ward to call to schedule.
- 3) Prepare Acrobat form, Ord Appt Phys Visitor MHP LII (PC 629) – Print to OnBase.
- 4) TCS:
 - PTY Add MHP as PTY for service of documents.
 - EVTS: ADJ If adjourning from current hearing to next hearing
Comment: Adj for ICE
Form MC 309
Remember Next Action Info!
(Hearing type, hearing date, etc. or REV to schedule after receipt of ICE)
 - OMP Order Appointing Mental Health Professional
Comment: [Name] appted as MHP
 - POS Proof of Service
Comment: [Name of document] served by [name/office]
Use Pgm/Rslt: IME if someone other than Region 3B
(Fill in name of MHP and date/time of evaluation)
Form PTY NTF
- 5) All parties get ADJ and OMP. MHP also gets petition (and any other documents requested).
- 6) The evaluation is not part of the public record.

Petition to Modify/Terminate Guardianship –

Ex Parte Order Appointing Temporary Successor:

MCL 700.5312(2)

Judge may Order Appointing Temporary Successor Guardian “If an appointed guardian is not effectively performing the guardian’s duties and the court further finds that the legally incapacitated individual’s welfare requires immediate action, the court may appoint, with or without notice, a temporary guardian for the legally incapacitated individual...” Use PC 632, #4

Venue:

MCL 700.5302

Venue for guardianships is where the individual resides or is found. If ward and fiduciary both move out of (or live outside of) Calhoun County, change venue to county of residence of ward.

If Guardian and Ward Both Move to Another State:

- 1) EVT: MAC Miscellaneous Action by Court, Pgm/Rst: OOS (Out of State)
Comment: Out of State Gdnship Ltr Sent
PTY NTF, to GDN only
Next Action: REV, 3 months
- 2) If nothing received from guardian
EVT: MAC Miscellaneous Action by Court, Pgm/Rst: OSN (Out of State Notice)
Comment: Out of State Notice
PTY NTF, to all interested parties
Next Action: REV, 28 days
- 3) If nothing received, prepare Probate07/Out of State-Close Gdnship Ord - Judge to sign
- 4) Events:
ORD Comment: Order to Close Gdnship, Moved out of State
DIS PTY GDN
POS Proof of Service
Comment: [Name of Document] served by [Name/Office]
Form PC 564 or PTY NTF
CLOC

Courtesy Guardianship Reviews – Ward from Another County is in Calhoun:

OnBase:

2018-MISC (case number), Doc Type-Other, Event GREV

TCS:

- 1) Do event in Case YYYY-MISC
MAC Monetary Y
PTY: F4 - Select County as INP (or F6 to add)
Comment: County Name/Ward Name/File Number
- 2) On Fin Order Screen:
PGAR 90
[ENTER] will take you back to Event screen
- 3) NAM Do name look up for county being billed
F for financial in front of their name (should be highlighted in white on name screen)
R for “Run Bill” - [ENTER] - type on comment line of bill:
“Courtesy Guardianship Review/Name/File Number”
[ENTER] to confirm
- 4) Get bill from printer - mail with original guardianship review to originating county, place a copy in our YYYY-MISC file.

MINOR GUARDIANSHIPS - By parental appointment in Will

MCL 700.5202 & MCR 5.125(C)(20)

- 1) If both parents are dead, or incapacitated, or the surviving parent has no parental rights, the last surviving parent may elect a guardian for their minor child in their will.
- 2) The Will is filed/probated in the county of residence of the decedent at the time of death.
- 3) The Guardian files Acceptance of Appointment with new file filing fee in the county where the will is filed or probated.
- 4) Petition is not required to be filed, but is helpful for obtaining information regarding interested parties.
- 5) Parties:
 - HDR Header (if under 14, N in Notice Field)
 - GDN Guardian to be appointed
 - INP Anyone having care of minor
 - INP All grandparents
 - INP Any other adult presumptive heirs (adult siblings)
- 6) Prepare Order Regarding Appointment of Guardian/Limited Guardian of Minor (PC 653)
Prepare Letters of Guardianship (PC 633)
 - 1 - check box 'by will or other witnessed writing' as 'Full' guardian
 - 2 - check box 'a'Date and Judge will sign.
- 7) Events:
 - LWT Will of deceased parent electing [name] as guardian for minor
 - OAG Order Appointing Guardian
 - PTY HDR 1
 - Dispo GTD
 - AOA Acceptance of Appointment
 - PTY GDN 1
 - LET Letters
 - PTY GDN 1
 - Comment: Full Guardian by Parental Appointment in Will
 - POS Proof of Service
 - Serve copy of will and acceptance of appointment
- 8) If minor and guardian are in different county than county of appointment (where will was filed), change venue to county of residence of guardian and child.
- 9) After appointment, operates as any other minor guardianship.

MINOR GUARDIANSHIPS

Limited v Full:

MCL 700.5205

Petition for Limited Guardianship is filed by parent and accompanied by Limited Guardianship Placement Plan, agreement between parent and proposed guardian.

MCL 700.5204

Petition for Appointment of Guardian of a Minor (Full) is filed by another person who has care and custody of the minor.

Who May File Petition:

MCL 700.5204, MCL 700.5205, MCR 5.402(B)

Minor, if over 14

Parent(s), if limited guardianship

Person interested in welfare of minor; however, minor must be living with petitioner (criteria for guardianship must be met).

Interested Persons:

MCR 5.125(A), (B), (C)(19)

Minor (if over 14), parents (grandparents if both parents are deceased), proposed guardian, GAL

Service:

MCR 5.105, Manner/Method of Service

MCR 5.108, Time of Service

MCR 5.402(C), Responsibility for Service

Petition, Order Appointing GAL, Notice of Hearing – to all interested parties – 14 days by mail.

Personal service is required on minor if over 14 years of age - done by GAL.

If petition was filed by an attorney, attorney serves interested parties; if filed by individual, they are responsible for service unless they pay service fee, then Court will serve. Court serves if filed by government agency or if filing fees were waived.

If Child is Indian Child, ICWA (Indian Child Welfare Act) Applies

25 USC 1901 et seq.

MCL 712B.1, et seq.

There are special forms and procedures.

See Probate07/ICWA Checklist.

Petition to Modify/Terminate Guardianship:

If LG file:

- 1) **Parent *without custody cannot*** file for termination of guardianship (send to Circuit Court to seek custody).
- 2) **Only Parent *with custody*** can file Petition to Modify limited guardianship. Must file new Placement Plan with Petition to Modify.
- 3) If parent who established LG has disappeared, guardians can file petition to modify from LG to GM. **Petition to go from LG to GM - must file Petition for Appointment of Guardian of Minor (PC 651) instead of Petition to Modify.**

Court Structured Plans – MCL 700.5209:

- 1) If a parent files a Petition to Terminate the Guardianship, the Court may grant or deny the petition, or it may enter a Court Structured Plan, which may include supervision/services from DHHS.
- 2) Extend: If DHS determines that it is not appropriate to terminate the Court Structured Plan as originally ordered, they must file a Petition and Order requesting that the Court Structured Plan be extended, schedule/notice for date of Review Hearing..
- 3) Withdraw: If Parent files request to withdraw Petition to Terminate Guardianship after Court Structured Plan is entered, schedule/notice for hearing - either prior to or on date of Review Hearing

Motion for Visitation/Motion for Permission to Move Out of State:

- 1) EVT MOT Comment: Type of Motion
NOH Notice of Hearing
Pgm/Rslt: Hearing Type Code (see Miscellaneous Section)
PC 562
Next Action Information, Comment: Type of Motion
INVO Investigation Ordered, insert date (7 days before hearing)
Always appoint DHS
Pgm/Rslt: DHS
Comment: DHS to investigate/report due [date]
Form PC 635
POS Proof of Service
Comment: [Name of Document] served by [name/office]
Form PC 564 or PTY NTF

Files With Family Court Involvement:

Petition to Modify/Terminate filed while there is an *active family division* proceeding:

- 1) Prepare Probate07/Ord-Transfer to Family Division, upload to OnBase, send to Judge Jaconette to sign.
- 2) EVTS TRFC Comment: Order Transferring to Family Court
POS Proof of Service
Comment: [Name of document] served by [Name/office]
Form PC 564 or PTY NTF
CLOC
- 3) Original paperwork and copy of our Order goes to Circuit Court (Teri Jones).
Keep original order and copy of file.

Domestic (Family Division Case Starting with “D”) Cases when Guardian is a Party:

A guardian may file for custody or support through Circuit Court, Family Division. If the guardian is a party in a domestic case, any order entered in the domestic case supersedes our probate court order. Check to be sure the circuit court order grants custody to the guardian. If it does, then do Discharge Order, below (same as for adoptions).

When Adoption is Finalized or Domestic Judgement is Entered:

- 1) When an adoption order or a domestic judgement when guardian is a party, is entered in Family Court, it supercedes Probate Court order.
- 2) Prepare Probate07/GM-Discharge-Circuit Order
- 3) Events: DIS
POS
CLOC

Venue:

MCL 700.5211

Venue for guardianships is where the individual resides or is found. If ward and fiduciary both move out of (or live outside of) Calhoun County, change venue to county of residence of ward.

If Guardian & Minor Move Out of State:

If allowed by Order:

- 1) EVT: MAC Miscellaneous Action by Court
Pgm/Rst: OOS (Out of State)
Comment: Out of State Gdnship Ltr Sent
Next Action: REV, 3 months
- 2) If nothing received from guardian
EVT: MAC Miscellaneous Action by Court
Pgm/Rst: OSN (Out of State Notice)
Comment: Out of State Notice
Next Action: REV, 28 days
- 3) If nothing received:
A) Prepare:
Probate07/Out of State-Close Gdnship Ord
- 4) Events:
ORD Comment: Order to Close Gdnship, Moved out of State
DIS PTY GDN
POS Proof of Service
Comment: [Name of Document] served by [Name/Office]
Form PC 564 or PTY NTF
CLOC

If NOT allowed by Order:

- 1) Prepare Probate07/Out of State-Violation of Ord-Ltr
MAC with REV in 28 days.
- 2) If no Pet to Modify/Terminate filed, give file to CR at REV date

If Guardian Returns Child to Parent in Violation of Court Order:

- 1) If guardianship review or annual report indicates that the guardian has returned the minor to a parent and the Order states the minor cannot be returned to a parent without prior court approval, the guardian is in violation of the court order. Appoint a GAL (use previous GAL if possible).
- 2) EVT: MAC Miscellaneous Action by Court
Pgm/Rslt: MRP (Minor Returned to Parent)
REV 28 days
Send to Gdn, Parents, and GAL
- 3) If minor is not returned to guardian AND if no Petition to Terminate is filed, suspend Guardian and appoint SPF to investigate and file petition to modify or terminate, whichever is appropriate.

DD GUARDIANSHIPS

In General:

MCL 330.1600, et seq.

Guardianship for the Developmentally Disabled under Mental Health Code

Who May File Petition:

MCL 330.1612

An interested person or entity or the individual.

Report to Accompany Petition:

MCL 330.1612

The Report to Accompany requires the attachment of evaluations in the following areas: mental, physical, social, educational, adaptive behavior, and social skills. The evaluations must be recent (within the last one year), except the physical evaluation or educational report may be older if there have been no significant changes in the subject's health or learning abilities. The Report to Accompany must be signed by one of the professionals who completed at least one of the reports, and that professional must appear and testify at the hearing.

If the required report(s) do not accompany petition, the court shall order appropriate evaluations to be performed by qualified individuals who may be employees of the state, the county, the community mental health services program. Summit Pointe, as community mental health agency, is responsible for providing services to Calhoun County's developmentally disabled population, which includes assistance in DD screening to determine if an individual should be under guardianship. Summit Pointe should assist those needing guardianships with the required evaluations and paperwork. If someone comes to file a petition for DD guardianship on their own, refer them to Summit Pointe (966-1460) to be scheduled for DD eligibility assessment.

Occasionally an attorney will file a DD guardianship petition for someone. They may obtain the required report and evaluations on their own, or they may wish to have Summit Pointe complete them. In those cases where the accompanying report or other required evaluations are not included in the filing, please note the special DD language for the notice of hearing, through the use of the proper code in the program/result field for that event.

NOTE: Petition MUST be accepted as filed and scheduled/noticed for hearing even if we do not have all of the reports.

Ward's Presence at Hearings:

MCL 330.161(4)

The ward must be present at all hearings in DD files (petition for guardianship, petition to modify or terminate) unless a doctor or psychologist files an affidavit stating that it would be detrimental to the ward.

Do-Not-Resuscitate (DNR) Orders:

MCL 700.5314(D)

Guardian under EPIC can execute DNR Order. Mental Health Code does not contain same provision. Judge wants attorney to investigate/waive/recommend before signing DNR in DD files.

Party Category Discussion:

- 1) The GDN party will automatically have PER party category attached to it.
- 2) In DD Guardianships, **if a guardian is also appointed over the estate, create a second GDN party, remove the PER (Person) Party Category and add EST (Estate) party category.** The system will then look for annual reports for the GDN over PER and for accounts for the GDN over EST.
- 3) If GDN over EST, **make sure** Service Type at CAS level is B for both Inventory and Accounts so the system will monitor financial filings.
- 4) As annual filings are filed, make sure annual reports are attached to GDN over PER and financial filings are attached to GDN over EST.
- 5) If GDN over EST is terminated, remove Case Service type at the time that you discharge the GDN over EST.

Partial DD Guardian:

If a 'partial' guardian is appointed, it really means that it expires 5 years from the date of appointment. A Notice of Expiration of Partial DD Guardianship will generate 91 days prior to the expiration date. (Calculated by JIS based on 5 years from Letters.)

Notice of Expiration/Appointment Guardian of DDP:

- 1) If DD Guardianship is established as a Partial, it expires in 5 years from the date of the initial Letters of Authority. Calhoun County rarely does partial DD guardianship, but we have received partial DD guardianships through change of venue from another county.
- 2) If there is a partial DD guardianship (PTY category of PAR on GDN Party), the system will generate a Notice of Expiration/Appointment Guardian of DDP three months prior to the expiration.
- 3) EVT: NTC Notice of Expiration of Partial DD Guardianship/Exp: [date]
POS Proof of Service
OnBase: Doc Type: Notice; Event Type: NTC
- 4) The system will automatically generate a DIS for the GDN party on the expiration date unless the guardian is re-appointed or a new guardian is appointed. (Note: Parties must file a new Petition for Guardianship with new Reports. They would be filed in a new DD guardianship file.)

Modifications/Petitions in DD Files - Types of Petitions - Action Needed:

Petition to Add Guardian Over Estate when you already have Guardian Over Person:

- 1) File Petition to Modify/Terminate Guardianship (PC 677)
- 2) No filing fee unless GDN over EST.
- 3) Did Order Appointing Guardian contain findings regarding incapacity for person and estate? (Current order, #7.) If so, new reports are not required.
- 4) Must schedule/notice for hearing.
- 5) See Party Category discussion.

Petition to Modify - Partial to Full & Petition to Terminate

- 1) File Petition to Modify/Terminate Guardianship (PC 677)
- 2) No filing fee unless GDN over EST.
- 3) New Reports to Accompany, etc., **required**
- 4) Must schedule/notice for hearing.

Standby to Full Guardian - Temporary (Vacation, etc.) - No hearing needed

- 1) Documentation regarding inability of Guardian to act
- 2) Acceptance of Appointment (PC 571) from Standby
- 3) No Order Needed
- 4) Letters of Authority (PC 662) add standard 28 day expiration indicating Standby has authority to act
- 5) If more than 28 days needed, can extend expiration with judge/register approval

Standby to Full Guardian - Permanent (Death, Legal Incapacity) - No hearing needed

- 1) Documentation regarding inability of Guardian to act
(Death certificate, Court Order, Doctor's letter)
- 2) Acceptance of Appointment (PC 571) from Standby to act as full
- 3) Prepare Acrobat/Ord re Appt of Gdn DD/pc638b (Put language to Discharge as SBG on Order) & New Letters of Authority (PC 662) giving full authority as Guardian
- 4) DIS Previous GDN

Petition for Authority to Place in Facility:

- 1) File Petition for Authority to Place Ind. with Developmental Disability in Fac. (PC 664)
Follow with Order for Placement of Individual with Developmental Disability (PC 665)
- 2) Must scheduled/notice for hearing
- 3) If emergency/temporary, must follow with "full" hearing - 14 days

Petition to Add Standby Guardian when There Isn't One OR

Petition to Change Standby Guardian:

- 1) File Petition to Modify/Terminate (PC 677)
- 2) No filing fee unless GDN over EST
- 3) Must schedule/notice for hearing.
- 4) Testimony not required unless there are objections.

ADULT CONSERVATORSHIPS

Who May File Petition:

MCL 700.5404

Individual, person interested in individual's estate, affairs or welfare, someone who would be adversely affected by the lack of effective management of the individual's property and business affairs.

Interested Persons:

MCR 5.125(C)(24)

Individual, presumptive heirs, POA, nominated conservator, governmental agency paying benefits to individual.

Service:

MCR 5.105, Manner/Method of Service

MCR 5.108, Time of Service

MCR 5.402(C), Responsibility for Service

Petition, Order Appointing GAL, Notice of Hearing – to all interested parties – 14 days by mail. Subject also gets Notice of Rights – personal service required for initial petition – done by GAL. If petition was filed by an attorney, attorney serves interested parties; if filed by individual, they are responsible for service unless they pay service fee, then Court will serve. Court serves if filed by government agency or if filing fees were waived.

Venue:

MCL 700.5403

Subject's county of residence or, if not a Michigan resident, the Michigan county where they own property.

Priority for Appointment:

MCL 700.5409

(1) Fiduciary already appointed in another jurisdiction; (2) Fiduciary nominated by individual; (3) Spouse; (4) Adult child; (5) Parent; (6) Relative; (7) Someone nominated by caregiver or benefit payer; (8) Whoever the court determines is suitable and willing to serve.

MCL 700.5106

Professional fiduciary

Protective Orders:

MCL 700.5401

When protection is needed in a particular transaction or situation, but ongoing supervision of a conservatorship is not required.

Reviews:

REV monthly for documentation of completion of duties - time needed will vary on case-by-case basis - can do Notice of Deficiency (NDF), Suspension (SPO), and ACL (Administrative Close) if necessary.

To Close/Complete:

Upon receipt of receipts/report/documentation that protective order authority has been completed:

- REC/REP Commenting Documentation
- DIS Discharge Special Conservator and close case
 Form PC 597
 Judge to Sign
- POS Proof of Service
 Comment: [Name of Document] served by [Name/office]
 Form PC 564 or PTY NTF
- CLOC Close case

Preliminary Protective Orders:

MCL 700.5407

Operates like a ‘temporary’ conservatorship. Title for ‘temporary conservator’ is “Special Conservator.”

If Ward Dies Before Full Hearing/With Special Conservator:

- 1) If the ward dies before the full hearing, and there has been a special (temporary) conservator appointed, prepare Acrobat/Hearing Packets/CA Full, check #10, dismissed/withdrawn and add this language to #13:
“The Special Conservator shall file Inventory and Final Account within 28 days of this order. If no financial action was taken, Special Conservator may be discharged upon filing a statement indicating that no financial action was taken.”
- 2) Events:
 - ODP Order Dismissing Petition
Dispo DIS, HDR 1
Comment: Deceased/Dismissed; INV/FAC due by [date]
REV 28 days for Inventory & FAC
 - POS Proof of Service
Comment: [Name of document] served by [name/office]
Form PC 564 or PTY NTF

If Ward Dies Before Full Hearing/No Special Conservator:

- 1) If the proposed ward dies before the full hearing and there has not been a special (temporary) conservator appointed, prepare Acrobat/Order Appting Conservator (PC 640), check #10, dismissed withdrawn.
- 2) Events:
 - ODP Order Dismissing Petition
Dispo DIS, HDR 1
Comment: Deceased/Dismissed
 - POS Proof of Service
Comment: [Name of Document] served by [Name/office]
Form PC 564 or PTY NTF
 - CLOC

Order Appointing Conservator – Requirement for Bond:

MCL 700.5410, MCL 700.5411, MCR 5.411

May contain requirement for bond before Letters are issued, usually in the amount of liquid assets. Individuals usually obtain a surety bond from their homeowner insurance carrier.

MCL 700.5106(3)

Professional fiduciary MUST file a bond (even if only nominal \$100 bond).

If Bond not filed:

28 days after Order (REV):

NDF Notice of Deficiency
Comment: Fail to file Bond
Form PC 600
REV 28 days to check for Bond

If bond not filed 28 days later:

Event: OASC Order (Probate07/Ord-Vacate CV Bond Not Filed)
Comment: Vacate Order Appting Conservator
REV 28 days to check for new Petition
POS Proof of Service
Comment: [Name of document] served by [name/office]

If Petition filed, schedule and notice for hearing.

If Petition is not filed, prepare Acrobat Order Appting Conservator (PC 640), check #9, dismissed/withdrawn.

Events:
ODP Order Dismissing/Petition Withdrawn
Dispo DIS, HDR 1
Comment: Petition Dismissed
POS Proof of Service
Comment: [Name of Document] served by [Name/office]
Form PC 564 or PTY NTF
CLOC

Bond Increase/Reduction:

Whenever Inventory or Account is filed, check balance of liquid assets against the bond. If bond can be decreased, prepare PTY NTF, Pgm/Rslt: RED (Reduced Bond possible). If bond needs to be increased, prepare Acrobat/Pet Mod Bond. Sign as Petitioner, send to Judge for signature.

Petition/Order to Modify Bond:

TCS: PETB Petition to Modify Bond

Comment: Increase/Decrease to [amount] – to Judge in Onbase

When returned, Reindex in Onbase to PB-Qualification, ORDB

TCS: ORDB Order to Modify Bond

CV Party, F20 to Modify Bond

Comment: Bond increased/decreased to [amount]/cc: CV

Bond Screen: INC, date and amount (for increase)

RED, date and amount (for decrease)

System will generate BINC or BRED event

Filing of bond will be monitored through Bond Report (no need for REV).

