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Date: 06/12/2023

ADM File Number: 2017-28

Comment:

Specifically, MCR 5.302(A)(1) proposed change is of concern in validating the individual's identity. Probate Register's typically use the death certificate to validate the individual whom personal representative of the estate is being sought is the same individual listed on the death certificate. Cross referencing the Application/Petition with the date of birth, social security number, name, and residence. If this proposed change were made, it may be difficult for the Probate Register to validate the individual is one in the same as the decedent, especially with common names such as John Smith.

To my knowledge, I believe there are at least three ways courts are processing death certificates across the state at this time:

1. Retaining the death certificate and a redacted death certificate.
2. Marking the death certificate confidential as it is not a document the court would provide copies as it is a certified copy of the Clerk and contains PII, directing copies to be obtained at the Clerk.
3. Redacting through their electronic filing system.

These solutions, although very different, still allow the Probate Register, or Judge for formal proceedings, to validate that the decedent's identity prior to issuing Letters of Authority. The proposed change will prohibit this important validation.

Thank you for taking the time to listen to my concerns.