If reduced bond is not filed:

TCS: MAC Miscellaneous Action by Court

CV PTY, F20 to modify bond

Comment: Reduced bond not filed

Bond Screen Bond Action: RNF (Reduced Bond Not Filed)

Will open bond (same as cancelling) without an order

Bond Premium Not Paid:

If we get written notification from a bonding company that the fiduciary has not paid the bond premium:

- 1) EVT: NDF Notice of Deficiency/Fail to maintain required bond
PC 600
- 2) If proof of payment/reinstatement of bond is not received within 28 days, suspend
Fiduciary and Appoint GAL as SPF
EVT: SPO Form PC 602
REV 28 days for action
POS Serve on INP's, including bonding company and financial
institutions

Inventory – due within 56 days of appointment:

1. TCS-Event: INV F CV Party, Comment: short summary/description, Amount
2. Inventory is to be served by CV or court can serve if service fee paid. If POS does not accompany the Inventory:
 - A. If attorney or professional fiduciary:
NAF Need additional filings, request POS for INV
 - B. If individual without an attorney:
NAF Need additional filing, Pgm/Rslt: SIN (Serve Inventory), PTY NTF to CV
Prepare POS and send with copy of inventory and PTY NTF to CV

Annual Accounts – in Batch Processing Q:

1. Review the paper:
 - a. Separate documents (PAA, ACC, supporting documents)
 - b. Do you have fiduciary/attorney fee statements if fees are requested (PAA #3, ACC #7 and 8)?
 - c. Do you have bank statements for all accounts listed on Itemized Assets Remaining?
2. TCS – PTY:
 - a. CV:
 - i. Check/update address
 - ii. If an attorney, did they sign?
 - iii. Note amount of bond, if any
 - b. HDR - Check/update address
 - c. GAL – Note who the GAL is (for Next Action when scheduling)
3. OnBase:
 - a. Bring up last account (or inventory if first account)
 - b. Check for proper account # (1st, 2nd, etc.)
 - c. Check accounting dates
 - d. Compare ending balance (last account) with beginning balance (new account)
 - e. Compare itemized assets remaining? (Are all assets accounted for?)
 - f. Run tape for all columns – compare ending balance with itemized assets
4. Schedule the account in the book
5. TCS – EVT:
 - a. DBR/RFC/NAF – if necessary
 - b. ACC/PAA/SND/NOH – as appropriate
 - i. For ACC or FAC event:
Select proper party
Comment line: #of account (Dates from/to)
Amount: put in ending amount from account
6. OnBase:
 - a. Index batch scan according to TCS events
7. Acrobat:
 - a. Petition to Modify Bond if needed

Objections to Accounts:

- 1) If an objection to an account is filed, the surety must be served with account, petition to allow, NOH/ADJ, and objection [MCR 5.125(C)(6)], in addition to the regular INP's.
- 2) Events:
 - OBJ Objection
Comment: [NAME] objects to [state what they are objecting to]
 - POS Proof of Service
Pgm/Rslt: NTA (Need to appear)
Comment: [name of document] served by [name/office]
Form PC 564 or PTY NTF
* Conservator and objecting party needs to appear * Insert their names and hearing date on PTY NTF language *
- 3) Hearing will be held as scheduled, to allow parties opportunity to work out objections.
- 4) If adjourned to resolve objections, include language for GAL and Conservator to attend hearing.

Amended Accounts Ordered:

- 1) If an account hearing is adjourned for the filing of an amended account, ADJ to a date to be set upon the filing of amended account.
Order amended account to be filed within 28 days.
REV for 28 days for amended account.
- 2) If account not received, do NDF at 28 day review.
- 3) If still not filed 28 days after NDF, SPO (if active CV)

Final Accounts:

- 1) FAC at filing - handle as any other account
- 2) After allowance, enter OFAC (Order Allowing Final Account) - put terms of discharge on comment line (See #9 on order).
If a successor appointed, previous conservator will be discharged upon the successor's filing of inventory. No Review needed.
If conservatorship terminated, need receipt from ward or payee. REV for 28 days.
If ward deceased, need receipt from personal representative of estate. REV for 28 days.

When Final Account not filed:

- 1) EVT: NFA No FAC filed/notice to parties
Pgm/Rslt: NFA (No Final Account)
Form: PTY NTF
Fill in language, mail to Successor, GAL & Ward
Next Action: REV 28 days
- 2) When importing to OnBase, PB-Outgoing Correspondence, NFA
- 3) If they want to take action, refer to Show Cause section.
- 4) If no action within 28 days, do ORF Event (removes fiduciary when cannot discharge)

When Proper Receipt Received:

- 1) REC Receipt from [Name/Title] for [assets]
- 2) DIS Discharge CV party
PC 597
- 3) Send to Judge in OnBase for signature.
- 4) When returned:
POS Serve DIS on INP's
- 5) If this Discharge closes the file (ward deceased or CV terminated), also CLOC

If Receipt not Received at REV:

- 1) NFR No Final Receipt notice to parties
Pgm/Rst: NFR (No Final Receipt)
Form: PTY NTF
Next Action: REV 28 days
- 3) When importing to OnBase, PB-Outgoing Correspondence, NFR
- 4) If no action within 28 days:
 - a) If successor was appointed, ORF on previous CV party
 - b) If ward is deceased or conservatorship was terminated, administratively close.

Petition for Approval of Purchase of Irrevocable Trust/Annuity:

- 1) Usually filed in conjunction with Petition to Terminate when the fiduciary is using the ward's remaining assets to purchase an annuity or put the funds into trust.
- 2) Must be scheduled for hearing - Judge must take testimony.
- 3) Copy of Trust must be filed and sent to GAL for review.
- 4) Final order to include the continued involvement of GAL, to be paid from trust assets, with annual accounts of trustee to be filed with the GAL. The GAL shall petition the court if any need for court supervision arises during the life of the trust or if the practice of the GAL changes so that a new GAL needs to be appointed.
- 5) Conservatorship file closed with FAC showing zero and Inventory from Trustee showing funds received in the trust.

Petition to Sell or Mortgage Real Estate (MCL 700.5423):

Sale, mortgage, gift or abandonment of real property of the ward requires the approval of the probate court. A hearing must be held, and testimony must be taken.

1. Mortgage, gift or abandonment may be done on Petition and Order form.
2. Sale must be done by filing Petition for Approval of Sale of Real Estate (PC 646). Make sure "Legal Description" is really legal description. Copy of last tax statement required.
3. Route to Register to set bond (see bottom of form).
4. Register to set bond and do TCS bond entry (on RSR Event, CV Pty, F18), then route to Judicial Staff for scheduling.
5. When Returned to Clerk Q with bond and hearing information, do SND (or NOH/POS) – send copy of RSR w/bond info - Testimony always taken.

Fiduciary & Ward Both Move to Another State:

- 1) EVT: MAC Miscellaneous Action by Court
Pgm/Rst: OOC (Out of State CV Notice)
Comment: Out of State CV Notice to Conservator
PTY NTF, to CV only
Next Action: REV, 3 months
- 2) If nothing received:
EVT: MAC Miscellaneous Action by Court
Pgm/Rst: OSC (Out of State Notice CV Notice)
Comment: Out of State CV Notice to Parties
PTY NTF
- 3) If nothing received, prepare Acrobat/Adm Close Conservatorships (PC 671)
- 2) EVT: ACL Administrative Close
POS Proof of Service
Comment: [Name of Document] served by [Name/office]
Form PC 564 or PTY NTF
Serve on INP's
CLOC

Follow-Up Actions - CV Files - If no REI Received:

- 1) If report/petition is not received from GAL/SPF within 28 days from SPO/SPF:
EVT: GACT Pgm/Rslt: GAL (Need Action)
Comment: Need Action fom GAL/SPF
REV: 28 days
Complete language and send to GAL only.
At REV, if no action taken, repeat, with Pgm/Rslt: SPF (Need Petition to Modify)
REV: 14 days
At REV, if no action taken, replace SPF.
- 2) When report received from SPF, REV for 28 days. If REI still not received:
EVT: GACT Pgm/Rslt: SPF (Need action or will replace)
Comment: Need PETM/REPT from GAL
REV: 14 days
Complete language and send to GAL only.
At REV, replace SPF if no action taken.
- 3) As long as SPF is making progress/filing reports, continue to REV for 28 days to look for REI or Petition to Modify.

Administrative Closings:

1. TCS - Event: ACL, select fiduciary party, Comment: ACL to Judge in OnBase, Form PC 599, Check box # 4.a.
2. Print to OnBase, Doc Type PB-Closing, Event ACL
3. In OnBase automatically routes to PB-Judge Sign/Review Q
4. When returned in Returned to Clerk Q:
5. TCS – Modify ACL event (remove ‘to Judge in Onbase’)
6. TCS – Create POS event, PTY NTF – serve all parties

Conservator to Act as Personal Representative (MCLA 700.5426(4))

- 1) 42 days after date of death, if no PR appointed or application/petition pending, the conservator may file petition (Motion filing fee) to “to exercise a personal representative powers and duties in order to be able to proceed to administer and distribute the decedent’s estate.”
- 2) Petition set for hearing and noticed to interested parties. (GAL can be discharged.)
- 3) If no objections, court may grant petition and endorse letters of the conservator, Amended Letters stating that the formerly protected individual is deceased and that the conservator has all of the powers and duties of a personal representative.
- 4) Events: ORD, with comment: Conservator given PR powers
 AOA, with PR powers
 MAJ, Letters with PR powers
 Set REV for 60 days to send Prenote for INVV
 Set REV for 91 days for INVV
 Set REV for 1 year for INVP & 1st ACCT or FAC (CV w/PR Powers)
Modify Letters Event – add new due date to due date field & add comment:
 “Due date changed when PR powers granted”
- 5) Conservator must:
 - A) Publish for Claims
 - B) Provide Notice to Known Creditors
 - C) File & Serve Notice of Duties
 - D) Inform court of value of estate at date of death
 - E) Pay Inventory fee on value at date of death
 - F) File Annual and/or Final Account(s) - to be allowed just as any other CV account
- 6) CV to file INVV as CV with PR Powers - Process same as INVV in Estates (financial order for inventory fee, etc.)
If INVV not received @ 91 day REV for INVV, do NDF.
- 7) At annual 1 year REV, if FAC has not been filed, do prenote for annual account.
REV for 56 days for NDF if account not filed.
- 8) If/when Annual Account(s) filed, always REV for next annual and/or final account.
- 9) Close by Final Account (showing -0- balance) with Petition to Allow, noticed and served on interested parties - DO NOT ACCEPT SWORN STATEMENT TO CLOSE
- 10) After Hearing - Final Account Allowed, OFAC, DIS & CLOC.

MINOR CONSERVATORSHIPS

Petition for New Minor Conservatorship:

Hearing is necessary if:

- Minor is over age 14 and does not sign the bottom of the petition/designation
- Petition for Settlement (or other Motion/Petition) is filed
- We do not have waiver/consent from both parents and GAL

Hearing is not necessary to establish a minor conservatorship if:

- Minor is under age 14 and petition/waiver from both parents
- Minor is over age 14 and signs the bottom of the petition/designation

TCS-EVT:

- GAL, HDR PTY, Atty P#, Comment: [Name] as GAL, PC Appoint a GAL, do PTY 642
Form details, page 2, #3 & #4b “within 28 days”
- POS or cc to petitioner attorney
- NAF, Pgm/Rslt: CYP, Comment: GAL to report within 28 days, PTY NTF to GAL,
Next Action: REV for 28 days for WAC

When WAC received, prepare Acrobat forms/Hearing Packets/CY Full (See below for handling)
If not received, schedule for hearing

Case Service Type Discussion:

Minor Conservatorships are usually Case Service Type R for Restricted. Requirements:

- Proof of Restricted Account within 28 days
- Inventory within 56 days
- Annual Verification of Funds, annually within 56 days of Anniversary Date (Letters)

Minor Conservatorships will be Case Type B for Both Inventory/Accounts when

- (A) Waiting for Assets (zero inventory or assets not yet received).
- (B) There is a promissory note to be paid.
- (C) There is a petition for surcharge to be paid.
- (D) Judge has, for some reason, ordered annual accounts.

Entering Order Appointing Conservator (without a hearing):

Check OnBase – Do we have Acceptance of Appointment? (May be in proposed orders)

Prepare Acrobat/Hearing Packet/CY Full – print/separate into Order & Letters (AOA if needed)

Send OAC to Judge for signature. Also send Letters, if we have AOA. (If we don't have AOA,
put sticky note on letters to hold for AOA.)

TCS: MAC Comment: OAC[/LET] to Judge for signature

When returned:

TCS: OAC Dispo: GTD, HDR Party

Comment: [Name] appointed Conservator

If we do NOT have AOA, do NAF to request, 28 day REV.

If we DO have AOA (or when we receive AOA):

AOA CV Party

LET CV Party, Comment: [Name], Conservator

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Send to Attorney for Service of Order (or do proof of service).

Restricted Account:

MCR 5.409(C)(4)

If funds are placed in a restricted account, Proof of Restricted Account must be filed within 28 days of Letters of Authority, and annually thereafter.

If financial institution will not sign PAR or VFD: Add Event: MAC, Pgm/Rslt: VFN, Form: PTY NTF to CV.

Accounts (if required):

- 1) If an account is filed, the following court rules apply:
MCR 5.125(C)(6) requires that the protected person be served with notice of hearing regarding allowance of accounts
MCR 5.125(C)(27) requires that a minor protected person be served with inventory and accounts if over age 14
MCR 5.105(D)(1) & (4) requires that a GAL or parent (if Appearance of Parent, PC 606, is filed) be served on behalf of a minor
- 4) Interpretation:
If minor is under 14, guardian ad litem or parent (if appearance of parent filed) is served.
If minor is between 14 and 18, minor AND guardian ad litem or parent (if appearance of parent filed) is served.
If minor is 18 (no longer a minor), only the protected individual needs to be served.
- 5) All other account handling is the same as in an adult conservatorship.
- 6) When annual accounts have been filed but are no longer required (funds have now been received, surcharge or promissory note has been paid in full, etc.), change Case Service Type to R (see below).

Petition & Order for Use of Funds:

- 1) May be filed by Conservator or Minor (if over age 16)
- 2) EVT: PWF PTY Comment: Filed by {NAME} to Judge
- 3) After Judge signs, it becomes OWF (Order to Withdraw Funds)
- 3) If he approves/signs, send certified copy to Conservator.
EVT: OWF Petition to Withdraw Funds
Comment: Request for {AMOUNT/REASON} granted
REV 28 days for receipt(s)
- 4) If Judge denies the request, send copy to Conservator with copy of Policy Regarding Expenditure of Funds in Conservatorships of Minors (see forms drawer, Minor Conservatorships folder).
EVT: OWF Petition to Withdraw Funds
Comment: Request for {AMOUNT/REASON} denied
- 5) If Judge indicates that he wants the GAL to investigate:
MAC Miscellaneous Action by Court
Pgm/Rslt: CYI (CY Investigation)
Comment: To GAL {NAME} for investigation/report
PTY NTF to GAL only
REV 28 days for report from GAL
- 6) If Judge indicates that he wants a hearing, schedule, notice, POS.

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Loans:

- 1) Parent/Conservator may file Petition/Order requesting permission to borrow funds from minor's conservatorship.
- 2) When filed, appoint a GAL, set & notice for hearing (with proper notice to INP's and ward, if over 14).
- 3) May be approved without hearing with proper waivers from all interested parties (usually parents and ward, if over 14).
- 4) Require Promissory Note with fair interest rate (Judge's discretion).
- 5) Promissory Note must contain provision that if payments become delinquent, the fiduciary will be removed and a successor appointed.
- 6) Annual accounts are required during the life of the loan and repayment. (Change Case Service Type to B for Both)
- 7) GAL to monitor payment compliance.

Petition for Special Needs Trust - Creates new TV File (see TV Section)

- 1) After trust created, Petition to Terminate CV and Transfer Assets into Trust is usually filed.
- 2) Must be scheduled for hearing - Judge must take testimony.
- 3) Conservatorship file closed with FAC showing zero. Inventory from Trustee showing funds received in the trust acts as receipt.

When Minor Turns 18:

Final Account and Waiver (PC 648), due when minor turns 18; scanned and indexed into ?? Q.

- 1) Compare disbursements on final account to any petitions to withdraw funds and check math. DBR/RFC if needed.
- 2) TCS Events:
FAC Final Account presented to Judge to sign
WAC Waiver/Consent of minor

After it comes back signed:
Onbase – Reindex to OFAC

TCS Events:

OFAC Order Allowing Final Account

POS Pgm/Rslt: RGW

Next Action: REV for 28 days for Receipt of Ward & Discharge.

Send certified copy of Final Account to Conservator with Receipt of Ward (PC 649)

- 1) When Receipt of Ward & Discharge received:
TCS - Event: ROW Receipt of Ward to Judge for signature
- 2) Onbase – PB-Other, Event: ROW
Routes to Judge for Signature
- 3) When returned, reindex to RGW
TCS Event: RGW with HDR 1, F16 to discharge fiduciary (automatically closes case)

If No Final Account Received by Conservator when Minor 18:

- 1) Follow Notice of Deficiency and Suspension instructions.
- 2) At 28 day review for SPF report, if FAC not received, do second Order Appointing Special Fiduciary (pc 602) and authorize Special Fiduciary to: “Take possession of control of assets and file final account”

If No Waiver Obtained from Minor/now 18 when Final Account Filed:

Set for hearing - See pages 47 & 51.

If No Receipt Obtained from Minor/Now 18 After Final Account Allowed:

- 1) If receipt is not received within 28 days from Final Account:
EVT: MAC Miscellaneous Action by Court
Pgm/Rst: NFR (No Final Receipt)
Comment: Court Memo - No Final Receipt
Next Action: REV 28 days, ACL if nothing received.
Send to: CV, HDR & GAL
- 2) If no response, prepare Acrobat/Adm Close Conservatorships (PC 671)
Events:
ACL Administrative Close
POS Proof of Service
Comment: [Name of Document] served by [Name/office]
Form PC 564 or PTY NTF

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Serve on INP's

SMALL ESTATES

Petition & Order for Assignment:

For Estates with Net Value under \$23,000 (dates of death in 2018), \$22,000 (2014-17); \$21,000 (2012-13); or \$20,000 (2009-2011). Net value can be reached by the total value less the amount of the funeral bill and any liens or encumbrances against real estate.

Note: The inventory fee is paid on the gross (full) amount if the date of death is **BEFORE 03/28/2013 or AFTER 12/31/2017**. If the date of death is **BETWEEN 03/28/2013 and 12/31/2017**, the amount of any lien/mortgage on real estate may be deducted and the inventory fee is paid on the net amount.

Required at filing:

Petition & Order for Assignment (PC 556)
Copy of Funeral Bill Receipt showing who paid and/or balance owing
Filing fee \$25, Certified Copy fee \$12, plus Inventory fee

Parties:

HDR Header – should already be there
Change PTR to PR Petitioner/Personal Representative
(PR needed for INV/LIEN report)

TCS:

Event: PEP Pet filed by [name] – to Register in Onbase

OnBase:

Complete Order Portion, Route to Register for signature

When returned, re-index to Doc Type –Order, Event PER, Print, certify and mail

TCS:

Event: PER Petition & Order for Assignment - enter date of authorizing signature
Dispo GTD Amount in Amount Field
Comment: Description

Processing:

Mail certified copy to Petitioner (Can use PTY NTF for Mailer).

Amended Petition/Order for Assignment:

Filing fee -	\$20/motion fee for amendment
	\$12/certified copy fee
	Additional inventory fee, if any
REO	Reopen
RMVD	Remove Disposition on HDR PTY

Then process same as above.

Monies Due State of Michigan (for reimbursement for funeral expenses):

Per Karen Doubleday, DHS (269-966-1290), the State of Michigan WILL NOT waive on any assignments of assets unless/until they have been reimbursed in full. Checks should include the name, address and DHS Case # of the decedent, and be made out to:

State of Michigan - Department of Health & Human Services
Cashiers Unit
P O Box 30802
Lansing, MI 48909

PTY NTF with Pgm/Rslt: SOM (State of Michigan) will generate information for petitioner regarding the check.

ESTATES

Required at filing:

- Application for Informal Probate (PC 558) or Petition for Probate (PC 559)
- Death certificate
- Testimony Interested Parties (PC 565)
- Supplemental Testimony Interested Parties (PC 566) - Required if there is a *devisee* who is not an *heir*. If a trust, name(s) and address(es) of trustee(s) must be given for proper service.

Application v Petition:

- 1) Any “interested person” may file application. Under 3414, “An interested person or a person that has a right or cause of action that cannot be enforced without appointment may file a petition for formal proceeding...”
- 2) A petition may be filed by a parent for a minor who has priority if the parent also files Appearance of Parent. MCR 5.302(d)
- 3) A petition must be filed if a copy of a will is being admitted.

Priority for Appointment (MCL 700.3203):

- 1) If there is a will:
 - A) Person nominated in Will
 - B) Spouse, if devisee (named in Will)
 - C) Other devisees
- 2) If there is no will:
 - D) Spouse
 - E) Other heirs
 - F) Someone nominated by heir(s) through renunciation(s)
 - G) Creditors (42 days after DOD)
- 3) Regarding minors, with or without a will:
 - G) If minor has priority to petition, parent who has filed Appearance of Parent may file petition. MCR 5.302(d).
 - H) If any interested person is a minor, need Appearance of Parent (PC 606) or must appoint GAL.
- 4) If proposed PR does not have priority (above), person(s) with equal or higher priority may file Renunciation (PC 567). If applicant does not have priority and renunciations are not attached, then a Notice of Intent to seek appointment (PC 557) must be served on interested parties 14 days before appointment can occur. Proof of Service must be filed, showing that the application and notice of intent to seek appointment (PC 557) were served on all interested persons.
 - EVT: NRI Notice of Request for Informal Appointment
 - POS [Type of Documents] served by [Name]
 - REV for 14 days from date of service

Review Estate Pleadings:

- 1) Check NAM index for previous files, current files, or will.
 - A) Update NAM index with information from death certificate.
 - B) Do "W" for Wills at NAM index.
 - C) If will is in safekeeping, pull will and put with estate. Do Will Activity for P (Probated) and put estate file number in case number field at bottom of will activity screen.
 - D) If will is in WDE file, pull will and put with estate. Do Will Activity, P for Probated, put estate file number in case number field, AND print receipt for placement in WDE file.
- 2) Put File # on all documents.
- 3) If necessary to return for correction:
EVT DBR List documents being returned
RFC Return for Correction
Pgm/Rslt: RFC
Comment: Describe corrections needed
Next Action: 3 months, proper paperwork filed?
- 4) If documents received are correct, but additional documents are needed:
EVT NAF Need Additional Filings
Pgm/Rslt: NAF
Comment: Describe additional documents needed
Next Action: 3 months, proper paperwork filed?

If Pleadings are not corrected/complete at 91 day review:

- 1) If pleadings are not corrected within 3 months of request for correction, prepare Acrobat/ Ntc Int Dis Dism No Progress (MC 26)
EVT: NID Notice of Intent to Dismiss, REV 28 days to dismiss if no action
- 2) After review, if still not corrected, prepare Acrobat/Dismiss No Svc-No Progress (MC 9a).
Clerk can sign.
EVT: ORD Order Dismissing for No Progress, HDR PTY, Dispo: DIS
POS Serve on Petitioner Only
CLOC

If Additional Documents Not Received at 91 day review:

- 1) If by application, prepare Register's Statement (PC 568), denying application. In #2, cross out any information that is not true, and check #5, setting forth reason in box "Other".
EVT: RIO Register's Statement (PC 568)
PTY HDR 1 Dispo: DEN
Send to Attorney/Petitioner only
CLOC
- 2) If by petition, prepare Ord Formal Proc (PC 569) to Judge to sign.
EVT: ODP PTY HDR 1 Dispo: DIS
Send to Attorney/Petitioner only
CLOC

Petition Okay:

- 1) If waivers filed by all interested parties, Judge can sign order without a hearing:
- 2) If asking for admission of a copy of a will, hearing must be held, testimony is required.
- 3) Route to Judicial Staff for hearing date
- 4) If paperwork filed by an attorney or professional fiduciary, do:
 - SND Set Next Date
 - Pgm/Rslt: HRG
 - PTY NTF
 - Remember Next Action (Hearing) Information***
- 5) If the individual is doing their own noticing:
 - NOH Notice of Hearing
 - Pgm/Rslt: Hearing Type Code (F4 to prompt)
 - Comment: Type of Hearing
 - Form PC 562
 - Remember Next Action Info!*** (Hearing type, hearing date, etc.)
 - MAC Miscellaneous Action by Court, Pgm/Rslt: SPE (Serve Petition)
 - Remember to put in due date (14 days before hearing)
 - Prepare POS (from any event, "F" for Form, PC 564).
 - Send copy of PET, NOH and POS to Petitioner.

Special PR:

1. If Special PR is requested (#15 on Petition), Judge can appoint Special PR without hearing, usually with expiration on date of full hearing.
2. Events:
 - ORD Order Appointing [Name] as Special PR
 - AOA Acceptance of Appointment on PR Party
 - LET Letters on PR Party
3. Special PR has same responsibility and authority as regular PR.

Inventories - DA Files:

- 1) Inventory and annual accounts must be filed. Inventory must contain name and address of financial institution(s) - MCR 5.307(B).
- 2) PTY Add FIN Party
- 3) **If date of death is BEFORE 03/28/2013, or AFTER 01/01/2018, EVT:**
INVF Inventory Filed Y in Financial Field
PTY PR Total amount of inventory in Amount Field
Edit Monetary Orders Screen (Inventory fee appears in upper right hand corner)
PINV Amount of fee is Total Amount Due Field, PR PTY
- 4) **If date of death is BETWEEN 03/28/2013 and 12/31/2017, EVT:**
INVF Inventory Filed Y in Financial Field
PTY PR Net Amount (Total Minus Lien) in Amount Field
Edit Monetary Orders Screen (Inventory fee appears in upper right hand corner)
PINV Amount of fee in Total Amount Due field, PR Party
LIEN PTY PR
Comment: The lien amount on the real property is
Amount of Lien in Amount Field

Inventories - DE Files:

- 1) Information to determine inventory fee must be submitted in writing within 91 days of appointment (Letters of Authority) - Can be in letter or on inventory form (can be copy).
- 2) PTY Add FIN Party
- 3) INVV Inventory Filed Y in Financial Field
PTY PR Total amount of inventory in Amount Field
Edit Monetary Orders Screen (Inventory fee appears in upper right hand corner)
PINV Amount of fee is Total Amount Due Field, HDR 1 PTY and PR PTY

Amended Inventories:

- 1) Event: INVV Inventory Value Y in Financial Field
PTY PR Total Amount from Amended Inventory in Amount
Field (regardless of any previous amounts)

Comment: Amended Inventory

Edit Monetary Orders Screen:

If amended inventory results in increase in inventory fee, F6 to Add additional amounts, either before or after receipt(s).

If amended inventory results in decrease in inventory fee before receipt(s) have been generated, take file and information to judicial staff for financial adjustment.

If amended inventory results in decrease in inventory fee after receipt has been done, do nothing to financial order screen. If there was a decrease in the inventory and the fee, the party may request a refund in writing.

Inventory Filed by Successor PR:

- 1) Successor Personal Representative is not required to file new Inventory (since Inventory is as of 'date of death', it would be the same as the originally filed inventory), unless ordered to do so.
- 2) If INV filed:
 - A) If there is an additional inventory fee, refer to Amended Inventory instructions.
 - B) If no additional inventory fee is required, enter Y for financial:
PINV (cash code) 1 (total amount) PR (respond party) **\$1 (Balance Fwd Pd)**
This will satisfy system requirements for inventory fee for Successor PR.

Inventory Fee Paid - NOTE:

When inventory fee is paid, system will NOT add PINV (Probate Inventory Fee Paid) event (because of other programming associated with this fee). Receipt to be placed in mail boxes, file pulled, and ATF event created for payment.

Wrongful Death Settlement:

- 1) **Petition to Approve Settlement of Wrongful Death Claim and Distribute Proceeds may be filed in Probate Court only if an action is not pending in another court for damages for wrongful death (MCL 700.3924).**
 - 2) **Petition to Settle Wrongful Death Action & Distribute Proceeds filed with filing fee and list of interested parties (names, addresses and relationship) per MCL 600.2922(3)**
 - 3) **Interested parties per MCL 600.2922(3) & MCR 5.125(C)(13):**
 - Spouse
 - Children
 - Descendants (grandchildren, great grandchildren, as far as line goes)
 - Parents (if deceased, does NOT proceed down heirship line)
 - Grandparents (if deceased, does NOT proceed down heirship line)
 - Siblings (if deceased, does NOT proceed down heirship line)
 - (If there are no INP's per above, then INP's are heirs of decedent in accordance with intestate succession.)
 - Stepchildren (if deceased, does NOT proceed down heirship line)
 - Devisees under will
 - Trust beneficiaries under trust
 - Claimants in DE estate whose claims remain unpaid - MCR 5.125(B)(1)
- *Notes:
- Appoint GAL for any INP who is a minor or whose whereabouts are unknown
 - If any INP is incapacitated, serve their guardian. If no guardian, appoint GAL
 - INPs in Wrongful Death are NOT the same as INP's in DE file (No need to amend DE documents)
 - INPs in Wrongful Death are not necessarily ALL parties to the settlement, but they must receive NOH of settlement
- 4) **Schedule hearing. Events:**
 - SND Set Next Date
 - Pgm/Rslt: WRO (Wrongful Death Language)
 - Comment: Type of Hrg/to be served by Atty _____
 - Form: PTY NTF, to attorney
 - Remember Next Action (Hearing) Information***
 - 5) **When NOH comes in, check against MCL 700.3924(b) - Must contain (summarized):**
 - Name & Address of PR & Atty
 - Statement that, to recover damages, the person who may be entitled to damages must present a claim for damages to the PR on or before the date set for hearing on the petition to distribute proceeds, and that failure to present a claim for damages within the time provided bars the person from making a claim to any of the proceeds
 - 6) **When POS comes in, check against list of interested parties (above)**
 - 7) **FYI: May be by jury**
 - 8) **Partial Settlements (asbestos cases, for example). Proceeds must be placed in trust pending determination as to distribution after all proceeds have been received. (See 05-594-DE for examples.)**
 - 9) **After hearing, enter Order (or REV for order from attorney), cc to attorney for service. REV for POS, as normal.**

Death of PR:

If we receive death notice regarding PR, change NAM screen and add ATF event. No other action is taken by Court.

Closing Estates - Formally

MCL 700.3952, MCR 5.311(B)

Estates can be closed formally, usually by Petition for Complete Estate Settlement (PC 593).

May be accompanied by Account/Final Account (PC 583 or 584) and/or Schedule of Distribution and Payment of Claims (PC 596). Set for hearing. If no objections, Judge can sign order without a hearing.

Closing Estates - Informally

MCL 700.3954, MCR 5.311(A)

Estates can be closed informally, by filing Sworn Statement to Close (PC 590 or 591). Make sure inventory fee has been paid. If no objections are filed within 28 days, court issues Certificate of Completion (PC 592).

Objections to Sworn Statements:

Interested parties have 28 days to object to SST. Objections must be filed in writing with \$20 filing fee. If received, set for hearing.

If objections are resolved (dismissed, withdrawn, other resolution), there should be an order to that effect (either before the hearing, if withdrawn before the hearing, or after the hearing). After order resolving objection is entered, Certificate of Completion may be entered.

Reopening an Estate - by Petition:

- 1) Application/Petition to Reopen Estate (PC 607) with filing fee. If file was administratively closed, must be reopened by Petition - MCR 5.144(B).
- 2) EVT: REO Comment: Petition to Reopen filed by [name]
RMVD (Remove Disposition) HDR 1
- 3) Process as new petition, with waivers, or schedule for hearing.
After Order signed (via waivers or after hearing):
OAPR Order Regarding Appointment of PR (PC 605)
PTY HDR 1 Dispo
Comment: [Name] appointed PR
AOA Acceptance of Appointment
PTY Prompt - update party information
Create New PR Party
LET Letters of Authority PTY PR
Comment: [Name] appointed PR
No expiration date if Reopened by Petition MCR 5.312(B)

Reopening an Estate - by Application:

- 1) Application/Petition to Reopen Estate (PC 607) with filing fee.
- 2) EVT: REO Comment: Petition to Reopen filed by [name]
RMVD (Remove Disposition) HDR 1
- 3) RIO Register's Informal Order
PTY HDR 1 Dispo
AOA Acceptance of Appointment
PTY Prompt - update party information
Create New PR Party
LET Letters of Authority PTY PR
Comment: [Name] appointed PR, EXP: [1 year from appointment] –
MCR 5.312(A).
REV Review for one month prior to expiration date of Letters
- 4) At Review:
MAC Pgm/Rslt: REO
Comment: REO Notice sent by Court
REV Review for expiration date of letters
Form: PTY NTF
- 5) If Petition/Order filed to extend estate, set for hearing (or can file waivers). After hearing, judge signs order and letters with no expiration date
PET Petition to Extend Authority
ORD Order Extending PR Authority
MAC Extended Letters on PR Party
- 6) If Pet/Ord not filed, prepare Acrobat/Memo Admin Closing (PC 599), check box 4b.
ACL Administrative Close - Comment: Letters Expired on [date]
See previous page re fee assessed for Administrative Close.
POS Proof of Service - Serve Administrative Close

Operation of Reopened Estates:

- 1) Personal Representative of Reopened Estate has same responsibilities as PR in regular estate.
- 2) When INVV filed:
 - A) If there is an additional inventory fee, refer to Amended Inventory instructions.
 - B) If no additional inventory fee is required, enter Y for financial:
PINV (cash code) 1 (total amount) HDR (respond party) 1 (Balance Fwd Pd)
This will satisfy system requirements for inventory fee on reopened estates.
- 3) Closed by Supplemental Sworn Statement (informal closing) or Petition for Complete Estate Settlement (formal closing), by administrative closing or by CLOC upon expiration date of letters (if reopened informally).

Supplemental Inventory in Closed Estate:

- 1) New estate property discovered. MCLA 700.3708 requires supplemental inventory in this case (Inventory was filed with court) and additional inventory fees.
- 2) PR has validity to act for one year following closing of file, so Reopen not required if within 1 year (MCLA 700.3959).
- 3) Add events to closed case - Inventory fee required on Amended Inventory.
- 4) Supplemental Sworn Closing Statement to follow distribution.
- 5) Follow with Supplemental Certificate of Completion.
- 6) If estate administration is required beyond one year from original file closing, file must be reopened.

Demand for Notice (PC 555):

- 1) If a file exists, filed with motion filing fee, enter Event DFN and INP Party.
- 2) If a file does not exist, filed with new file filing fee, CSI with ML Case Type.
PTY: HDR and PTR (with attorney, if one)
EVT: DFN with Dispo GTD & CLOC

Funds Held by County Treasurer for Unlocated Heirs:

- 1) See MCL 700.3916. A PR may deposit money with the County Treasurer for any heir whose whereabouts are unknown, or who declines the money.
- 2) See MCL 700.3917. An heir may claim their money by filing Petition/Order with Probate Court. After Judge signs order, they take it to the treasurer to get their money.

Safety Deposit Box:

Petition and Order to Open Safe Deposit Box (Filed with \$10 filing fee, \$11 certified copy fee).
Also print Acrobat form Safe Dep Box Cert & Receipt (for return within 7 days)

- 1) CSI: ML (Miscellaneous) Case Type
PTYS: HDR & PTR
EVTS: DBP PTR Party
Comment: Filed by [NAME]/to Judge for signature
- 2) After signed,
EVT: DBO w/Dispo on HDR party
CLOC
- 3) Certified Copy of Petition & Order to Petitioner with Certificate & Receipt.
- 4) If statement of contents received, enter as DBC with comments on comment line.

Foreign PR (MCL 700.4201, et seq.):

- 1) If a Personal Representative is appointed in another state, they may exercise the same authority as a Michigan PR.
- 2) To take action in Michigan, they must file an authenticated (certified) copy of their proof of appointment (usually Letters of Authority) and bond (if any) with the Probate Court where they intend to take action. (Where real estate is located, for example.)
- 3) They may file Notice of Ancillary Administration Filing (PC 619), but it is not required. If filed, the "Acceptance" should be signed by Register/Deputy processing the filing.
- 4) Once they have made the filing, they may obtain certified copies of any of the documents at normal certified copy costs.
- 5) CSI: ML (Miscellaneous) Case Type
PTYS: HDR & PR
EVTS: FFD w/Dispo on HDR party
CLOC

Petition to Determine Heirs, Separate Proceeding:

Occasionally it will be necessary for someone to determine the heirs of a decedent without actually opening an estate. (For example, we had one for a baby who was born after her father died in a car accident. Determination of heirs was a way to establish paternity and qualify for social security survivor benefits.)

- 1) Petition is filed with a new file filing fee - Case Type is DH (Determination of Heirs)
- 2) Need Petition to Determine Heirs (PC 553) and Testimony Interested Parties (PC 565)
- 3) Schedule for hearing, notice, etc.
- 4) Order Determining Heirs (PC 554) follows hearing
EVT: ODH Order Determining Heirs
HDR 1 Dispo: GTD
CLOC

TRUST FILES:

Court Supervision:

MCL 700.7201

Court may intervene in the administration of a trust to the extent that jurisdiction is invoked by an interested person. Neither registration nor a proceeding concerning a trust results in continued supervisory proceedings.

MCR 5.501

Trust Proceedings in General

Unsupervised administration, commencement of proceedings, appointment of trustee not named in trust document

MCR 5.502

Supervision of trusts specified by court order

Establish or Create a Special Needs Trust (or other trust):

Conservator or Guardian Over Estate (DD) may petition to establish a special needs trust in CA/CY/DD file – or trust may be created through a Protective Order (PO file). New TV file required when there is a request to supervise the trust.

Instructions:

- 1) To open a TV file, petitioner must file Petition, a list of current interested parties names and addresses, and copy of Trust document with new file filing fee.
- 2) If waivers filed by all interested parties, Judge can sign order without a hearing.
- 3) If hearing needed, route to Judicial staff for scheduling.
- 4) If continued supervision is ordered, AOTT (Acceptance of Trust - Trustee) is needed. This sets the qualification date (like LET in other files). With AOTT event on TST party, the system will track for financial filings same as in Conservatorship files.
 - A) Update Case Service Type, as appropriate (A if Accounts are required).
 - B) Update PTY – need TST Party
 - C) To establish PTY dates (for filing of annual accounts), need AOTT event on TST Party
- 5) If order requires action before closure, but not ongoing supervision:
 - A) REV for 90 days for required receipts or documentation.
 - B) If not received, MAC, Pgm/Rslt: NFT No final action in trust. REV for 28 days.
 - C) If not received at REV, CLOC event (no document needed).
- 6) If continued supervision, handle prenotes, annual filings, deficiencies, etc. the same as under Conservatorships, with staff review, and scheduling for allowance annually.

CIVIL CASES (CZ FILES)

MCR 5.101:

(C) Civil Actions, Commencement, Governing Rules. The following actions must be titled civil actions and commenced by filing a complaint and are governed by the rules applicable to civil actions in circuit court:

- (1) Any action against another filed by a fiduciary or trustee.
- (2) Any action filed by a claimant after notice that the claim has been disallowed.

Parties:

- P 1 Plaintiff 1 is always first party selected w/Attorney, if any
- D 1 Defendant 1 is always second party selected w/Attorney, if any
- P # Add additional plaintiffs, if any, w/attorney, if any
- D # Add additional defendants, if any, w/attorney, if any

Events:

- SAC Summons & Complaint with new file filing fee starts CZ filing
Issue Summons (sign copies and return to Plaintiff/attorney) - Expires in 91 days
PTY Plaintiff

Service:

Summons & Complaint must be served by Plaintiff on Defendants within 91 days.

If not served, will show up on TCS REV Report - Non-Service Due

Prepare Dismissal for Non-Service/No Progress (Acrobat MC 9a)

- TCS - Events: ORD Order of Dismissal
Dispo Defendant Parties (DIS, Dismissed)
- NSO Non-Service Order - Closes Case

If served, court will receive Return of Service (due within 91 days of SAC)

TCS - Event: ROS Return of Service, PTY(whoever was served, usually D, defendant party)

If No Answer Filed - Default Judgment (MCR 2.603):

If Defendant(s) fail to file Answer within time limits, case will show up on TCS REV Report - Default on Party Due. Plaintiff may file Default Application, Entry, Affidavit (MC 07)

EVT: MAC Miscellaneous Action by Court
Pgm/Rslt: DEF (Default Possible)
Send to Plaintiff/Attorney Only

If Default Not Filed:

If not filed, after 91 days, the case will show up on TCS REV Report - Non-Progress Due (See Dismiss for Non-Progress section)

If Default Filed:

If Plaintiff files Default Application, Clerk signs Default Entry, return to plaintiff for service on defendant(s)

EVT: AFD Application for Default
Dispo w/DFLT on D party(ies)

Defendant has 7 days to file Motion to Set Aside Default
When POS received for Default Entry, REV for 7 days

If Defendant does not file Motion to Set Aside Default, at 7 day Review, Judge can sign Judgment (MC 10)

TCS - Event: ORD Order of Judgment
POS Proof of Service
Comment: [Name of Document] served by [Name/office]
Clerk MUST serve Judgment
Form PC 564 or PTY NTF
REV for 21 days
(Defendant has 21 days to file Motion for Rehearing or Appeal)

If nothing filed, CLOC at 21 day review.

Answer:

Answer must be filed by Defendant within 21 days of personal service or within 28 days of certified mail service.

If Answer not filed, will show up on TCS REV Report - Default on Party due
Call and advise Plaintiff/Attorney, that they may request Default Judgment (see Default Judgement section)

If Answer filed:

TCS – Event: ANS Answer, PTY D (defendant party who files it)

When all Defendants have filed answers, schedule for pretrial.

TCS – Event: NOH Notice of Hearing Form CC NOT
Remember Next Action Info! (Hearing type, hearing date, etc.)
Sign POS at bottom of form

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Pretrial (usually done by judicial staff):

Probate07/Ord-Scheduling Following Pretrial

If ordered to Case Evaluation, prepare Acrobat/Ord Case Evaluation (MC30)

(Get Case Evaluation Date from Sarah Parker x-6526)

If ordered to Mediation, prepare JIS Form MC 274:

- #1 MCR 2.411(A)(2) and Box 'c'
 - #2 Box 'b' - 14 days out for date
 - #3 30
 - #5 Judge will check, if appropriate
- Date

Parties:

If Case is ordered to Case Evaluation, add ADR Clerk as INP

If Case is ordered to Mediation, add Mediation Clerk as INP

Pretrial Events:

- PTO Scheduling Order Following Pretrial
Next Action date (REV for mediation/case evaluation or trial date)
- EVL Evaluation Order
If case is ordered to Case Evaluation and/or Mediation
REV for Case Evaluation/Mediation Results 28 days after completion
- POS Proof of Service
[name of document] served by [name/office] (usually court recorder)
PC 564 or PTY NTF

Case Evaluation/Mediation:

- 1) Requests for Adjournment of Case Evaluation &/or Mediation:
If adjourning for less than 28 days, refer parties/attorneys to Sarah Parker (x-6526)
If adjourning for more than 28 days, follow normal adjournment procedures (stip/ord or motion with filing fee).

- 2) After case evaluation and/or mediation are held, court will receive results. When all case evaluation/mediation procedures are completed:
EVT: RFE Return from Evaluation
PTY Change ADR Parties to N for Notices

- 3) If accepted, on RFE event:
Comment: [Case Evaluation/Mediation] Results - Accepted
REV - 28 days for settlement documents
If settlement documents not received at 28 day review, schedule TMC (below)

- 4) If rejected, or if settlement documents not received at 28 day review, schedule for Trial Management Conference in 21-28 days.
If Probate Case, NOH with next action of TMC
If Civil Case, CC NOT with next action of TMC

- 5) If/when settlement documents received, see civil dispositions section.

Trial Management Conference (usually handled by judicial staff):

Probate07/Ord-Trial Management Conference

TCS-Events:

- PTO Pretrial Order
Next Action date (for trial date)
- POS Proof of Service
[name of document] served by [name/office]
PC 564 or PTY NTF

Dismiss for Non-Progress:

Any time 91 days have passed with no action, civil cases will show up on TCS REV Report - No next action.

Prepare Notice of Intent to Dismiss for Non-Progress (MC 26)

TCS-Event:

NID Notice of Intent to Dismiss
REV 28 days to dismiss if no action

If no action at 28 day review:

Prepare Dismissal for Non-Service/No Progress (Acrobat/Dismiss No Svc-No Progress/MC 9a)

TCS - Events:

ORD Order Dismissing for No Progress
PTY D DIS (Dismissed)
CLOC

Civil Dispositions:

In a Civil file, each Defendant must have a disposition.

If a trial/hearing is held:

TCS – Event:

TRLN (Trial Non-Jury) or TRLJ (Trial-Jury)
Dispo: JDGP (Judgment in favor of Plaintiff) or JDGD (Judgment in favor of Defendant)
REV 28 days for Order.

If a trial is not held and the case is settled:

TCS – Event:

ORD Dispo: SET (Settled)

If the Complaint is dismissed:

TCS – Event:

ODP Order Dismissing Petition, Dispo: DIS (Dismissed)

Civil Judgments:

TCS – Event:

CJO Civil Judgment Order, appropriate disposition, closes case
or CJ Civil Judgment – Not Closing Case
POS Serve on interested parties, sign certificate of mailing (bottom of Judgment).

Notice of Judgment Lien:

Complete #3 with date of judgment and expiration date (5 years). Register signs as Clerk of the Court, or you can type/print register's name as Clerk of Court and probate clerk or deputy register can sign.

TCS – Event:

NTC Comment: Notice of Judgment/cc to attorney/party

TRANSPORT ORDERS - Adults

- 1) Summit Pointe is Gatekeeper for Transport Orders.
- 2) When you become aware of a Supplemental Petition (for transport) coming, send a courtesy email to judge and judicial staff.
- 3) Petitioner will bring:
Petition for Mental Health Treatment (PCM201)
Supplement to Petition for Mental Health Treatment and Order (PCM209a)
Pick Up Order (description sheet)
- 4) Switch page 2 – to form with expiration date
- 5) Prepare:
Cover Letter (Probate07/MI-Transport Ltr-[hospital]) – print on letterhead
Order Portion of Supplemental (fill in #9 – usually Bronson-Battle Creek.)
- 6) Take to Judicial Staff for signature.
- 7) After signed, scan into OnBase:
Doc-Type: PET
Event Type: SPA
- 8) OnBase will route to PB-High Priority. After processing, Stop Workflow.
- 9) Print 2 copies of SPA, 1 copy of letter
Certify both copies of SPA
Original petition & 1 SPA goes in envelope for hospital
Letter, SPA & Description sheet is attached (paperclip) to envelope for police
- 10) If requested to call police agency for immediate pickup, call 966-3363 for BCPD,

TCS Events:

- ATF App for hospitalization filed by [Name & Relationship]
LEIN
SPA Supplemental Petition with Application
PTY HDR Dispo w/OTP (Order to Transport)
Comment: [Name of Hospital]/Exp: [date] or Denied
REV in 10 days for petition/close
MAJ Letter to Police Agency

TRANSPORT ORDERS – Minors

- 1) Summit Pointe is Gatekeeper for Transport Orders.
- 2) When you become aware of a Petition/Ord to Transport Minor coming, send a courtesy email to judge and judicial staff.
- 3) Petitioner (must be parent or guardian) needs:
Pet/Ord to Transport Minor (PCM 240)
Warrant/Vehicle Sheet (description sheet)
- 4) Prepare:
Cover Letter (Probate07/MI-Transport Ltr-[hospital])
Order Portion of Supplemental:
Fill in expiration date - 10 days
- 5) Take to judicial staff for signature.
- 6) What goes where after signed:
Petition & Order - Original in Court file, certified copy to police agency, copy in hospital envelope
LEIN sheet - Original in file, copy to police
Cover Letter - Original to police, copy in file

TCS Events:

POTM Petition to Transport Minor

PTY HDR Dispo OTP

Comment: Filed by [Name]/[Name of Hospital]/Exp: [date] or Denied

REV in 10 days to close

LEIN

MAJ Letter to Police Agency

INVOLUNTARY MENTAL COMMITMENTS (MI CASES)

In General:

MCL 330.1400, et seq.

Involuntary mental commitments are governed by the Mental Health Code.

MCR 5.730, et seq.

Mental Health Rules start in MCR 5.730.

Calhoun County Weekly Schedule/Deadlines:

Monday by 5 p.m.:

Paperwork due at Probate Court for Thursday hearings
(Deadline may be adjusted when hearing day is changed.)

Deferral Schedule:

Fieldstone Tuesdays @ 10 a.m.

Fieldstone main email: BBC.FS.Probate@bronsonhg.org

Paula Wofford (269-245-8640) woffordp@bronsonhg.org or

Whitney Fields (269-245-8374) fieldsw@bronsonhg.org

Oaklawn Tuesdays @ 1 p.m.

Trae McGuire (269-789-8996) tmcguire@oaklawnhospital.com

VAMC Tuesdays @ 2 p.m.

Bonny Wood, bonny.wood@va.gov

269-966-5600, x-32126 or 269-730-4459

Tuesday by 5 p.m.:

Attorney to provide copies of deferrals and update Court regarding status of patients and hearings expected to be held.

Summit Pointe to provide ORA's for any hearing scheduled.

Video Hearing Schedule - Thursdays unless otherwise noted:

Justice Center @ 8:30

VAMC @ 10:00

Fieldstone Center @ 8:45

Oaklawn @ 11:00

Prosecutor's Office Contacts:

Julie Hinten x-6952

jhinten@calhouncountymi.gov

Jen Boroughf x-6960

jboroughf@calhouncountymi.gov

Receiving Pleadings:

Filings are received via email (probate@calhouncountymi.gov) or fax (Fax_probate). Monitor email/fax queues in Outlook.

Accounts/Passwords:

Fieldstone email attachments (Bronsonhg.org):

- 1) Click on open message
- 2) User Name: Cindy Rude (if needed)
- 3) Password: HappyDay1!4
- 4) Security Question #1: pizza (favorite food)
- 5) Security Question #2: Pooh (favorite cartoon character)
- 6) Click on open
- 7) Open
- 8) Print
- 9) Close

Summit Pointe – encryption:

Ssharon@2016

Case Mgmt of MI

Ssharon@2016

As filings received – Our Resident/Our Hospital:

- 1) Open email/attachment
- 2) Check TCS for open file
 - a. If transport order file still “OPEN”, use that file.
 - b. If a file is already open, check the status of the case. Is this filing appropriate? If a petition for second/continuing, see that section.
 - c. CSI, for new cases: Case #, Case Type: MI, Jurist: 47209 (for Judge Jaconette) Probate Type “A” (Adult)
- 3) Scroll through pdf, note desired page order (NTC, PET, CCT’s, APT, NHH, POS)
 - a. Print/Upload/Index to Hyland
 - b. Index as PB-Petition, Event IPFH
- 4) Tasks – True Sign
 - a. Add Case # to all documents (insert 8 pt. text box)
 - b. Add Filed Stamp to all documents
 - c. Save
- 5) Close pdf and delete email

TCS:

Parties:

HDR Header, with Attorney Bar #
PTR Petitioner (listed as hospital or agency, if applicable)
PLA Placement (Hospital where patient is)
SP Spouse, if any
GDN Guardian, if any
CHI/INP Other known relatives (from petition or other court file)
INP's MSP-Probate LEIN For copy of order
Prosecutor ** (not needed for VA)
Summit Pointe Crisis Team (not needed for VA)

Events:

If following an SPA, enter RMVD
NTC Notice of hospitalization and certification of service, if filed
IPFH Initial Petition for Hospitalization
Comment: Name of Hospital, Filed by [Name]
CCT Clinical Certificate (2)
APT Order Appointing Attorney
HDR PTY Atty bar #
Comment: [name of attorney]
Form PC 628
NHH Notice of Hearing on Hospitalization
Put in Attorney bar #
Comment: Hospital & Hearing type (initial, 2nd, continuing)
Form PCM 212
Next Action: MIH, Date/Time/Courtroom (FSV/OAKV/VAV)
POS Proof of Service
Comment: Pet/CCTs/APT/NHH served by Court
Form PTY NTF - for service to proper parties

Then Create Form PC 564 - P for Personal Service HDR - Drop all others
Mail/email copies (see next page)

OnBase:

Import documents to Onbase, TrueSign, etc., as appropriate

Email from OnBase:

- 1) Send IPFH, APT, NHH to:
Attorney
SPCourt@summitpointe.org (Summit Pointe)
ccpo@calhouncountymi.gov (Prosecutor's office)
- 2) Put Name of Patient & Name of Hospital in subject line of all emails from OnBase.
- 3) Send APT, NHH and PPS to hospital contact

Print and Mail from OnBase:

Send IPFH, APT, NHH to any other interested parties by mail.

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As filings received – Their Resident/Our Hospital:

- 1) When another county has a subject in one of our hospitals, they will request hearing and attorney information.
- 2) The originating county will prepare all paperwork and send to us, to the attorney, and to the Prosecutor (unless VA). Prosecutor Fax: 269-969-6967. They also need to send proposed order and ORA prior to hearing.
- 3) Enter into TCS as SND event in Case YYYY-OOC to get the hearing on Judge’s docket.
- 4) Enter documents into OnBase for the hearing, using the current year, two zeroes, then 4-digit number starting with 5.

To get file # for OnBase:

EVT in TCS, Case # YYYY-OOC, note the next #

TCS – Case # YYYY-OOC

Add EVT: SND Comment: Initial/Name/County/Hospital/OnBase File #
Next Action: Hearing Info
Hearing Comment: Initial/Name/County/OnBase File #
Attorney on 2nd line

Email – Open Attachment

- 1) Scroll through pdf, note desired page order (NTC, PET, CCT’s, APT, NHH, POS)
 - a. Print/Upload/Index to Hyland
 - b. Index as PB-Petition, Event IPFH
- 2) Scroll through pdf, find proposed order
 - a. Print/Upload/Index to Hyland
 - b. Index as PB-Other, Event PROO
- 3) Scroll through pdf, find ORA
 - a. Print/Upload/Index to Hyland
 - b. Index as PB-Order, Event ORA
- 4) Close pdf and delete email

OnBase

Home – Forms – PB Hearing Summary Sheet

Add case #, check autofill for name; Add hearing description, hearing date and time

Click “Add”, then “Submit” - Create new form? “No”

After hearing:

Fax/Email original order to originating county, place a copy in our OOC-MI file.

As Filings Received - Our Resident/Their Hospital:

- 1) Contact the County where the hospital/facility is located.
(See CR's directory for name & number of mental contact for county)
- 2) From County/Facility, get hearing date, time, location, judge to hold hearing, and attorney to appoint.
- 3) In 2019, we have the following blanket assignments:

Branch County	Hon. Kirk Kashian
Hillsdale County	Hon. Michelle Bianchi
Hillsdale County	Hon. Michael Smith
Jackson County	Hon. Diane Rappleye
Kalamazoo County	Hon. Curtis Bell
Kent County	Hon. Terence Ackert & Hon. David Murkowski
Oakland County	Hon. Daniel O'Brien
VanBuren County	Hon. David DiStefano
Washtenaw County	Hon. Darlene O'Brien & Hon. Julia Owdziej

If the Judge you need is NOT on this list, you must do an SCAO Assignment on-line. When assignment is complete, click "View/Print" and Print the Request for Assignment for placement in the file.
- 4) TCS - Case Initiation, parties, same as "Our Resident/Our Hospital"
- 5) TCS – Events, same as "Our Resident/Our Hospital" with these changes:
 - NHH = **Use MIO (MI Hrg Other County) for hearing type in Next Action**
(Remember different hearing places and judges!)
 - RFJ Request for Judicial Assignment/Judge/County, if needed
 - POS Put on REV for 28 days for receipt of order.
- 6) **Prepare proposed order.** (Acrobat/Probate Shared/Mental Forms/Initial Order.)
Fill in case number, case name, info box at top (DOB, race, sex, address, etc.), date of hearing, judge, and petitioner.
- 7) FAX/email all paperwork to other County.
Ask if you need to FAX/email copies to attorney/prosecutor - some courts do it, others will require you to do it.
- 8) FAX/email to hospital/facility for service
- 9) Email SPCourt@summitpointe.org put **Patient's Name, File # and Hospital Name** in subject line. If hospital is outside our county, SP will send ORA.
- 10) When Assignment Email comes from SCAO, print and enter:
EVT: OFJ Order for Judicial Assignment/Judge/County
- 11) After hearing, original order, etc., should be sent to us. Process same as our own orders.
Use date of order, date of discharge, date of deferral as data entry date for dispo.
- 12) If Order not received from the County that held the hearing, send email to the county MI contact, the hospital, and the attorney who was appointed. Request the order or that they tell you why there isn't an order. If they respond that the patient was discharged, print the email and use it as written notification. If they respond that the patient deferred, request that they fax a copy of the deferral - or the order.

Hospital & Agency Information:

- 1) Watch for hospital contact information on FAX cover sheet coming from hospital.
- 2) Court/county contact information is available in MPJRA Directory.
- 3) For up-to-date information on hospital contacts and special information, see

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ProbateShared/MI Cheat Sheets.

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Voluntary/Dismissal:

Petitioner can withdraw the petition prior to the hearing without prosecutor involvement. If patient signs a voluntary or is discharged before the hearing, we need something in writing from the hospital. In any of those events (withdrawal, voluntary, discharge), remove the hearing from computer calendar and cross out of docket book.

EVT: ATF Use DATE patient was discharged/signed for disposition
PTY HDR Dispo (WTDW or DIS)
Comment: Patient [discharged/signed voluntary] on [DATE]
MAC ODP to Judge to Sign
Prepare Probate07/MI-ODP Give to Judge to Sign
EVT: ODP Order Dismissing Petition
POS Proof of Service
Comment: [Name of Document] served by [Name/office]
Form PC 564 or PTY NTF
CLOC

Patient Transferred to Medical Site:

- 1) Hearings on MI Petitions must be held within 7 days of filing. If a patient is transferred to the medical site of the hospital, the hearing will still be scheduled.
- 2) The attorney should visit the patient at the medical site.
- 3) The hearing will be held as scheduled. The patient/attorney may request an adjournment (by filing of motion for same) if the patient wishes to be present at the hearing, or the hearing may be held without the patient in attendance.

Deferral Conference:

MCL 330.1455(3)

Meeting with attorney, hospital representative, CMH (Summit Pointe) representative, and a support person chosen by the subject of the petition.

Request to Defer Hearing on Commitment (PCM 235):

MCL 330.1455(6)

The subject may file with the court a request to temporarily defer the hearing for not longer than 60 days if the individual chooses to remain hospitalized, or 90 days if the individual chooses alternative treatment or a combination of hospitalization and alternative treatment. The request shall include A stipulation that the individual agrees to remain hospitalized and to accept treatment as may be prescribed for the deferral period, or to accept and follow the proposed plan of treatment as described in subsection (3)(c) for the deferral period, and further agrees that at any time the individual may refuse treatment and demand a hearing under section 452. The request to temporarily defer the hearing shall be on a form provided by the department and signed by the individual in the presence of his or her legal counsel and shall be filed with the court by legal counsel.

Deferrals:

If patient defers, the attorney is to fax or drop off the deferral form.

Remove the hearing from computer calendar and cross out of book.

EVT: RDHC Request to Defer Hearing on Commitment

PTY HDR Dispo (DEFR)

Comment: [Hospital Name]/Expires: [Date - 90 days]

REV in 90 days to close

OnBase – PB-Order, Event RDHC

Email Summit Pointe a copy of the deferral form to SPCourt@summitpointe.org with **Copy of Deferral** in subject line

No requirement to serve deferral in statute or court rule.

Stipulations:

Fieldstone/Oaklawn stipulations are put on the record. Leave on the docket and add “by stipulation” to the hearing info in TCS.

VA stipulations are usually paper. When received, remove from docket.

If OUR case, add TCS Event: VAST

All cases - OnBase – Doc Type: PB-Other, Event: VAST

Automatically routes to JUD-High Priority. Judicial staff will pull/prepare proposed order.

Demand For Hearing (Follows Deferral) - MCL 330.1455(7-10):

- 1) May be filed by subject (#1).
- 2) If the patient is not complying with treatment, may be filed by hospital or supervising agency (VA or Summit Pointe) at any time before the deferral expires (#2).
- 3) If the patient is complying with treatment but will continue to require treatment past the deferral period, may be filed by the supervising agency (VA or Summit Pointe) not more than 14 and not less than seven days prior to the expiration of the deferral (#3).
- 4) If the patient is still in the hospital, and they need more days that provided in the deferral, the hospital may file any time before the initial hospital days expire (#4).
- 5) If patient is in hospital, schedule with other hospital hearings.
- 6) If patient is out of hospital and hospitalization is requested (Box #5 should be checked and a description sheet should be included):
 - A) Have Judge sign Order portion of the form.
 - B) Prepare Probate07/MI-Transport Ltr-[hospital] & LEIN-Description Sheet
 - C) Keep originals; make copies for police agency, hospital, Summit Pointe, and Petitioner.
 - D) Return to worker for delivery of copies to police agency and hospital OR FAX to police agency, hospital, and Summit Pointe.
 - E) EVT: MAC, Demand with pick up
 - F) When patient picked up, hospital will notify court, schedule at hospital.
- 7) If patient is not in hospital and hospitalization is not requested, schedule hearing at courthouse:
 - A) Call Jamie @ Summit Pointe (441-6024) - for Dr at hearing
 - B) Email: Attorney for the week, SPCourt@summitpointe.org , ccpo@calhouncountymi.gov (Prosecutor's office), and Petitioner (if someone we can send to electronically).
 - C) Original Petitioner & worker filing Demand should be present.

Events:

- DFH Demand for Hearing
PTY HDR 1
- APT Order Appointing Attorney
PTY HDR 1 Atty bar #
Comment: [Attorney name]
Form PC 628
- NHH Notice of Hearing for Hospitalization
Attorney bar #
Form PCM 212
Remember next action information - Hearing type, date, etc.
- POS Proof of Service
Comment: [Name of Document] served by [Name/office]
Form PC 564 or PTY NTF
- When serving, also copy original Petition & Cert's for attorney & prosecutor

Request for Independent Clinical Evaluation:

MCL 330.1463 and MCR 5.733

- 1) Patient/attorney may request an ICE. They must file it in writing (paper trail for file) if requested prior to the hearing, or they may request it at the initial hearing.
- 2) Use DOCTOR from Mental Health Professional List - try to get evaluation done ASAP
- 3) Prepare Probate07/MI-Order re ICE
- 4) Add doctor as PTY for service of documents
- 5) Adjourn hearing to allow time for evaluation
- 6) Events:
 - OMP Order Appointing Mental Health Professional
Comment: [Name of Doctor] appointed to do ICE
 - ADJ Order for Adjournment
Form MC 309
Next Action Information [hearing type, hearing date, etc.)
 - POS Proof of Service
Comment: [Name of document(s)] served by [name/office]

Demand for Jury Trial:

MCL 330.1458, MCR 5.151, MCR 5.158, and MCR 5.740

- 1) Patient/attorney may demand a jury trial. They must file demand in writing if requested prior to hearing, or they may request it at the initial hearing BEFORE any testimony is taken.
- 2) Any Jury Trial in MI file must be held within 7 days of Jury Demand.

When Independent Evaluation Received:

- 1) Make copy for GAL and/or attorney.
- 2) EVT: ICE, Comment: Evaluation of Dr. [name]
- 3) Schedule Hearing within 7 days.

Preparing for Hearings:

Order for Report on Alternative Treatment and Report:

SCAO/TCS/Onbase Code is ORA. Some people refer to as ATO or ATR.

- 1) Received via email/fax – is the form complete?
- 2) Open/print to OnBase: Doc Type: PB-Order; Doc Code: ORA
TrueSign:
Top - Add file #; date & Stamp JJ Signature
Bottom – Add file stamp & cc: Attorney and prosecutor
- 3) TCS Event: ORA

Before Hearings:

- 1) Out of County files - check for proposed order and ORA.
If not here, call/email originating county.
- 2) Our files - check for ORA. If not here, email SPCourt with “ATR Needed” in subject line.
(VA does their own ORA’s)

By noon the day before hearings are scheduled:

- 1) Clean up docket.
- 2) Send email to Attorney for the week, SPCourt@summitpointe.org ,
ccpo@calhouncountymi.gov (Prosecutor’s office), and judicial staff to tell them which
hearings are scheduled.

After hearings:

Ours/here (judicial staff) – ours/there (clerk staff):

Events:

- OFH Initial Order After Hearing on Petition for Mental Health Treatment
PTY HDR 1 Dispo (GTD/DIS)
Comment: Order/[Name of hospital]; 60/90 or 180/[# of initial days]/Exp Date
REV for Saturday after expiration of order for CLOC
- POS Proof of Service
Comment: [Name of Document] served by [Name/office]
Form PC 564 or PTY NTF

Theirs/here (clerk staff):

- 1) Judicial staff will bring paper down after hearings.
- 2) Scan/index all together as PB-Order, Event: OFH (no TCS entry needed)
- 3) Email to the hospital and originating county
- 4) Mail originals to the originating county

If Court Finds Individual Does Not Require Treatment:

CAS 2 to change Mark as Non-Public

Person No Longer Meets Criteria of Person Requiring Treatment (MCL 330.1476-1477):

If patient no longer meets criteria of person requiring treatment, they are to be discharged from treatment, and the care provider is to notify the court. If written notification is received that the individual “no longer meets the criteria of a person requiring treatment”, enter

EVT: ATF Ltr from [agency/hospital]/no longer requires treatment.
CLOC

Notice of Non-Compliance/Request for Modified Order:

(Summit Pointe says, "I need to revoke an ATO")

- 1) If a patient is non-compliant with treatment, first determine if they are on an ORDER or on a DEFERRAL.
- 2) If on a deferral, then they need to file a Demand for Hearing.
- 3) If they are on an Order and if there are hospital days remaining on the current order, the worker should complete Notification of Non-Compliance (PCM 230) and take/fax together with the order (see #15 on Initial Order; #16 on Second/Continuing Order) to police agency for transport to hospital.
- 4) Summit Pointe will send/fax Notification of Non-Compliance to court and hospital.
- 5) Print to OnBase;
Index as PB-Notice, Event: NCAD
TCS Event: NCAD
- 5) The hospital will notify the patient in writing of the right to object to the hospitalization.
- 6) If the patient objects to hospitalization, the hospital will fax the Notification and Objection to the court so that a hearing may be scheduled and an attorney appointed to represent the individual.
- 7) Follow Instructions for Objections.

Objections to Hospitalization:

- 1) If a patient has been returned to the hospital without a hearing and objects to the hospitalization, the court must schedule a hearing with ten (10) days of receipt of the objection (usually on normal hospital hearing schedule).
- 2) The court will appoint an attorney to meet with the individual. We should receive Notification of Noncompliance (PCM 230) and Objection from hospital.
- 3) Parties:
Add PTR from Non-Compliance as PTY if not already there.
- 4) Events:
OBJ Objection to hospitalization
APT Order Appointing Attorney
PTY HDR 1 Atty Bar #
Comment: [name of attorney]
Form PC 628
NHH Notice of Hearing on Hospitalization
Acrobat/NOH Obj Appt Atty pcm 204
Next Action Information (hearing type, date, etc.)
POS Proof of Service
Comment: [Name of Document] served by [Name/office]
Form PC 564 or PTY NTF (serve OBJ & NHH)
Note: Petitioner from Non-Compliance must be served and must attend hearing.

For Hearing:

Prepare Acrobat/Order Following Hearing on Objection to Return to Hospital (PCM 234):
Complete top of order, fill in #2 (person who filed objection) and #4 (attorney).

After Hearing:

- ORD Order Following Hearing on Objection
Pgm/Rslt: GTD/DEN
Comment: None necessary, reverts back to initial order
- POS Proof of Service
Comment: [name of document] served by [name/office]

Petition for Second/Continuing Order:

- 1) Must be filed at least 14 days prior to expiration of existing order - MCL 330.1472a(5).
- 2) Schedule hearing at Justice Center, unless hospitalized
- 3) If hospitalized, schedule with other hearings.
- 4) Parties:
Add PTR from PSO/PCO if not already there.
- 5) Events:
 - PSO Petition for Second Order
 - or PCO Petition for Continuing Order
 - Comment: Filed by [name & relationship]
 - CCT Clinical Certificate
 - Comment: [Name of doctor]
 - APT Order Appointing Attorney
 - PTY HDR 1 Atty bar #
 - Comment: [name of attorney]
 - Form PC 628, attorney name
 - NHH Notice of Hearing for Hospitalization
 - Attorney Bar #
 - Form PCM 212
 - Remember next action information
 - POS Proof of Service
 - Comment: [name of document] served by [name/office]
 - Form PC 564 or PTY NTF - Change M to P for Personal Service on Patient
- 6) Email: Jamie @ jls@summitpointe.org (441-6024) - for Doctor's presence at hearing
SPCourt@summitpointe.org (269-441-6112, or 966-1460)
Subject line: Name, Second/Cont, Need ATR
- 7) Email documents (including personal proof of service) as needed. Caseworker to personally serve.

For Hearing:

Acrobat/Second or Continuing Order for Treatment (PCM 219):

Complete top of form, #2 (Petitioner), #5 (without a jury and names of attorney, prosecutor, if known), #10 (hospital), #15 (VAMC and bottom box for VA, Summit Pointe and top box for all others; as follows: "The patient shall reside, participate in all programs, and take all medications as directed."), #17.

After Hearing:

SORD Second order or CORD Continuing Order

Pgm/Rslt: GTD/DEN

HDR Party

Comment: [Name of Hospital/Patient Discharged]/Supervised by [name of agency]/Exp: [Date]

REV for Saturday after expiration of order for CLOC

POS Proof of Service

Comment: [name of document] served by [name/office]

Form PC 564 or PTY NTF

6 Month Review Report (MCL 330.1482-1483):

When a patient is on a one-year (second or continuing) order, the supervising agency should send in a 6 Month Review Report. Enter as REP, with comments on comment line.

Petition for Discharge Following Review (MCL 330.1484):

- 1) If the review report concludes that the individual requires continuing involuntary mental health treatment and the individual objects to the conclusions, they may file Petition for Discharge From Treatment (PCM 220) within 7 days of receipt of the report. The hearing must be scheduled within 7 days.

- 2) EVTS: PET Petition for discharge filed by [name]
APT Order Appointing Attorney
PTY HDR 1 Atty bar #
Comment: [name of attorney]
Form PC 628, attorney name
NHH Notice of Hearing and Appt of Atty on Objection
Attorney Bar #
Form PCM 204 (Acrobat)
Remember next action information
POS Proof of Service
Comment: [name of document] served by [name/office]
Form PC 564 or PTY NTF - Change M to P for Personal Service on Patient

- 3) To be personally served on patient by petitioner.

- 4) Need ORA from CMH

For Hearing:

Order Following Hearing on Petition for Discharge from Treatment (PCM 222):

After Hearing:

- ORD Order Following Pet for Discharge - Granted/Denied
- POS Proof of Service
Comment: [name of document] served by [name/office]
Form PC 564 or PTY NTF

Miscellaneous Section:

Acknowledgements of Paternity:

These were filed in probate courts through 1997.

For Acknowledgements of Paternity starting in 1998, refer them to DHHS.

They are on computer, and filed alphabetically in the folder for the month of filing date (not DOB) in Will cabinet #7.

No search fee is charged. Regular certified copy (\$10 + \$1/page) charge applies.

They can only be released to the individual or a parent - ID required.

These are being scanned into OnBase.

Scanning Instructions for Acknowledgments of Paternity:

TCS:

- 1) Look up NAM of child – is AK case there?
 - a. If it exists, C for Cases – for case number – write on top right of document
 - b. P for Parties – are HDR, and both PTS in TCS?
 - c. If not, add them
- 2) If Case does not exist:
 - a. Add Inactive Case
 - i. IAC with no case number at the hop line
 - ii. On Edit Inactive Case Screen:
 1. Add Case year, for case number.... ?
 2. Use filed date from document
 3. Jurist – Judge’s P#
 4. Add 3 parties – HDR, PTS 1, PTS 2

OnBase:

Full index scan.

Doc type: PB-Other

Document date: File Date from Document

PB Case # (auto-fill? If you add to add case to TCS, you will have to add AK Suffix and child’s name)

After scanning, documents can go into shredding box/bin.

Archives (State of Michigan)

Website for the State of Michigan Archives: www.michigan.gov/archivesofmi .

By mail/phone/fax: Archives of Michigan

P.O. Box 30737

Lansing, MI 48909-8240

Telephone: (517)-373-1408

Fax: (517) 241-1658

To do personal research: Archives of Michigan

Michigan Library and Historical Center Building

702 W. Kalamazoo

Lansing, MI

APPEALS:

MCR 5.801(B), MCR 7.100

Starting 01/01/2017, all probate court orders are appealed to the Court of Appeals within 21 days.

Request to Appeal from Ward, when applicable:

- 1) Attorney/Subject notifies probate court *in writing* of desire to appeal. Scan/Index as IWA, I Want Appeal (will route in OnBase to PB-High Priority).
- 2) Appoint *new* attorney for purposes of meeting with the individual and filing an appeal, if necessary.
- 3) Prepare Acrobat/Appeals/Ord Appt Atty & Transcript (CC 402):
Check boxes #3, 3b Enter name and attorney information
Complete Certificate of Mailing, check box #1, date, sign, and serve as indicated.
- 4) EVT: APT Order re Appointment of Appellate Counsel, HDR 1, Bar # of Attorney
Comment: Appt [Name of Atty] for Appeal
- 5) Serve Order re Appt of Appellate Counsel per Certificate of Mailing
- 6) Attorney has 21 days from order being appealed to file Claim of Appeal (MC 55).
- 7) No follow up or REV required by court staff.

Claim of Appeal Received:

- 1) Filed by a party in a case (not the ward/subject), Claim of Appeal (MC 55) with \$25 filing fee. Appealing Party needs copy of ROA to submit to Court of Appeals. (\$1/page)
- 2) Filed by ward/subject/attorney for same, there is no filing fee or ROA charge.
- 3) Prepare Acrobat/Appeals/Ord Appt Atty & Transcript (CC 402). Check boxes 4 & 5. Contact courtroom staff for type of transcript and court recorder information. [Only that portion of the transcript concerning the order appealed need be filed. MCR 7.109(B)(1)(b).] Also complete Certificate of Mailing, check box #1, date, sign, and serve as indicated.
- 4) EVT: ORD Order, Comment: Order Transcript

Appeals - Court recorder:

Must file Notice of Filing of Transcript (Acrobat/Appeals/Appeals mc502) and transcript with probate court.

Court of Appeals notice (post card, email or fax) requesting that the record be transmitted:

- 1) Print ROA.
- 2) Prepare:
Acrobat/Appeals/Cert Records Transmitted (MC 57) and
Acrobat/Appeals/Record Production Checklist for Court of Appeals (CC 71).
- 3) TCS - EVTS: ATF Notification frm COA
CER Certificate of Records
ATF Records Production Checklist, Comment: Records Production Checklist for COA
- 4) Send original Certificate of Records, Record Production Checklist, ROA, and entire original Probate file (or photocopies), including transcripts, to Court of Appeals.

When File Returned from Court of Appeals:

Prepare Acrobat/Ntc Return Appeal mc 60.

EVT: RFAP Return from Appeal

Comment: Affirmed/Overtured/Rehearing Granted (as appropriate)

Serve on interested parties (POS on form). Schedule hearing, if required (see Register).

Case Type Change - Ordered:

When a case type change is ordered (going from limited to full, for example - or unsupervised to supervised), enter the data entry for the case type change FIRST, then enter the orders and other data entry.

Change of Venue – Incoming & Transfers from Family Division

Transfers to/from Family Division:

***** UPDATE WHEN ONBASE TRANSFER PROJECT IS COMPLETE *****

Incoming - Transfer (from Family Division):

- 1) Case initiation (File Date - Date Received) and Parties - as for any other case
- 2) Events:
 - TRFD Transfer from Family Division (on date received)
 - PTY: HDR 1 DISPO: CHV (Change/Venue) or TRS (Transfer)
 - Comment: Change of Venue received from [name of county]
 - * NOTE: For Transfers coming from Family Court with Original Documents - Enter all documents into case management system with Circuit Court date.**
 - MAJ Fiduciary Party (GDN/CV/etc)
 - Comment: Updated Letters from Calhoun County
 - Form: PC 633 (if guardianship) - Other appropriate form, if CV or PR
 - NOTE: Use same language/restrictions/etc. as originating county until hearing held in our court.
 - GAL Appoint Calhoun County GAL
 - POS Serve Order Appointing GAL on interested persons
 - MAC Miscellaneous Action by Court
 - Pgm/Rslt: NEW
 - Comment: New Letters Issued
 - PTY NTF - Send to Fiduciary Only
- 3) Check annual filings. If necessary, generate/send Prenote.
 - MAC Prenote sent
 - REV 28 days for filing or NDF
- 4) Check guardianship reviews. If necessary, generate PRG.
- 5) In GA files, send copy of OAG to MSP.

Change of Venue - Outgoing:

We supervise files as long as the ward or fiduciary live in Calhoun County. If neither of them live in Calhoun County (but still in the State of Michigan), change venue to the county of residence of the ward. Do not change venue if anything in the file is deficient.

- 1) Acrobat forms
Petition/Order to Change Venue (PC 608) – Upload to OnBase, PB-Order, Event CHVO – Route to Judge for signature
- 2) TCS
Event: MAC, Comment: CHVO to [name of county] – to Judge in Onbase

CHVO – Change of Venue Outgoing

OnBase:

Change keywords to date signed

Acrobat:

Prepare Cert of Records (MC 202) – Print to OnBase – PB-Other, Event EXR

TCS:

- 1) Modify MAC to CHVO event, match OnBase date (CHVO event closes case)
- 2) Add EXR and POS events (create POS and serve CHVO)
- 3) Print ROA

Outgoing Mailing

- 4) Pull paper file, if it exists, and compare to OnBase (can mail existing paper file)
- 5) Print needed documents from OnBase (paper documents not in existence)
- 6) Mail CHVO, EXR, ROA, and copy of file to new county

Delayed Registration of Birth:

This procedure was used to secure birth certificates for home-births. These were transferred to the State of Michigan Archives in 2007. They are NOT on the computer.

Delayed Registration of FOREIGN Birth:

When a foreign-born child is adopted by American parents, this procedure is used to create a Michigan birth certificate, to establish U.S. citizenship, etc.

- 1) Required for filing:
 - Petition and Order for Delayed Registration of Foreign Birth (PCA 350) - BR Case Type
 - \$175 filing fee
 - Copy of Foreign Adoption Orders
 - Translation of Foreign Adoption Orders
 - Foreign Birth Certificate
 - Translation of Foreign Birth Certificate
 - Affidavit of Translation
 - Application to Establish Delayed Registration of Foreign Birth (DCH-0855)
 - \$50 check (for creation of birth record) made payable to: State of Michigan (Additional certified copies are \$16/each and can be added to the SOM check)
- 2) CSI Case Type: BR
 - Service Type: Blank; Probate Type: M; **Public: S (for Suppressed)**
 - Parties: HDR Child's Name
 - PTS One for each parent
 - INP Mich Dept of Community Health
 - INP US Immigration & Naturalization Svc
 - EVT PDR Petition for Delayed Registration
- 2) Review documents for completeness and accuracy.
- 3) If #2, 3, or 5 are checked on the Motion, a hearing is necessary. If not, Judge can sign without a hearing.
- 4) Judge signs Order (bottom of PCA 350); Register signs Application (page 2 of DCH-0855)
- 5) EVT ODR with Disposition
 - POS Motion/Order (copies) served on parents and US Immigration
 - POS Application (original) with State of Michigan check to Mich Dept of CH
 - CLOC

NEED PASSPORT LETTER INFO

If an individual was adopted in another country (foreign births) and they request a letter from the court to obtain a passport, prepare ProbateShared/Re-Adoption Letter.

Dismiss for Non-Progress:

Any time 91 days have passed with no action, prepare Notice of Intent to Dismiss for Non-Progress (MC 26)

Events: NID Notice of Intent to Dismiss
REV 28 days to dismiss if no action

Prepare Dismissal for Non-Service/No Progress (MC 9a)

Events: ORD Order Dismissing for No Progress
PTY D DIS (Dismissed)

Disqualification of Judge/Request for Assignment (Judicial Staff):

If Judge recuses himself or if he is disqualified for another reason, prepare:

Acrobat/Disqualification Order (MC 264) - Judge Jaconette signs p. 1 and p. 2.

Acrobat/RFA Form (scao 1) - Judge Jaconette signs.

EVT: ORD Order for Disqualification/State reason on Comment line.

Request for Assignment must be done through SCAO/MCAP (Michigan Court Application Portal):
<https://mcap.courts.michigan.gov/mcap/login.aspx> .

Log in using your user name and password.

Select "Assignments System" - Click "GO".

Add a new request for assignment. Complete all fields.

Scan/attach (upload/browse) forms.

When assignment is complete, click "View/Print".

Print the Request for Assignment to OnBase for the file.

EVT: RFJ Request for Judicial Assignment
Put reason for request on comment line

When assignment email comes from SCAO, print and enter:

EVT: OFJ Order for Judicial Assignment
Put Judge's name and county on Comment line
POS Proof of Service to interested parties.

Change Judge information in TCS.

Schedule hearing with judge/county who will be hearing the case.

Drain Apportionment of Benefits - Appeal - Board of Review:

- 1) A land owner (may include county road department, mayor for a city, township supervisor for a township), may appeal the Water Resources Commissioner's Apportionment of benefits for a drainage district by filing a Notice of Appeal and Application (Drain Code - Apportionment Appeal), PC 701, with the Probate Court (MCL 280.155). Appeal must be filed within 10 days after the day of review. (If Water Resources Commissioner advises that it was not timely filed, see File #02-989-ML.)
- 2) Form: Notice of Appeal and Application (Drain Code - Apportionment Appeal), PC 701
Fees: PFF (Probate filing fee)
PBNB (Probate bond) \$15,000 (may obtain surety bond)
If they win their appeal, they will get the bond back. If they lose their appeal, the bond will be used for the costs of appeal.
- 3) Case Initiation: Case Type: ML
Service Type & Probate Type: Blank
Parties: HDR 1 Landowner/Person filing Appeal
INP 1 Water Resources Commissioner
INP 2 Calhoun County Corporation Counsel
Prepare: Acrobat/Ntc to Drain Comm.pc702
Copies: Send appeal and notice via email to Water Resources Commissioner and Corporation Counsel
- 4) Phone Calls:
 - A) Water Resources Commissioner's Office (Sherry Trader @ 0790) and let them know about the filing.
 - B) Call the last members of Drain Appeal Board (from Probate07/Drain Board of Review Order) to see if they are still willing to serve. (Judge usually appoints 1 township official NOT from the township where the drain is located, 1 realtor familiar with property values, and 1 attorney.)
- 5) Prepare:
Once the board has been selected and confirmed, prepare for Judge's signature:
Acrobat/Drain Order Appting Board of Review (PC 703) - MCL 280.156
- 6) Computer entries:
 - A) PTY Add members of drain review board as INPs
 - B) EVT: RVD Review of Drain, enter from file stamp date of appeal document
ORD Order Appointing Board of Review
REV for 28 days for decision.
POS Serve Order and Appeal on all INP's
(Letter with Water Resources Commissioner's copy)
- 7) The Water Resources Commissioner then sets the meeting, sends the notices, etc.
- 8) Enter Notice (NTC with comments), Proof of Service (POS) from Water Resources Commissioner when received.
- 9) After meeting, Water Resources Commissioner prepares and files Decision.
- 10) When Decision received, enter:
DVD Decision of Drain Review
Dispo on HDR party(GTD if assessment reduced; DEN if not changed)
POS Comment: [Name of Document] served by [Name/office]
Form PC 564 or PTY NTF and serve Decision.
CLOC.

Enforcing Judgments:

Probate court judgments may be enforced in district court or probate court.

Request & Order to Seize Property:

- 1) Request and Order to Seize Property (MC 19) with \$20 filing fee
- 2) Cannot issue until 21 days after the date of the judgment
Check date and amount of judgment
- 3) Set for hearing
- 4) If issued, Order goes to Sheriff Department for seizure of the property.

Writ of Garnishment (and other collection proceedings):

- 1) Collections on a probate court judgment may be filed by the fiduciary/party in district court or filed in Probate Court.
- 2) If a judgment or order has been entered which requires someone to pay someone else money, the person owed may collect through various means. These can be filed in closed files without the need to reopen.
- 3) Writ of Garnishment (MCR 3.101) - Filed with \$15 filing fee
Request and Writ for Garnishment (non-periodic) - MC13 (most common in Probate)
Issued by Clerk - Expiration date: 182 days - return to attorney/party for service
Events:REQ Request for garnishment filed by [name] against [name]
GSF Garnishment/Subpoena Issued
No follow-up required
- 4) Request/Order to Seize Property (MCR 3.106) - Filed with \$15 filing fee
Request/Order to Seize Property - MC 19
Issued by Judge - return to attorney/party for service
Events:REQ Request to seize property filed by [name] against [name]
ORD Order to seize property
No follow-up required

Establishing Death of Accident/Disaster/Disappeared Person:

MCL 700.1208

- 1) Petition to Establish Death of Accident or Disaster Victim (PC 549) or free-form petition with appropriate filing fee (PFF).
- 2) ML case type
- 3) Schedule hearing 6 months out
- 4) MCR 5.106 requires publication once per month for 4 months
- 5) At hearing, Judge will take testimony re facts/circumstances

Foreign Fiduciary (Guardian/Conservator Appointed in Another State):

Effective 01/02/2013, if a guardian or conservator has been appointed in another state, Michigan will recognize their authority. The procedure is as follows:

- 1) Required filings - proper form with proper filing fee
Application/Order for Appt of Out-of-State Guardian of Minor (PC 684)
Application/Order for Appt of Out-of-State Guardian of LII (PC 685)
Application/Order for Appt of Out-of-State Conservator (PC 683)
Authenticated/certified copy of Letters (or equivalent) from original state
Michigan Acceptance of Appointment (PC 571)

- 2) CSI/PTYs According to case type
EVTS: AOGM/AAOG/AOV (depending on case type - see top of form)
Comment: [NAME] Requests appt as [Gdn/CV]
MAC To Judge to Sign

- 3) After signing
EVTS: OOM/OOG/OOV (depending on case type – see top of form)
HDR 1, Dispo
Comment: [NAME] appointed temporary guardian
AOA
LET Comment: [NAME], temporary guardian
POS Serve on INP's
REV: Review for 28 days, Judge can sign Full Letters if no objections

- 4) At review, if no objections, issue full letters. No order necessary. MCL 700.5301a
EVTS: MAC Full Letters
Comment: [NAME], full guardian
MAC Pgm/Rslt: NEW
New Letters notice to guardian

Interpreters:

It is the court's responsibility to provide an interpreter for deaf/hearing impaired and/or limited English proficiency individuals.

For telephonic interpretation, use Linqistica or LanguageLine (per Job Aide card).

For live interpreters, see the red folder marked "Interpreters" in the Register's filing cabinet (Drawer marked Miscellaneous A-J).

Deaf Link provides services for deaf/hearing impaired. They require a form to be completed (in folder).

Professional Translation & Interpretation Service of Kalamazoo provides Spanish/English interpretation. UMA Language Services of Swartz Creek and Language Line provide interpreters for any language.

Whenever using a live interpreter, add them as a party so that they get notice of hearing and other paperwork.

Rev March 5, 2019

Mediation (Judicial Staff):

- 1) We use Dispute Resolution Services of Gryphon Place for mediation.
- 2) Prepare Order for Mediation (ProbateShared/Acrobat, mc274)
- 3) Add PTYs: INP Dispute Resolution Services
INP Mediation Clerk
- 4) EVT: CSE Comment: Order for Mediation
POS
- 5) When acceptance letter received from Gryphon Place, print ROA and send to Gryphon Place (FAX: 269-381-0935) along with petition, notice of hearing (and any other pertinent documents).
- 6) Prepare Acrobat/Mediation Letter GA.CA and mail with copy of acceptance letter to interested parties/attorneys.

RECORDS RETENTION:

Closed Files:

- 1) State of Michigan Archives - Files up to/through 40-242
- 2) Calhoun County Probate Microfilm – File 40-243 up through files closed in/before 2006
- 3) OnBase – Files closed in/after 2007
- 4) Willard Library - Files up to/through 34-712 (Up to 1950)

File Purging:

- 1) Files must be kept in their complete, original state for 3 years from closure.
- 2) When purging files:
 - A) Sort documents, retaining required documents and destroying all others.
 - B) Remove staples and paper clips from documents.
Flatten all creases.
 - C) Create cover page for each file with complete file number (YYYY-#####-AA). Place on top of documents in chronological order, loose in file folder.
 - D) Place file in Scan Office
- 5) When purging WDE files:
 - A) Put Will # on each Will
 - B) Scan – index with file # & Name
- 6) WWD - Permanent retention of any receipt/authorization signed by Testator
- 7) WSK - Receipts - Keep through purging
- 8) TRU - Permanent retention

Purging Guidelines

Keep/Retain	Purge/Destroy
Pleadings - Court Records “Papers that set forth the parties’ claims and defenses”	Records of Other Entities: Birth/Death Certificates, Funeral Home Receipts, Medical Records, etc.
Petitions/Motions of Substance	Petitions/Motions w/o Substance (adjournment/review, for example) Notices of any kind (hearing/duties/creditors/etc.)
Orders/Judgements/Findings of Substance	Orders w/o Substance (adjournment/review, for example)
Letters of Authority	Acceptance of Appointment - Bond
Inventory Accounts (but not attached statement of fees, bank statements, etc.)	Reports of any kind Correspondence, fee waivers, receipts
In Estates: Testimony & Supplemental Testimony Sworn Statement & Certificate of Completion	Financial Contracts Appraisals Bank statements
In Mentals: Transport Orders (Supplemental Petitions) Petitions Clinical Certificates Deferral/Demand, if any Orders (Initial/Second/Continuing/Following Objection, etc.) Notice of Non-Compliance	Notice of Hearing Notice of Hospitalization

* NOTE: Handwritten hearing notes must be kept by court recorder for ten (10) years.
If over 10 years old, discard; if less than 10 years old, give to court recorder.

OnBase Scanning:
Scan as PB-Backfile

Rev March 5, 2019

Secret Marriage (MCL 551.201-204):

Processing New One:

- 1) Forms are at Front Desk in "Secret Marriages" folder. Applicants need:
 - A) Application for License to Marry (DCH-0733A)
 - B) Marriage License (DCH-0733)
- 2) They complete:
 - A) Application - all (can set date wanted for marriage *)
*** If requesting specific date for marriage, make sure to use that date on Marriage License ***
Deputy Register who receives/processes, signs bottom
 - B) Marriage License - top portion
- 3) CSI: ML Case Type, S (for Suppressed) in Public Field - These are non-public files
- 4) PTYs: HDR 1: Secret Marriages for Name - (These are non-public files)
SP 1 & SP 2 (two spouses) - **Mark "S" in "Public" Field on Pty Screens!!!**
INP MDCH - Vital Records/Health Stats
Filing Fee \$3.00 - Receipt Code (PSMF - Probate Secret Marriage Fee)
- 5) Have Judge sign marriage license
*** Check date requested on Application with Date on Marriage License ***
Keep last page, Return pages 1 & 2 to applicant.
- 6) EVT: MAL (Marriage License) with Dispo GTD on HDR Party
- 7) After marriage performed, clergy completes bottom of Marriage License, 2nd page goes to couple, original (page 1) comes back to court.
- 8) When original returned, keep original, mail copy to:
Michigan Dept of Community Health
Vital Records & Health Statistics
ATTN: Ellen Anderson-Dunsmore
201 Townsend, 2nd Floor
P O Box 30691
Lansing, MI 48909
- 9) EVT: ATF Marriage performed by [Name of Clergy]
POS PTY NTF Marriage license mailed to state
CLOC Mark file "Closed" and "CONFIDENTIAL"
- 10) Store in Confidential File Drawer (3rd drawer of Cabinet #6).

Looking up Old One:

On microfilm by date. Can release to one of the parties - ID required.

Need Application to Obtain Copies of File from Microfilm (Motion filing fee; \$10 certified copy).

Parties can file Petition/Order to Unseal with Probate Court; no filing fee.

MCL 551.203 (amended 03/15/2018). If not a party to the marriage, file with Circuit Court.

If unsealed, send copy of order and license to county clerk and state vital records.

Show Causes:

Motion/Order to Show Cause may be used whenever someone (usually a fiduciary or former fiduciary) has failed to comply with a court order (for failure to make payments on loan from the estate or when surcharged, for example). May be filed by GAL, SPF, Successor Fiduciary, or other party

- 1) Form filed: Motion and Order to Show Cause (MC 230)
(In Acrobat forms folder under Show Cause)
Motion filing fee applies if filed by successor fiduciary or other interested party
- 2) Get hearing date from book in clerk's office (scheduled in advance like account hearing dates).
Insert date/time for hearing and Notice - Submit to Judge for Signature
Complete Service portion (usually 7 days personal)
- 3) EVT: MSC Motion for Show Cause
Comment: Filed by [name] for [reason] – to Judge in onbase
- 4) When returned:
EVT: OSC Order to Show Cause
OSC to [name/agency] for service
Next Action: SCH, date/time
- 6) Usually served personally on Subject of Show Cause
If filed by court or GAL, have Sheriff Dept serve (take to Sheriff Administration)
If filed by another party/professional fiduciary/attorney, Petitioner is responsible for service.

Show Cause Hearing/Contempt Order (judicial staff):

- 1) If individual appears, Judge may enter Contempt Order (Probate07/Ord-Contempt) or Order for Costs (Probate07/Ord-Costs).
- 2) EVT: CTC Contempt of Court OR
FIR Financial Order for Costs
Monetary: Y
PTY: Individual being ordered to pay
Comment: [Terms of order]
REV, if needed/appropriate
Financial Screen:
PSCC Probate Show Cause Costs (Currently \$75)
PSDF Probate Sheriff Department Fee (From Show Cause POS)
POS Serve ward, fiduciaries, GAL

Special Fiduciaries:

Appointing a Special Fiduciary for Investigation - * Other Follow-up Procedures****

1. TCS – Parties – Add SPF as Party (often will change GAL to SPF party)
2. TCS - Event: SPF, select SPF party, Comment: [name] appointed SPF for [reason]/to Judge in Onbase, Form PC 602, Set Next Date: REV, Saturday near 28 days, Comment: Rept from SPF?
3. Forms generation screen
4. Top – X in Appointing (not Suspending)
5. #3 – put in reason for appointment
6. #6 – F4 – Select SPF; Check ‘file an acceptance’; duties: ‘Investigate, report, and take any necessary/appropriate action.’
7. Print to OnBase, Doc Type PB-Order, Event SPF
8. In OnBase PB-Indexed Q, route to Judge for signature
9. When returned in Returned to Clerk Q:
10. TCS – Modify SPF event (remove ‘to Judge in Onbase’)
11. OnBase – TrueSign, complete bottom of form for proof of service
12. Mail /email as indicated. (May use PTY NTF for mailers but do not need an additional POS)

Surcharge Petitions:

Petition for Surcharge may be filed by successor fiduciary, special fiduciary, or guardian ad litem whenever a previous fiduciary has misused the funds of the ward.

- 1) Form filed: Petition for Surcharge (no standard form)
- 2) Set for hearing, notice to these interested parties:
Fiduciary, Surety, Successor Fiduciary (if any), Special Fiduciary/GAL
- 3) At hearing, See Probate07/Surcharge Order
- 4) ORF on suspended or removed fiduciary when surcharge order is entered.

Telephone Testimony:

- 1) Must be requested in writing on Telephone Testimony Request form in Acrobat.
- 2) When it is indexed, it will go to Judicial Staff/Judge for approval/handling.

Temporary Restraining Orders/Injunctions

MCR 3.310 INJUNCTIONS:

- 1) Temporary Restraining Orders, MCR 3.310(B)
 - A) May be granted ex parte with affidavit or verified complaint as to injury, MCR 3.310(B)(1)(a).
 - B) Applicant's attorney must certify to the court in writing the efforts, if any, that have been made to give notice and reasons why notice should not be required, MCR 3.310(B)(1)(b).
 - C) If granted, must have date AND TIME of issuance on order, MCR 3.310(B)(2)(a).
 - D) * If accompanied by motion for preliminary injunction or show cause order, set date for hearing at earliest possible time (within 14 days), MCR 3.310(B)(2)(c). *
 - E) Expires in 14 days, MCR 3.310(B)(3).
- 2) Preliminary Injunctions, MCR 3.310(A)
 - A) NOT granted without hearing, MCR 3.310(A)(a).
 - B) * Usually will follow hearing set in 1D above. *

Trust Registrations:

- 1) Registration of Trust (PC 610) is filed with \$50 filing fee.
- 2) PTY in YYYY-TRU
F6 to Create
F4 - Select NAM
Enter as TRU- F4 (for next testator number)

Updated Letters of Authority

Change of Address/Name, etc.:

Need the change submitted in writing

TCS

Event: MAJ, Comment: Updated Letters of Authority – to Judge in OnBase

Form: (Depends on type of letters)

Forms Generation Screen –Print to OnBase – PB-Letters, Event LET - TrueSign, Add “Updated” above “Letters” – Send to Judge for signature

WARRANTS

Bench Warrant (judicial staff):

If individual does not appear for Show Cause Hearing or does not comply with terms of Contempt Order or Order for Costs:

- 1) Forms to be filed by petitioner or court staff:
Motion, Affidavit, and Bench Warrant (Acrobat/BenchWarrant/MC 229) - original and Memorandum copy
Warrant Worksheet (Probate07/LEIN-Warrant Worksheet)
- 2) Also prepare Probate07/Ord-Costs-BW.
- 3) Court officer/clerk signs attestation on both copies of Motion/Affidavit/Bench Warrant.
- 4) Judge will set Bond on Bench Warrant (usually \$100, but may be for full amount due). Judge signs both copies. Seal both copies.
- 5) Original (with warrant worksheet) is faxed to MSP Regional Dispatch (906-475-4970).
- 6) EVT: BWI Bench Warrant Issued
Comment: Bench Warrant for [NAME]
FIR Financial Order for Costs
Monetary: Y
PTY: Individual being ordered to pay
Comment: [Terms of order]
REV, if needed/appropriate
Financial Screen:
PSCC Probate Show Cause Costs (Currently \$75)
PSDF Probate Sheriff Department Fee (From Show Cause POS)
Bench Warrant PTY (person warrant issued for)
Comment: Bench Warrant issued for [name]
POS Pgm/Rslt: BWI (Puts language on PTY NTF)
Comment: BW served on [NAME] by Court

Picked up on Warrant:

- 1) When individual is picked up and does not bond out, Jail will call to get hearing date. Hearing must be held within 72 hours (not counting weekends/holidays). Hearing held is Show Cause Hearing.
- 2) If individual is picked up and bonds out, Jail will call to get hearing date for individual to come back and appear. No time limits for hearing. Hearing held will be Show Cause Hearing.
- 3) If individual bonds out of jail, the jail/sheriff administration will forward bond to us. Receipt as CSH receipt, with cash code BND.

Warrant Recall, when picked up:

- 1) When individual is picked up, the officer/jail notifies Dispatch to recall the warrant.
- 2) After hearing, REV 7 days for Warrant Recall paperwork if not yet received
- 3) When Warrant Recall paperwork received enter BWR (Bench Warrant Recalled) on PTY (person warrant was for)
- 4) If Warrant Recall paperwork not received at REV, call Central Dispatch/LEIN Operator (781-0912) to recall warrant (Do NOT do paper warrant recall, per Central Dispatch request - telephone call is sufficient.)

Warrant Recall when not picked up:

- 1) When individual complies with the terms of the order and the warrant can be recalled, prepare Acrobat/Recall Warrant mc220 and send to Central Dispatch/LEIN (fax to 269-781-2380).
- 2) EVT: BWR Bench Warrant Recalled on PTY

Return of Bond:

If individual 'has performed the conditions... and is discharged from all obligations in the case... if a cash... bond was deposited, the court must return the full amount.' MCR 3.935(F)(4)(b), MCR 6.106(I)(1). When individual is discharged, give copy of discharge and bond(s) to register for vouchering return of bond.

WILLS

Wills for Safekeeping (MCL 700.2515):

- 1) NAM F6 to create if necessary
- 2) W for Will Activity
- 3) F6 to create
- 4) Case Number: YYYY-WSK, Monetary Y, Will Receipt Y, Copies: 2
Will number should be automatically inserted (except 1st one for new year)
Type: F4 and select (W=Will for Safekeeping)
Testator should be selected
Depositor: F4 and select
- 5) [ENTER] will take you to financial receipt screen (PWSK - \$25)
- 6) System returns you to Will Activity Screen, F3 to exit
- 7) Two copies of each receipt will print
 - A) Take Will Number from Receipt - Write on top of Will
 - B) Return one of each receipt to depositor
 - C) One of each receipt is filed in YYYY-WSK file
 - D) File will in Will Cabinet(s)

Codicils:

- 1) Do NAM look-up and put W for wills in front of name.
- 2) If Will shows up, F6 to create. Leave Will number as is. Put in "C" for codicil. Complete other fields, financial receipt, etc. Staple codicil to original will in cabinet.
- 3) If Will DOES NOT show up, add as if a new will.

Wills Withdrawn:

- 1) By individual (must present ID) -
 - A) With original receipt. Sign receipt.
 - B) Without original receipt, system will generate receipt for signature (see below)
- 2) By Authorization to Release Will Held for Safekeeping (PC 548) -
Individual signs form. Requires witness and notary. Authorizes release to a third party.
Person receiving will signs receipt. Staple authorization to receipt.
- 3) By Probate staff for placement with PE file or DE file when there is a newer will

TCS Data entry:

- 1) NAM - W for Will Activity
- 2) F6 to create/add will activity
Type: X to withdraw
- 3) Receipt will generate. Have person sign.

OnBase:

Scan/Full Index:

Doc Type: PB-Will; Case #: YYYYWWD; Name: Last [space] first; Event WWD

Wills - Deceased Estates (MCL 700.2515 & 2516):

- 1) NAM
2 (to change) or F6 to create - Update with death information
Back to NAM
W (for will activity)
F6 to create
Case # YYYY-WDE, Will Receipt Y/N
F4 for Will Number: (check to make sure it matches next consecutive number from WDE file)
Type E (wills decedent estates)
Depositor: Who filed it?

Transmit Will to Another County:

If we have a will on file in safekeeping and an estate will be opened in another county:

- 1) Pull Will and do Will Activity as 'X' for Withdrawn. Put Transmitted to [Name] County in Comment area at bottom of screen.
- 2) Prepare Probate07/Transmit Will.
- 3) Must be mailed with return receipt requested.

TCS Generated Documents/Reports

Processing PreNotice Letters:

System generated – printed weekly – sort through one section at a time.

Annual Report:

1. Pull out professional fiduciaries – no forms needed
2. Pull out and discard any attorney copies – not needed for annual reports
3. Sort by case type: DD, GM/LG, GA/GL
4. Sort by due date (for ease in preparing forms)
5. Prepare appropriate prenote:
 - a. Probate Shared/Acrobat Court Forms/PreNotes/DD Prenote
 - b. Probate Shared/Acrobat Court Forms/PreNotes/GA Prenote
 - c. Probate Shared/Acrobat Court Forms/PreNotes/GM Prenote
6. Add Case Number, Case Name, Fiduciary Name, Period (one year period ending with due date)
7. TCS – AEV (add event) with case number, PNS (prenote sent) for each case on list

Annual/Final Account - CA:

1. Pull out professional fiduciaries – mail without forms
2. Pull out fiduciaries with attorneys – mail without forms
3. Pull out attorney copies – mail without forms
4. Prepare Probate Shared/Acrobat Court Forms/PreNotes/Account Prenote
 - a. Open last account or inventory in OnBase
 - b. Top of form – next consecutive account number
 - c. Case number/case name/fiduciary name
 - d. From - ending date of last account – or date of Letters, if first account
 - e. To - one year from beginning date – or if final account, ending date is date of death or date of order terminating/modifying conservatorship
 - f. Beginning balance (2.a.) from ending balance of last account (or inventory)
5. TCS – AEV (add event) with case number, PNS (prenote sent) for each case on list

Final Account – CY:

1. Follow 1,2,3 from Accounts – CA
2. Prepare Probate Shared/Acrobat Court Forms/PreNotes/CY FAC Prenote
 - a. Case number/case name/fiduciary name
 - b. From – date of Letters (or from last account, if accounts have been filed)
 - c. To – minor's 18th birthday
 - d. Balance on hand from last account or inventory
3. TCS – AEV (add event) with case number, PNS (prenote sent) for each case on list

Verification of Funds – CY:

1. Follow 1,2,3 from Accounts – CA
2. Prepare Probate Shared/Acrobat Court Forms/PreNotes/VFD Prenote
3. Add Case Number, and Case Name
4. TCS – AEV (add event) with case number, PNS (prenote sent) for each case on list

Notice of Continued Administration:

1. Pull out professional fiduciaries – no forms needed
2. Pull out fiduciaries with attorneys (mail without forms)
3. Pull out attorney copies – no forms needed
4. Prepare Probate Shared/Acrobat Court Forms/PreNotes/DE NCA Prenote
5. Add Case Number, and Case Name
6. TCS – AEV (add event) with case number, PNS (prenote sent) for each case on list

Inventory Fee Calculation:

1. Pull out professional fiduciaries – no forms needed
2. Pull out fiduciaries with attorneys (mail without forms)
3. Pull out attorney copies – no forms needed
4. Prepare Probate Shared/Acrobat Court Forms/PreNotes/INV Estates Prenote
5. Add Case Number, Case Name, and Fiduciary Name
6. TCS – AEV (add event) with case number, PNS (prenote sent) for each case on list

Inventory – CA:

1. Pull out professional fiduciaries – no forms needed
2. Pull out fiduciaries with attorneys (mail without forms)
3. Pull out attorney copies – no forms needed
4. Prepare Acrobat/Annual INV Conservatorships Prenote
5. Fill in Case #, Case Name, and Fiduciary Name
6. TCS – AEV (add event) with case number, PNS (prenote sent) for each case on list

Notice of Deficiency:

- 1) System generated - Printed weekly for deficiencies in regular filings
 - File Inventory: 92 days from qualification of PR in DA case
57 days from qualification of CA/CY/DD over Estate
 - Inventory Value: 92 days from qualification of PR in DE case
 - File Account: 57 days from last anniversary date (422 days from last filing)
 - File Verification of Funds - 57 days from last anniversary date (422 days from last filing)
 - File Report: 57 days from last anniversary date (422 days from last filing)
 - Inventory Fee Payment: 365 days from qualification of first PR
- 2) Can be generated on demand with EVT NDF on appropriate party and Form PC 600.

Instructions:

1. Check TCS and OnBase for deficiency item
2. If not found, prepare Acrobat/Prenote for missing item (if no attorney and non-professional)
3. TCS – Event: NDF, select fiduciary party, Comment: NDF for [deficient item], Form: PC 600
4. Print to OnBase, Doc Type PB-Notice, Event NDF
5. TrueSign, check box for who sent to, sign bottom of form, routes to file
6. Mail hard copies, as indicated
7. TCS Court copy, if one, in File by date folder

Order Suspending Powers of Fiduciary:

- 1) System generated – printed weekly – 28 days from any NDF if deficiency has not been cured.
- 2) Can be generated on demand with EVT SPO on appropriate party and Form PC 602.

Order Suspending Powers of Fiduciary – Conservatorships - Instructions:

1. Check TCS and OnBase
 - a. For deficient item
 - b. Or for RFC/NAF within last 28 days. Do not suspend if account has been returned for correction and there is a pending REV.
2. If not found, proceed as follows:
 - a. TCS-Event: SPO
 - i. Select fiduciary party
 - ii. Comment: SPO for [deficient item] to Judge in Onbase
 - iii. Form PC 602
 - iv. Set Next Date: REV, Saturday near 28 days, Comment: Rept on SPO from SPF?
 - b. Forms generation screen:
 - i. Top – X in both lines (Appointing & Suspending)
 - ii. #2 – F4 – Select fiduciary being suspended
 - iii. #5 – check
 - iv. #6 – F4 – Select GAL as Special Fiduciary; Check ‘file an acceptance’; duties: ‘Investigate, report, and take any necessary/appropriate action.’
 - v. #7 – check – F4 – Select fiduciary party
3. Print to OnBase, Doc Type PB-Order, Event SPO, Onbase will automatically route to Judge’s signing Q
4. When returned in Returned to Clerk Q:
 - a. TCS - Modify SPO event (remove ‘to Judge in Onbase’)
 - b. Onbase - TrueSign, complete bottom of form
5. Prepare Acrobat/Pet Ord REI pc603 and Acrobat/Prenote/appropriate form for missing item (if no attorney and non-professional) and mail with fiduciary copy of SPO.
6. Compare TCS PTY’s to TCS-generated SPO’s. Mail TCS-generated copies (stamp Judge’s signature), as indicated. (Print additional forms with PTY NTF, if necessary.)
7. Mail /email SPO as indicated.
8. Court copy filed in date folder.

Order Suspending Powers of Fiduciary – Other Files - Instructions:

1. Check TCS and OnBase
 - a. For deficient item
 - b. Or for RFC/NAF within last 28 days. Do not suspend if report/item has been returned for correction and there is a pending REV.
2. If not found, proceed as follows:
 - a. TCS-Event: SPO
 - i. Select fiduciary party
 - ii. Comment: SPO for [deficient item] to Judge in Onbase
 - iii. Form PC 602
 - iv. Set Next Date: REV, Saturday near 28 days, Comment: ACL?
 - b. Forms generation screen:
 - i. Top – X in Suspending Powers of Fiduciary
 - ii. #2 – F4 – Select fiduciary being suspended
 - iii. #5 – check
 - iv. #7 – check – F4 – Select fiduciary party
3. Print to OnBase, Doc Type PB-Order, Event SPO, Onbase will automatically route to Judge's signing Q
4. When returned in Returned to Clerk Q:
 - a. TCS - Modify SPO event (remove 'to Judge in Onbase')
 - b. Onbase - TrueSign, complete bottom of form
5. Prepare Acrobat/Pet Ord REI pc603 and Acrobat/Prenote/appropriate form for missing item (if no attorney and non-professional) and mail with fiduciary copy of SPO.
6. Compare TCS PTY's to TCS-generated SPO's. Mail TCS-generated copies (stamp Judge's signature), as indicated. (Print additional forms with PTY NTF, if necessary.)
7. Mail /email SPO as indicated.
8. Court copy filed in date folder.

Other Mailers:

Notice of Intent to Close Estate

1. Check TCS and OnBase for Notice of Continued Administration for current year
2. If not found, compare printed notices to PTY's in TCS
3. TCS – Event: NIC, select PR party, Form: PC 589
4. Print to OnBase, Doc Type PB-Notice, Event NIC
5. TrueSign, sign bottom of form in both places
6. Compare TCS PTY's to notices - Mail hard copies, as indicated - print any additional needed (may need to create PTY NTF)
7. Court copy, if one, in File by Date folder

Certificate of Completion

1. TCS – Check events to make sure SST was last meaningful event.
2. TCS – Event: CIC, F18 – discharges PR and closes case, form PC 592.
3. Print to OnBase, Doc Type Closing, Event CIC
4. TrueSign, Sign
5. Paper - sign each copy. Mail to attorney, if one. If no attorney, mail to PR.
6. Court copy in file

Order of Discharge – Minor Turns 18

1. TCS – Event: DIS, select GDN PTY, Form PC 597
2. TCS – Event: CLOC
3. Print to OnBase, Doc Type PB-Order, Event DIS
4. TrueSign, stamp Judge's signature
5. Court copy in file

Memorandum of Administrative Closing - Estates

When an estate file is administratively closed, the PR may be assessed fees per MCR 5.206. Starting in 2014, we will assess \$100. JIS may generate Memorandum of Administrative Close or you can generate from JIS, Form 599.

1. Check TCS and OnBase for Notice of Continued Administration or Sworn Statement.
2. If not found, proceed as follows:
3. TCS – Event: ACL, select fiduciary party, Comment: ACL with fee to PR, to Judge in OnBase, Fin: Y, Form PC 599
4. Financial Order Screen - F6 to Create, PACL - \$100, Current PR Party, Enter
5. Forms generation screen – Check #2 and #4.b.
6. Print to OnBase, Doc Type PB-Closing, Event ACL
7. In OnBase automatically routes to PB-Judge Sign/Review Q
8. When returned in Returned to Clerk Q:
9. TCS – Go to PR’s name in NAM Index, F – Financial, R - Run Bill, Attach to PR’s copy of ACL
10. TCS – Modify ACL event (remove ‘to Judge in Onbase’)
11. TCS – Create POS event, PC 564 – Compare TCS Parties to TCS-generated ACL’s. Mail TCS-generated copies
12. Mail /email ACL as indicated.
13. Court copy filed in date folder.

Memorandum of Administrative Closing - Conservatorships

1. Check TCS and OnBase for reason for ACL. Take questions to Register.
2. If ACL appropriate, proceed as follows:
3. TCS - Event: ACL, select fiduciary party, Comment: ACL to Judge in OnBase
4. Create Acrobat, Admin Close CV, pc 671
 - a. #2, if appropriate
 - b. #3.b. summarize reasons for administrative close
5. Print to OnBase, Doc Type PB-Closing, Event ACL
6. In OnBase automatically routes to PB-Judge Sign/Review Q
7. When returned in Returned to Clerk Q:
8. TCS – Modify ACL event (remove ‘to Judge in Onbase’)
9. TCS – Create POS event, PTY NTF – serve all parties
10. Mail /email ACL as indicated
11. Court copy filed in date folder

Memorandum of Administrative Closing - Guardianships

Administrative Close follows Order Suspending Fiduciary (at least 28 days later.)

1. Check TCS and OnBase for Reinstatement
2. If not found, proceed as follows:
3. TCS – Event: ACL, select fiduciary party, Comment: ACL to Judge in OnBase, Form PC 599
4. Forms generation screen – Check #1 and #4.a.
5. Print to OnBase, Doc Type PB-Closing, Event ACL
6. In OnBase automatically routes to PB-Judge Sign/Review Q
7. When returned in Returned to Clerk Q:
8. TCS – Modify ACL event (remove ‘to Judge in Onbase’)
9. TCS – Create POS event, PC 564 – Compare TCS Parties to TCS-generated ACL’s. Mail TCS-generated copies
10. TCS – Create MAC event, Pgm/Rslt: DHS, Comment: DHS Referral, Form: PTY NTF to DHS only
11. Mail /email ACL as indicated
12. Fax DHS Referral, ACL, SPO, and original Petition to Centralized Intake @ 616-977-1154 or 616-977-1158.
13. File court copy in date folder

Order Appointing Person to Review/Investigate Guardianship (PRG)

1. Generated monthly
2. Stamp Judge's signature on each form
3. TCS - AEV for each order: Event: PRG
4. Scan into OnBase scanner – Select scan format: single page
5. Index: Doc Type: PB-Order; Event: PRG
6. They automatically route into Guardianship Review Q for Court Investigator

OnBase Instructions for Scanning/Uploading/Importing Documents

Most documents will be received via scanning or printing to Hyland virtual printer (OnBase).

Always Check

- 1) Is file # on all documents?
- 2) Is document completely filled out?
- 3) Is it signed by all necessary parties?
- 4) Have filing fees been paid or waived?
- 5) Has it been file stamped?
- 6) Update all names and addresses.
- 7) If fiduciary has been suspended, make sure Petition/Order for Reinstatement is also filed. If not, enter any annual filing as 'ATF', make notes on bottom of pleading, NAF/RFC.

Batch Scanning

- 1) Documents currently being 'batch scanned'
 - a. Accounts with attachments (except CY-Final Accounts)
 - b. New DE files
 - c. New ML files
 - i. Delayed Registration of Foreign Birth
 - ii. Demand/Request for Notice
 - iii. Determine Death
 - iv. Drain Appeals
 - v. Foreign PR
 - vi. Safety Deposit Box
 - vii. Secret Marriage
- 2) Batch scan (Use Patch T between documents)
- 3) Name Batch with Case #

Full Index Scanning (most documents):

- 1) Select Document Type
- 2) Document Date – use date on Filed Stamp
- 3) Put in Case # (4-digit year, then add zeroes as needed to make 6-digit file number)
- 4) Tab – Check Case suffix and name
- 5) Event Code – usually matches TCS event code
- 6) See specific type of document for Document Type, Event Code, and other specific handling instructions
- 7) File documents by date stamped in dated folders

Case Initiation and Motions/Petitions – See Next Section

Acceptance of Appointment (of Fiduciary, NOT GAL/attorney)

- 1) TCS – Check events - Has hearing been held (order been entered) yet?
- 2) If Yes,
 - a. TCS – Event: AOA, Add PTY, Comment [Name]
 - b. Full Index Scan – Doc Type Qualification; Event AOA
- 3) If no,
 - a. TCS – No data entry
 - b. Full Index Scan – Doc Type Other; Event PRO

Acceptance of Appointment and Report of Guardian ad Litem/Attorney/Special Fiduciary

- 1) TCS – Event: AGL, Comment: GAL [name] recommends: [summarize]
- 2) Full Index Scan – Doc Type Report; Event AGL

Accounts:

- 4) Batch scan (Use Patch T between documents)
- 5) Name Batch with Case #, Add “ACC” at the end

Address Change Forms/Return Mail/Post Office Cards

- 1) TCS – NAM: make changes
- 2) TCS - Event: MAIL, Comment: Address change/returned mail for [name]
- 3) Full index scan – Doc Type Other; Event MAIL

Affidavit/Proof of Publication

- 1) TCS – Event: POP, Comment: Publish for [claims or name]
- 2) Full index scan – PB-Service, Event POP

Affidavit of Non-Service/Calhoun County Sheriff’s Office

- 1) TCS – Event: NSVC, Comment: CCSD/No Service
- 2) Full index scan – PB-Service, Event NSVC

Annual Report

- 1) TCS – Check/update parties, if DD check for SBG (did SBG sign report?)
- 2) If form is incomplete or not signed by all required parties, make notation on bottom of pleading.
 - a. TCS Event ATF, Comment: [name of pleading] presented for filing
 - b. Full index scan - PB-Other, ATF
 - c. RFC
- 3) If form is complete
 - a. TCS – Event: ARPT, select GDN party, due date (update year)
 - b. Full index scan – PB-Report, Event ARPT

Answer/Response

- 1) TCS – Event: ANS/RESP, select PTY, add attorney (if one); Comment: Answer/Response filed by [name]
- 2) Full index scan – PB-Answer/Response, Event ANS

Appearance of Attorney

- 1) TCS – Event: APP, Add PTY and Attorney Info, Comment: [name of attorney] for [name]
- 2) TCS – PTY – check to make sure attorney info was added (it's supposed to add automatically)
- 3) Full index scan – PB-Attorney, Event APP

Appearance of Parent

- 1) TCS – Event: AOP, Comment: [name of parent] for [name of minor]
- 2) TCS – PTY – Make sure parent is an interested party; change minor's party screen to: c/o [name of parent], address, etc.
- 3) Full index scan – PB-Other, Event AOP

Back-scanning/Backfile

- 1) No TCS entry
- 2) Full index scan – PB-Backfile, Event BACK

Bond &/or Rider to Increase or Decrease Bond

- 1) TCS – Event: BND, Add PTY, Comment: [Amount of bond]
- 2) Full Index Scan – Doc Type Qualification; Event BND

Brief

- 1) TCS – Event: BRF, Comment: [description]
- 2) Full Index Scan – Doc Type Answer/Response; Event BRF

Certificate of Legal Counsel

- 1) TCS – Event: CLC
- 2) Full index scan – PB-Other, Event CLC

Change of Venue-Incoming/Transfers from Other Counties or from Circuit Court

- 1) TCS – Event: CHVI or TRFD, Dispo: GTD, HDR Party, Comment: CHVI from [name of county] or TRFD
- 2) Full index scan – PB-Petition, Event CHVI or TRFD

Claim of Appeal

- 1) TCS – Event: COA, Comment: Filed by [name]
- 2) Full index scan – PB-Appeal, Event COA

Criminal History

- 1) TCS - PTY, Write GAL [name] on bottom of report
- 2) TCS – Event: CHR; Comment: None [or amount of criminal history]/cc: GAL [name]
- 3) Full index scan – PB-Report, Event CHR; Send to: Email to Attorney/GAL

Death Notice/Obituary

- 1) TCS – NAM, update information
- 2) TCS – Event: OBIT; Comment: [name] DOD: [date of death]
- 3) Full index scan – PB-Other, Event OBIT

Declaration of Intent to Give Notice by Publication

- 1) TCS – Event: DOI; Comment: DOI for [name from line 3]
- 2) Full index scan – PB-Service, Event DOI

Demand for Notice

- 1) If a new file, Batch Scan.
- 2) If a file exists:
 - A) TCS
 - i. Add PTY (INP)
 - ii. Add EVT – DFN, Comment: Demand for Notice by [name]
 - B) Full index scan – PB-Other, Event DFN

Funeral Bill Receipt

- 1) TCS – Event: FBR
- 2) Full index scan – Doc Type Other, Event FBR

Independent Clinical Evaluations

- 1) TCS – PTY, Write GAL/Atty [Name(s)] on bottom of report
- 2) TCS – Event: ICE, Comment: [Dr's Name]/cc: GAL/Atty
- 3) Full Index Scan – Doc Type Report, Event ICE; Send to: Email to GAL/attorney

Inventory – CA/CY/DD

- 1) TCS – Event: INV F, add PTY, Attorney (if one), Comment (description of property, and Amount.
- 2) Full index scan – PB-Account/Inventor, Event INV F

Inventory – DA/DE

- 1) TCS – Event: INV V (use INV Z if amount is zero), Y in Monetary field, add PTY, Attorney (if one), Comment (description of property), and Amount. Enter will take you to Edit Monetary Orders screen, enter Cash Code PINV & Amount
- 2) Full index scan – PB-Account/Inventory, Event INV V (or INV Z)

Limited Guardianship Placement Plan

- 1) TCS – Event: LGP
- 2) Full index scan – PB-Other, Event LGP

Mediation Status Report

- 1) TCS – Event: RFE; Comment: Settled (or not settled) from #3
If settled, Add Next Action: REV, 28 days (Saturday), 800 a.m., Ck for Settlement Doc's
- 2) Full index scan – PB-Report, Event RFE

Minor Conservatorship – Final Account

- 1) TCS – Event: FAC
- 2) Full index scan – PB-Account, Event FAC

Notice of Continued Administration

- 1) TCS – Event: NCA, Add PTY, attorney (if one), Due Date (change year), Comment: Summarize reason (from #2)
- 2) Full index scan – PB-Notice, Event NCA

Notice of Hearing

- 1) TCS - CAS – Nxt: Does hearing date match?
- 2) TCS – Event: NOH, Comment: Prepared by [name] for [date/time]
- 3) Full index scan – PB-Notice, Event NOH

Notice of Mediation

- 1) TCS – Event NTC, Comment: Mediation scheduled for [date], add Next Action: REV for Saturday closest to 30 days from mediation date, Cmt: Ck results of mediation
- 2) Full index scan – PB-Notice, Event NTC

Notices (in Estates) – of Appointment, re Attorney Fees, to Friend of the Court, Disallowance of Claim, to Creditors, etc.

- 1) TCS – Event NTC (okay to put multiples in as one event)
- 2) Full index scan – PB-Notice, Event NTC (okay to scan multiples together as one document)

Notice of Entry of Proposed Order (or 7-day Notice)

- 1) TCS – Event 7DAY, Comment: Notice of entry of [name of order]
- 2) Full index scan (entire document – notice plus proposed order) – PB-Notice, Event 7DAY
- 3) Also Scan the proposed order separately.

Objections

- 1) TCS – Event: OBJ, select PTY, add attorney (if one); Comment: [Name] objects to [description]
- 2) Full index scan – PB-Answer/Response, Event OBJ

Payment Plan

- 1) TCS – Event PP, Comment: Payment Plan for [name]
- 2) OnBase – Full index scan – PB-Other, Event PP

Personal Proof of Service

- 1) TCS – Event PPS, Comment: [name of documents] personally served on [name] by [name]
- 2) Full index scan, PB-Service, Event PPS

Petition and Order for Assignment

- 1) TCS – Event PEP, Comment: Filed by [name]
- 2) Full index scan, PB-Petion, Event PEP

Petition and Order for Reinstatement

- 1) TCS – Event PREI, Comment [Name] requests REI
- 2) Full index scan (scan all documents together as one), PB-Petition, Event PREI

Petitions/Motions (all others)

- 1) If it needs to be returned for correction or we need additional filings
 - a. Write notes regarding problem on the bottom of the pleading
 - b. TCS – Event, ATF with Comment regarding problems
 - c. Full index scan, PB-Other, Event ATF
2. If petition/motion appears to be complete and can be processed,
 - a. TCS – Event
 - i. TEMR – If Petition contains a Temp Request put in this additional code
 - ii. PAO – Petition and Order
 - iii. PCS – Petition for Complete Estate Settlement (estates)
 - iv. PEP – Petition and Order for Assignment
 - v. PET – First Petition in a Case
 - vi. PETM – Petitions to Modify/Terminate – all case types
 - vii. PETB – Petition to Modify Bond
 - viii. MSC – Motion to Show Cause
 - ix. MOT – Most motions (from attorney, for example)
 - x. PREI – Petition/Order for Reinstatement
 - xi. PWF – Petitions to Withdraw Funds
 - xii. RSR – Petitions for Sale of Real Estate
 - b. TCS – Comment line: [Name] filed Petition/motion for [describe]
 - c. Full index scan, PB-Petition, Event (same as TCS)
3. If amended petition/motion is filed, follow #2 above EXCEPT:
 - a. TCS – Comment: Amended Pet filed by [name]

Proof of Restricted Account and Annual Verification of Funds on Deposit

This is due within 28 days of initial Letters of Authority, then annually thereafter.

- 1) TCS – PTY: Check fiduciary PTY, D for Dates, note if 1st (PAR) or subsequent (VFD)
- 2) TCS – PTY: Check for FIN Party and add if needed
- 3) TCS – Event: If first one, PAR; If annual filing VFD; select CV party, add due date, Comment: [Name of financial institution], Amount
- 4) Full index scan – PB-Account/Inventory, PAR/VFD (from TCS event)

Proof of Service

- 1) TCS – PTY: Check all parties, update addresses
 - a. If serving documents for hearing (petition/motion, notice of hearing, account), compare to PTY's and Interested Persons At-A-Glance. If questions, make notation on the bottom of the pleading.
 - b. If serving any other documents, check/update parties but no further checking/comparison necessary.
- 2) TCS – Event: POS; Comment: [name of document] served by [name/office]
- 3) Full index scan – PB-Service, Event POS
- 4) If questions were noted on the bottom of the form, pass on to appropriate staff.

Proposed Orders

- 1) TCS – No data entry
- 2) Full index scan – PB-Other, Event PRO

Receipts

- 1) TCS – Event: REC, Add PTY (if applicable) and Comment: [description]
- 2) Full index scan – PB-Other, Event REC

Removal of Entry from LEIN

- 1) TCS – Event: ATF, Comment: Removed from LEIN
- 2) Full index scan – PB-Other, Event ATF

Report for Court Review of Minor Guardianship

- 1) TCS – PTY – GDN, D for Dates, Make note of Anniversary Date
- 2) TCS - Event: GREV, HDR Party, Due Date: Anniversary Date (change year); Comment: Gdnship Continued (most common – from Review Report)
- 3) Full index scan – PB-Report, Event GREV

Report from Agency (DHS, Summit Pointe, etc.)

- 1) TCS - PTY, Write GAL [name] on bottom of report
- 2) TCS – Event: RFA; Comment: Report from [name]/Recommends: [briefly describe]/cc: GAL [name]
- 3) Full index scan – PB-Report, Event RFA; Send to: Email to Attorney/GAL

Report on Review of Guardianship of Legally Incapacitated Person

- 1) TCS – Event: GREV, HDR Party, Due date = date of report; Comment: [recommendation]
- 2) Full index scan - PB-Report, Event GREV

Report to Accompany DD Petition

- 1) TCS – Event: RPD
- 2) Full index scan – PB-Report, Event RPD

Request for Extension

- 1) TCS – Event: EXT, Add PTY, Req Ext for [whatever is being asked]
- 2) Full index scan – PB-Other, Event EXT

Request for Investigation (Report from Martha)

- 1) TCS – Event: REP, Comment: Summarize information from Martha
- 2) Full index scan – PB-Report, Event REP

Request for Notice

- 1) If a new file, Batch Scan.
- 2) If a file exists:
 - A) TCS
 - i. Add PTY (INP)
 - ii. Add EVT – DFN, Comment: Demand for Notice by [name]
 - B) Full index scan – PB-Other, Event RFN

Request for Telephone Testimony

- 1) TCS – Event RTT, Comment: Req for Tx Testimony from [name]
- 2) OnBase – Full index scan – PB-Other, Event RTT

Request to Defer Hearing on Commitments:

- 1) TCS – Event RDHC, HDR PTY, Dispo: DEFR
Comment: Deferral/[Hospital Name]/Expires: [Date - 90 days]
REV in 90 days to close
- 2) OnBase – Full index scan – PB-Order, Event RDHC

Return from Appeal:

- 1) TCS – Event RFAP
- 2) OnBase – Full index scan – PB-Appeal, Event RFAP

Statement and Proof of Claim

- 1) TCS – PTY: Add Claimant as PTY (CLA)
- 2) TCS – Event: SPC, Add PTY, Comment: [name of creditor], Amount
- 3) Full index scan - PB-Other, Event SPC

Stipulation (may say Stipulation and Order)

- 1) TCS – Event: STP, Comment: Stip for [describe]
- 2) Full index scan – PB-Petition, Event STP

Subpoena

- 1) If signature is not completed, date & sign. Return all but court copy.
- 2) TCS – Event: SUB, Comment: To [name] for [describe]
- 3) Full index scan – PB-Other, Event SUB

Substitution of Attorney

- 1) TCS – Event: SOA, Comment: [New attorney] substituting for [old attorney] – to Judge
- 2) TCS – Party: Change GAL or Attorney info on party screen
- 3) Full index scan – PB-Attorney, Event SOA

Summons & Complaint

- 1) TCS – Event: SAC
- 2) Full index scan – PB-Petition, Event SAC

Sworn Statement to Close

- 1) TCS - CAS - M (Money) – Has Inventory Fee been assessed & Paid?
- 2) If PINV paid
 - a. TCS – Event SST, add PTY, Attorney (if one)
 - b. Full index Scan – PB-Closing, Event SST
- 3) If PINV not paid
 - a. Make note on bottom of pleading
 - b. TCS – Event ATF, Comment SST presented, INVF not paid
 - c. Full index scan – PB-Other, Event ATF
 - d. NAF

Transcripts

- 1) TCS – Event: TRS, Comment: [Date of hearing]
- 2) Scanning not necessary; court recorder will upload electronically

Trust Registration

- 1) TCS – Follow instructions for JIS/TCS from Manual
- 2) Full index scan – PB-Will, Event TRU, PB Case Number [YYYYTRU],
In the Matter of [Name: Last name – space – first name]

Waiver/Consent

- 1) TCS – Event: WAC, select PTY, Comment: [name] waives [what is being waived]
- 2) Full index scan – PB-Other, Event WAC

Waiver/Suspension of Fees and Costs

- 1) TCS – Event: ASF
- 2) Full index scan – PB-Petition, Event ASF

Wills – No Estates (WDE)

- 1) TCS - Follow instructions for JIS/TCS from Manual
- 2) Full index scan –PB-Will, Event WDE, PB Case Number [YYYYWDE], In the Matter of [Name: Last name – space - first name]

Withdrawal

- 1) TCS – Event: WITH, Withdrawal of [WHAT?] by [WHO?]
- 2) Full index scan – PB-Other, Event WITH

Home – Batch Processing – Probate Court Clerk Q

Accounts:

1. Review the paper:
 - a. Separate documents (PAA, ACC, supporting documents)
 - b. Do you have fiduciary/attorney fee statements if fees are requested (PAA #3, ACC #7 and 8)?
 - c. Do you have bank statements for all accounts listed on Itemized Assets Remaining?
2. TCS – PTY:
 - a. CV:
 - i. Check/update address
 - ii. If an attorney, did they sign?
 - iii. Note amount of bond, if any
 - b. HDR - Check/update address
 - c. GAL – Note who the GAL is (for Next Action when scheduling)
3. OnBase:
 - a. Bring up last account (or inventory if first account)
 - b. Check for proper account # (1st, 2nd, etc.)
 - c. Check accounting dates
 - d. Compare ending balance (last account) with beginning balance (new account)
 - e. Compare itemized assets remaining? (Are all assets accounted for?)
 - f. Run tape for all columns – compare ending balance with itemized assets
4. Schedule the account in the book
5. TCS – EVT:
 - a. DBR/RFC/NAF – if necessary
 - b. ACC/PAA/SND/NOH – as appropriate
 - i. For ACC or FAC event:
 1. Select proper party
 2. Comment line: #of account (Dates from/to)
 3. Amount: put in ending amount from account
6. OnBase:
 - a. Index batch scan according to TCS events
7. Acrobat:
 - a. Petition to Modify Bond if needed

Estates:

1. Review the paper - Put documents in order:
 - a. Death Certificate
 - b. Testimony to Identify Heirs
 - c. Supplemental Testimony (optional)
 - d. Will/Codicils (if any)
 - e. Renunciations/Waivers
 - f. Application/Petition
 - g. Register's Statement/Order
 - h. Acceptance of Appointment
 - i. Letters
2. Compare Death Certificate to Application/Petition – Check:
 - a. DOB
 - b. DOD
 - c. Domicile/Current Residence
 - d. Venue
3. Compare Testimony/Supplemental Testimony to Application/Petition:
 - a. Are all INP's listed?
 - i. If no heirs (no one listed on Testimony form), Attorney General No Known Heirs is INP.
 - ii. If charity is residual devisee (Will/Supplemental Testimony form), Attorney General Charitable Trust is INP (700.7414).
 - iii. Either must be listed as interested party on application, and entered as PTY in system.
 - iv. If any interested party is a minor, need Appearance of Parent (NAF) or appoint GAL.
4. Compare Will to Testimony/Supplemental Testimony/Application/Petition:
 - a. Are all INP's listed?
 - b. Check date of will/codicils
 - c. Check boxes re admission of will
5. Check priority for appointment (700.3203):
 - a. Others equal?
 - b. Renunciations with Application? Or NRI with POS
6. TCS – PTY - Add Parties from Application
7. TCS – EVT:
 - a. DBR/RFC/NAF – if necessary
 - b. DEC/TES/STES/RRA/WAC
 - c. AIP/PET, Application for Informal Probate/Petition for Formal Proceedings, PTR PTY, Comment: [Name] req appt as PR/admission of [date] will (or no will)
 - d. RIO, Register's Statement, Dispo on HDR PTY, Comment: Appt [name] as PR/no will or admit will dated [date]
 - e. LWT, Last Will and Testament (& CLW, Codicil to Last Will, if any), Comment: Admit will dated [date]
 - f. AOA, Acceptance of Appointment, PR PTY
 - g. LET Letters of Authority, PR PTY, Comment: [Name], Full PR

8. OnBase – Batch Processing – Index documents as appropriate
 - a. If Petition, send to Judicial Staff for hearing date
 - b. If Application, go to Custom Query – TrueSign any documents necessary with signature, date, Filed stamp, etc. (RFC/NAF/RIO/LET/AOA/LWT)
 - c. Stop Workflow on AOA (Clerk Q)

Working OnBase Probate Filing Review Queues:
Home – Workflow – PB- Indexed Q

Review documents for completeness before proceeding.

TCS:

- 1) Check events – New cases
 - a. All cases – PET should already be there
 - b. LG – PET & LGP should already be there
 - c. DD – PET & RPD should already be there
- 2) Check events – Existing cases
 - a. Is event entered?
 - b. Any other data entry needed?
- 3) Add Event: MAC with one of the following comments:
 - a. Sent to scheduling
 - b. Sent to Judge for signature
 - c. Sent to Register

OnBase:

- 1) Add sticky note
 - a. If a temp request
 - b. If companion files
 - c. If other information would be helpful to judicial staff for scheduling
2. Route to Judicial Staff, to Judge, or to Register (see below).

Documents to route to Judicial Staff (for hearing or information):

1. Answer/Objection/Response
 - a. CZ file - Route to schedule hearing
 - b. Other files – if document makes a matter that is already scheduled for hearing a contested matter, put a sticky note on with hearing date – Route FYI
 - c. Other files – if no action needed - Stop Workflow
2. Petition for Appointment of Guardian or Conservator
3. Petition to Modify/Terminate Guardianship or Conservatorship
4. Petition in Trust Proceeding (TV File)
5. Petition for Probate (DE file)
6. Petition for Complete Estate Settlement
7. Other various Motions/Petitions

Documents to route to Judge for signature/review:

1. Orders (various orders that have been prepared for Judge's signature)
2. Petition and Order
3. Petition and Order to Modify Bond
4. Petition for Delayed Registration of Foreign Birth
5. Petition for Reinstatement
6. Petition/Motion for Adjournment
7. Stipulations
8. Substitutions of Attorney

Documents to Route to Register for signature/review:

1. Petition for Assignment – Small Estate
2. Petition Regarding Real Estate – for Bond

Documents Requiring Additional/Different Handling:

ASF

If petitioner is on public assistance, the waiver is automatic under MCR 2.002(C).

OnBase

If petitioner is on public assistance, Clerk may stamp judge's signature, re-index to PB-Order, Event: OSF, then STOP workflow

If petitioner is not on public assistance, route to Judge

TCS

If clerk stamped Judge's signature, add OSF Event

Amended Petition/Motion

OnBase

Keyword – add “amended” at the beginning of the description

TCS

Check hearing date – does hearing need to be adjourned (for 14 day service?)

If hearing date is okay – has amended petition been served? Who is responsible for service?

If Court, prepare POS and serve; if petitioner, NAF with request for service

CY-FAC

TCS – Events:

Check beginning date (on acct) = Letters; ending date = minor's 18th birthday

INVF or last ACC = beginning balance

PWF/OWF – are they listed in disbursements (individually or total)

Check math. Is bank information in itemized assets? Compare itemized assets to ending balance

TCS – Add events:

FAC, CV Party, Comment: Filed by [name] – to Judge

WAC, HDR Party, Comment: From minor

OnBase:

TrueSign – complete order portion – save

Route to Judge for signature

PREI

OnBase

Check deficient item. If ready for reinstatement, TrueSign, fill in Order, route to Judge for signature.

TCS

Modify PREI event to show that it was sent to Judge for signature

WITH (Withdrawal)

TCS

Check hearing info; remove from docket

OnBase

Add sticky note w/hearing info – Route to Judicial Staff for removal from docket

Working OnBase Probate Filing Review Queues:

Home – Workflow – PB-Returned to Clerk Q

New Cases - Petitions with hearing date - Add Parties:

TCS – Add Parties (All Cases – HDR, PTR should already be there)

GA/GL	GM/LG	DD	CA/PO	CY
GAL PRO PLA SP CHI (if adults) PTS INP/MSP If no spouse, adult children, or living parents, then presumptive heirs	GAL PRO PTS INP/Court Investigator? INP/CPS?	Atty on HDR PRO PLA SP CHI INP/Summit Pointe DD Client Svcs Presumptive heirs*	GAL PRO SP CHI INP/SS Presumptive heirs*	GAL PRO PTS

*Definition of “presumptive heirs” – if an interested party is deceased, you need their children.

Special Notes re Parties:

All Cases:

INP Veterans Affairs Fiduciary Hub - for all cases receiving VA benefits
Attorney General - No Heirs (if applicable)
Power of Attorney - if one is listed on Petition
GAL Appoint any prior GAL whenever possible

GA/GL Cases:

CHI If any children of the subject are minors, put them on with Notice Flag N (not required to receive notice until adults)
CV If the individual has a conservator

GM/LG Cases:

If both parents are deceased, then grandparents & adult siblings, per MCR 5.125(C)(19)
If parent is incarcerated in Michigan, add
INP Warden of Prison, if parent is incarcerated
INP MDOC Writ Office, if parent is incarcerated

DD Cases:

CHI If any children of the subject are minors, MCR 5.105(D)(1) & (4) requires that a GAL or parent (if Appearance of Parent, PC 606, is filed) be served on behalf of the minor.
PRO Proposed Standby Guardian (if not already entered)

CA/PO Cases:

CHI If any children of the subject are minors, MCR 5.105(D)(1) & (4) requires that a GAL or parent (if Appearance of Parent, PC 606, is filed) be served on behalf of the minor
GDN If the individual has a guardian

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New Cases – Petitions with Hearing Dates - Add Events:

Always add these events:

GA/GL	GM/LG	DD	CA/PO	CY
GAL NOH NLI (PC 626) MAC/SOW POS	MAC/CPS ATF/CPS Resp. GAL NOH MAC	APT NOH/DDH or DDR MAC POS	GAL NOH NLI (PC 668) MAC/SOW POS	GAL WAC If no WAC: NOH MAC/SOW POS

You may need these events (see specific notes for more information):

GA/GL	GM/LG	DD	CA/PO	CY
DOI & PUB SND or MAC/SPE	INVO MAC/SOW (if over 14) DOI & PUB SND or MAC/SPE	DOI & PUB SND or MAC/SPE	DOI & PUB SND or MAC/SPE	DOI & PUB SND or MAC/SPE

Special Notes/Complete Instructions for Events:

GM/LG:

MAC Prepare Probate07/DHS-CPS Fax, Print to OnBase as Outgoing Correspondence, MAC
 Email to DHS-Calhoun-CPS@michigan.gov
 Comment: Emailed to CPS/sent to scheduling
 Wait for Response before proceeding

When response received from DHS:

ATF Comment: DHS Response/[No/CPS] Involvement

If DHS Involvement (current or closed) - Add as Party & Add Event:

INVO Investigation Ordered, insert date (7 days before hearing)

Pgm/Rslt: DHS

Comment: DHS to investigate/report due [date]

Form PC 635 (Order Appointing Person to Investigate/Review)

All Cases:

Always Need:

GAL Order Appointing Guardian ad Litem
PTY: HDR 1, Bar #
Comment Line: [Name] as GAL for [Name]
Form PC 642

NOH Notice of Hearing
Pgm/Rslt: PET
Form PC 562

Remember Next Action Info!

NLI Notice of Rights to Alleged Incapacitated Individual
(GA/LG) - Acrobat/Ntc Rights GAL Serve PC 626
(CA/PO) – Form PC 668, Ntc of Rights CV

SOW Service on Ward Letter, Pgm/Rslt: SOW (Service on Ward)
Form: PTY NTF, to GAL (DATE: 7 days prior to hearing)

If Court is serving, prepare proof of service:

POS Proof of Service
Comment: [Name documents] served by Court
Form: PTY NTF

If Attorney or professional fiduciary is serving:

SND Set Next Date
Pgm/Rslt: HRG
PTY NTF

If the individual is doing their own service:

MAC Miscellaneous Action by Court, Pgm/Rslt: SPE (Serve Petition)
Remember to put in due date (14 days before hearing)
& Prepare POS (from any event, “F” for Form, PC 564).

Prepare Personal Proof of Service (to send to GAL) – PC 564

May Need:

DOI Declaration of Intent to Publish (if necessary)
PUB Publication (if necessary) - Check for Receipt (Event PPUB)
Comment: Publish for [Name], Charge [Fiduciary]
Form PC 563, include Next Action Information
If PPUB not paid in advance, then process for financial order; Monetary: Y
PTY: Fiduciary/Petitioner Party
On Edit Monetary Order Screen:
Cash Code: PPUB, Total Amount \$55
Email to shopperads@j-adgraphics.com

Home – Workflow – PB-Returned to Clerk Q
Existing Cases – Petitions with hearing dates

TCS – Check/Add Parties

GA/GL	GM/LG	DD	CA/PO	CY
GAL PRO PTR	GAL PRO PTR	Atty on HDR PRO PTR	PRO PTR	PRO PTR

TCS - Always add these events (see previous section for specific information):

GA/GL	GM/LG	DD	CA/PO	CY
GAL SND, MAC/SPE or NOH/POS	MAC/CPS ATF/CPS Resp. GAL SND, MAC/SPE or NOH/POS	APT SND, MAC/SPE or NOH-DDH/POS	SND, MAC/SPE or NOH/POS	SND, MAC/SPE or NOH/POS

You may need these events (see previous section for specific information):

GA/GL	GM/LG	DD	CA/PO	CY
DOI & PUB	INVO DOI & PUB	DOI & PUB	DOI & PUB	DOI & PUB

Home – Workflow – PB-Returned to Clerk Q
Documents Returned After Judge Signs

ACL – Memorandum of Administrative Closing

See Memorandum of Administrative Closing in Mailer instructions

ADJ – Order for Adjournment

TCS – Events

- 1) If POS exists (done by judicial staff), route to JUD-Staff Review Q
- 2) Check ADJ event – modify if necessary
- 3) If attorney or professional to serve, add cc to [name] for service
- 4) If being served by court, create POS and serve

ASF/OSF – Affidavit/Order to Suspend/Waive Fees

TCS – CAS, M:

- 1) If fee waiver is for fees owed, Route to Register in OnBase
- 2) If fee waiver is for filing fees, add OSF event in TCS

OnBase:

- 3) Reindex to OSF – STOP workflow

CHVO – Change of Venue Outgoing

OnBase:

Change keywords to date signed

Acrobat:

Prepare Cert of Records (MC 202) – Print to OnBase – PB-Other, Event EXR

TCS:

- 1) Modify MAC to CHVO event, match OnBase date (CHVO event closes case)
- 2) Add EXR and POS events (create POS and serve CHVO)
- 3) Print ROA

Outgoing Mailing

- 4) Pull paper file, if it exists, and compare to OnBase (can mail existing paper file)
- 5) Print needed documents from OnBase (paper documents not in existence)
- 6) Mail CHVO, EXR, ROA, and copy of file to new county

DIS

Minor – 18 & death of ward & gdn – stamped and routed to file

If DIS CV, send to discharged fiduciary

FAC/CY

TCS – Add Events

OFAC, 30 day REV for RGW

POS, serve on CV party only – print to OnBase

OnBase

Re-index FAC to OFAC, Print, Certify

Prepare: Acrobat/Receipt of ward pc 649

Mail OFAC w/RGW to Conservator

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LER

Review and take appropriate action

LET

Print for certified (if paid for) – if not, send NEW letters memo

Check TCS data entry – MAJ, updated letters

MOT/PET for Adjournment (MCR 2.503):

Request for adjournment comes to this Q after Judge's signature/approval.

TCS

Event: ADJ, Comment: ADJ for [reason] - to Judge in OnBase, Form: MC 309, Fill in New Hearing Date in Next Action, (with appropriate hearing comments)

Forms generation: Fill in who requested Adjournment & OLD date (#1), check new hearing information (#2), and fill in "for the following reasons", Print to OnBase

OnBase

Index as PB-ORD, Event: ADJ, Route to Judge for signature

ODP

TCS – Modify ODP Event, Create POS, Serve on INP's, (CLOC?)

ORG/FIR

TCS

If Financial Order, Add FIR event: Monetary: Y; GDN/CV Party, Comment: GREV fee

Edit Monetary Orders Screen: Cash Code: PGAR, Amount \$90.00 (or amount billed by other county doing courtesy review), ENTER, F3

Add POS event, print to OnBase, serve GREV/ORG on Hdr/Gdn (FIR to GDN/CV Only)

PAO

TCS – Modify PAO event (take off – sent to judge)

Event: ORD, comment: describe – REV if necessary – other data entry?

POS needed? Or cc: [as appropriate]

OnBase –

Reindex to PB-Order, doc code ORD

PEP/PER

TCS

Event: PER, Dispo: GTD, No Party, Comment: [summary of assignment], Form: PTY NTF

Print PTY NTF for Petitioner (for mailing) – no POS needed

OnBase

Reindex to PER

Print, certify and mail

PREI – Petition for Reinstatement:

OnBase

Reindex as REI with date signed by Judge

Split document (PREI from other filings) or Send To: Create New Document (other documents being filed - ARPT, etc.)

Index other filings as appropriate

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TCS

Add: REI with new date

Add: POS – print to Hyland – serve on all INP's

Add other documents as events (ARPT, etc.) w/today's date

PRO

Re-index to proper order code after signed

Check/add TCS data entry

Serve as appropriate

PWF/OWF

Re-index to OWF after signed – print & certify – send to CV

TCS – OWF, Comment: [Amount] for [purpose], REV for 30 days for receipts

REC/RGW

Reindex to RGW – stop workflow

TCS: RGW (which closes the case)

RSR (with bond)

Modify TCS event to add/create bond; cc petitioner

Send to judicial staff for scheduling

SPO

Compare parties in TCS to computer generated forms; stamp & mail; (copy/mail if needed)

TrueSign for proof of service at bottom; mail out mailers

STP – to SAO or SOA

TCS

1) Parties - Check/update – need to change attorneys?

2) Add Event:

If Stip/Order, Add SAO, Comment: [summarize] cc: atty, PTY NTF or POS?

If Sub of Attorney, Add SOA, Comment: [summarize] cc: atty, PTY NTF or POS?

OnBase

3) Reindex to SAO or SOA as appropriate

4) Print/email as appropriate

5) Stop workflow

WITH – Withdrawal of Petition:

When returned from judicial staff/scheduling indicating that item has been removed from docket,

Acrobat:

1) Prepare proper order of dismissal

2) Print to OnBase

OnBase:

3) Route to Judge for signature

TCS:

4) Add Event: ODP, Comment: To Judge in OnBase

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Home – Workflow – PB-Clerks Q

PB – Clerks Q - :

AGL – Report of Guardian ad Litem

Review report.

If attorney or independent evaluation requested, add sticky note and forward to Judicial Staff Review Q.

If no action necessary, STOP workflow.

AOA – Acceptance of Appointment

Check TCS – Do Letters of Authority need to be prepared?

If hearing is in the future, Re-index to Proposed Order

If hearing has already been held and AOA/LET are in TCS, STOP WORKFLOW

If hearing has been held but we were waiting for AOA, then prepare Letters of Authority.

ARPT – Annual Report

Check TCS

Was it served? If yes, stop workflow

Was service fee paid? If yes, create POS and serve

If neither, add event SREP, Pgm/Rslt SRE, PTY NTF to GDN only

Create POS, PC 564 to send to GDN for return

BND - Bond

Check TCS – Do Letters of Authority need to be prepared?

If hearing is in the future, Re-index to Proposed Order

If hearing has already been held and AOA/BND/LET are in TCS, STOP WORKFLOW

If hearing has been held but we were waiting for bond, then prepare Letters of Authority.

TCS – Event:

BND Bond

PTY: CV

Comment: [Amount of Bond] for [Name of Conservator]

If more than \$100 bond:

F20 BSP (Bond Posted) Date Received Bond Amount

If initial bond, prepare Letters of Conservatorship (PC 645) for Judge's signature

If Bond has a place for Judge's signature, send for his signature

After Judge signs, modify CV party screen, Association Type SU,
add SUR (Surety/Insurance Company)

Events:

LET Letters of Conservatorship (if prepared)

PTY: CV

Comment: [Name] Appointed Full Conservator

(If same person had been special conservator, use MAJ instead of LET)

Send copy of Bond to Conservator. If new Letters, PTY NTF, Pgm/Rslt: NEW.

CHVI - Change of Venue, Incoming

- 1) OnBase - CHVI document, Create new documents as needed (see below)
- 2) TCS:

A. Add Parties - as for any other case

B. Events:

CHVI Should be there

PET Original Petition with original file date from originating county
Comment: Filed by [Name] in [Name of County]

OAG/OAC/etc.

Proper code for Order Appointing original fiduciary, with original date and disposition
Comment: [Name] appointed as [type of fiduciary] by [Name of County]

LET Letters of Authority for current fiduciary (with original date)

PTY Fiduciary

INVV/INVF/INVZ Inventory Event (with original date), if applicable

PTY Fiduciary Amount in Amount field

ACC/ARPT Last annual fiduciary filing (with original file date)

PTY Fiduciary If Account, put ending balance in amount field

GREV Guardianship Review (original date from other county), if applicable

MAJ Fiduciary Party (GDN/CV/etc)

Comment: Updated Letters from Calhoun County

Form: PC 633 (gdship), PC 662 (DD), PC 645 (CV) or PC 572 (PR)

NOTE: Use same language/restrictions/etc. as originating county until hearing held in our court.

GAL Appoint GAL, if Conservatorship or DD with GDN over EST

POS Serve Order Appointing GAL on interested persons

MAC Miscellaneous Action by Court, New Letters Memo to Fiduciary

Pgm/Rslt: NEW, Comment: New Letters Issued

PTY NTF - Send to Fiduciary Only

DOI – Due Diligence (Proper name of form?)

1. Check for reason for DOI
 - a. If new petition, make sure that we published for notice of hearing
 - b. If returned mail, publish and bill appropriately
 - c. If for other reason – do we need to publish/bill? What for?
2. Publication
 - a. Publication for Notice of Hearing, PC 563, from TCS
 - b. Publication – Returned Mail - from Acrobat, Pub Returned Mail
 - c. Publication – other - from Acrobat, PUB pc563a
 - d. For All – Print to Onbase, fax/email to BC Shopper

GREV – Guardianship Review Report

1. GREV will show up in OnBase PB-Clerk Queue
2. TCS – Add Event GREV, HDR Party, Due Date: Date of Report, Comment: summarize recommendation
3. If a Minor or if an Adult with ASF/OSF events for GREV:
 - a. Add ORG Event with Comment: ORG to Judge in OnBase (No FIR – ASF filed)
 - b. Prepare Acrobat/Order Following Review.
 - c. Print to OnBase, Doc Type Order, Event ORG, Upload
 - d. Close document (will automatically route to Judge’s sign/review Q)
 - e. Send GREV to Judge’s sign/review Q
4. If an Adult and no ASF/OSF events for GREV:
 - a. Add ORG Event with Comment: ORG/FIR to Judge in OnBase
 - b. Prepare Acrobat/Hearing Packets/GA-Review.
 - c. Print to OnBase, Doc Type Order, Event ORG, Upload, add note: Please sign both pages
 - d. Close document (will automatically route to Judge’s sign/review Q)
 - e. Send GREV to Judge’s sign/review Q
5. If a request for Courtesy Review, see below.
6. Workflow, PB-Clerks Queue – Stop Workflow for GREV

GREV – Courtesy Review Needed

1. See Probate Shared/Courtesy.Review document for county-by-county information.
2. Call individual/county to confirm availability.
3. TCS:
 - a. Add Reviewer as PTY
 - b. Add Event: PRG, Comment: [Name] appointed to review, Form PC 635, REV for 60 days for report
4. Print to OnBase
5. Mail to reviewer with copy of last annual report or petition and order

MAIL

- 1) New address (from USPS postcard, returned mail/yellow sticker, new address form, email, etc.)
 - a. Check TCS events
 - b. Is there something that needs to be remailed? If so, create POS and serve
- 2) Returned mail with no new address
 - a. Check OnBase recent documents for newer address
 - b. Check TCS and CNI for newer address
 - c. Check TCS for attorney and/or phone number – call to obtain new address
 - d. If new address obtained, follow #1
- 3) If no new address found
 - a. In Mental Files, Email SPCourt for new address, NAF, Email to Summit Pointe for address, REV 28 days for address
 - b. If Fiduciary party, immediately suspend (follow SPO instructions, appoint SPF if CV file)
 - c. If HDR party, send NDF for address of ward (will result in suspension if new address not provided)
 - d. All others - TCS, Event: NAF, pgm/rslt: DOI, Comment: Request address for [name], REV 28 days
- 4) At 28 day review, if no new address provided – TCS, Event: PUB, Monetary: Y, Fiduciary PTY, Comment: Publish for [Name], Charge [Fiduciary]
 - a. On Edit Monetary Order Screen: Cash Code: PPUB, Total Amount \$75
 - b. Fax/email to Battle Creek Shopper

OBIT – Obituary/Death Notice/Information

1. Check TCS for OBIT Event.
2. If subject dies before full GA/GL hearing,
 - a. TCS: Remove hearing from prior TCS event(s)
 - b. EVT: ODP, Dispo: DIS, PTY HDR, Comment: Deceased – ODP to Judge, Form PC 631, check box #3, #9 (dismissed), #15: “Subject of petition died [date]” – Print to OnBase
 - c. OnBase: PB-Order, Event ODP, Route to Judge for Signature
 - d. OnBase: OBIT document, add sticky note w/hearing info – Route to Judicial Staff for removal from docket
3. If ward is deceased in guardianship,
 - a. EVT: DIS, Form PC 597, upload, stamp judge’s signature
 - b. EVT: CLOC
4. If ward is deceased in conservatorship,
 - a. EVT: MAC Deceased Ward Notice
Rslt/Pgm: DWN
Form: PTY NTF - for CV, Surety, FIN & GAL
(Remember to prepare/send FAC forms)
5. If other interested party is deceased, do we need other heir info? If so, NAF. If not, no other action required.

REC – Receipt

Check TCS/Onbase – What is receipt for?

1. If receipt for OWF or similar, check amount. NAF if necessary, or STOP workflow.
2. If receipt for final account, is discharge of previous fiduciary appropriate? Is closure appropriate?
 - A. TCS, DIS proper party, form PC 597
 - B. To Judge in OnBase
3. If receipt for protective order or similar, NAF if necessary or STOP workflow. CLOC if appropriate.

REC – Receipt of Ward/Discharge

Compare to FAC. If okay, route to Judge for signature. If not okay, reindex as DBR and RFC.

RFE – Return from Evaluation

Check document and event. If settled, there should be a 30 day review in TCS for settlement documents. If not settled, route to Judicial Staff to schedule status conference or pretrial.

NAF – Need Additional Filing:

If documents received are correct, but additional documents are needed:

TCS event: NAF Need Additional Filings
Pgm/Rslt: NAF
Comment: Describe additional documents needed
Form: PTY NTF
Next Action: Saturday REV for 3 months if at case initiation
 Saturday REV for 28 days if other times
 Comment: Proper paperwork filed?

Enter will take you to TCS Edit Parties Screen

TCS Edit Parties Screen: Drop any un-needed parties, F21 (Shift F9) to continue to Print

TCS Party Notification Screen, Comment Section:

F4 to see all text. Make changes/corrections/fill in appropriate language
Enter will return you to Party Notification Screen
F21 (Shift F9) to continue to Print to OnBase Printer

RFC – Return for Correction:

If necessary to return documents for correction:

TCS event: RFC Return for Correction
Pgm/Rslt: RFC
Comment: Describe corrections needed
Form: PTY NTF
Next Action: Saturday REV for 3 months if at case initiation
 Saturday REV for 28 days if other times
 Comment: Proper paperwork returned?

Enter will take you to TCS Edit Parties Screen

TCS Edit Parties Screen: Drop any un-needed parties, F21 (Shift F9) to continue to Print

TCS Party Notification Screen, Comment Section:

F4 to see all text. Make changes/corrections/fill in appropriate language
Enter will return you to Party Notification Screen
F21 (Shift F9) to continue to Print to OnBase Printer

Printing from OnBase Printer:

- 1) PTY NTF – Open and print
- 2) PTY POS – Open document
 - a. Print to Hyland
 - i. Index as PB-Correspondence, Event RFC/NAF
 - ii. Upload
 - b. Tasks – True Sign
 - i. Add your signature
 - ii. Save
 - c. Document – Send to – Print for file
 - d. Close document

Printing to OnBase:

To print documents to OnBase from Word or Adobe Acrobat

- 1) Open or create document. Make sure OnBase is open and running.
- 2) When ready to print your document:
 - a. Select Printer: “Hyland Software Virtual Printer” - Hit “Print”
 - b. OnBase will open up an “Upload” window
 - c. Index document as appropriate, and hit “Upload”
- 3) The document will open in OnBase. Close or Work as appropriate.

CALHOUN COUNTY PROBATE COURT/FINANCIAL STATEMENT/REQUEST FOR FEES TO BE WAIVED

Starting with yourself, list all persons who live in your household:

	Name	Date of Birth
1		
2		
3		
4		
5		

(Use back for additional space, if needed)

Does anyone in your household receive...

Employee Wages? No Yes Amount: _____/hr. for average of _____ hours/week

Employer Name/Address: _____

Unemployment? No Yes Amount: _____/month

Pension/Retirement? No Yes Amount: _____/month

Social Security Disability (SSD) No Yes Amount: _____/month

Social Security Income (SSI) No Yes Amount: _____/month

Public Assistance/Welfare? No Yes Amount: _____/month

Food Stamps? No Yes Amount: _____/month

Day Care Assistance? No Yes Amount: _____/month

Child Support? No Yes Amount: _____/month

I hereby affirm that the above statements are true to the best of my ability. I give permission for the Court to make any necessary contacts to verify information.

Date: _____ Signed: _____

(FOR COURT USE ONLY)

Weekly Total _____ x 52 = _____ + Monthly Total _____ x 12 = _____

Number in Household = _____ Annual Income Total = _____

Fees W aived Fees N otW aived Initials _____