Order

Michigan Supreme Court
Lansing, Michigan

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

September 2, 2026

ADM File No. 2026-19

Amendment of Rule 5.207 of the Michigan Court Rules

On order of the Court, the following amendment of Rule 5.207 of the Michigan Court Rules is adopted, effective immediately. Concurrently, individuals are invited to comment on the form or the merits of the amendment during the usual comment period. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the Public Administrative Hearings page.

Immediate adoption of this proposal does not necessarily mean that the Court will retain the amendment in its present form following the public comment period.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 5.207 ~~Sale of~~ Real Estate Transactions

(A) ~~Petition~~Decedent Estate Cases. Any petition seeking court approval to sell real property~~to approve the sale of real estate~~ must contain the following:

(1)-(2) [Unchanged.]

(3) the financial condition of the estate before the proposed sale, and

(4) [Unchanged.]

(B) Conservatorship Cases.

(1) Petition. Any petition to sell, dispose of, mortgage, pledge, or place a lien against real property, must contain the following:

(a) the terms and purpose of the proposed transaction,

(b) the legal description of the property,

(c) the financial condition of the estate before the proposed transaction, and

(d) an appraisal of the value of the property conducted within the preceding six months by a professional licensed under Article 26 of the Occupation Code, MCL 339.2601 *et seq*.

(2) Sale for Less Than Appraised Value. If the court approves a sale of a principal dwelling for less than the appraised value of the property, the court must state on the record why the sale is in the protected individual's best interest.

(B) [Relettered (C) but otherwise unchanged.]

Staff Comment (ADM File No. 2026-19): The amendment of MCR 5.207 aligns the rule, as it relates to conservatorships, with MCL 700.5423, which requires a property appraisal to be submitted to and considered by a court before approving certain transactions involving property of a protected individual. See 2026 PA 68. In accordance with MCL 700.5423, the rule was also expanded to require judicial approval when attempting to sell, dispose, mortgage, pledge, or place a lien against a protected individual's property.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be provided to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Written comments on this proposal may be submitted by **January 1, 2027**.

The Court asks commenters to submit written comments via the Court's website to the extent possible. **To submit a comment via the Court's website**, click on the "Comment on 2026-19" button under this proposal on the Court's Proposed & Adopted Orders on Administrative Matters webpage. The Court also accepts comments by email. **To submit a comment by email**, please attach a Microsoft Word document to your email and send to ADMcomment@courts.mi.gov and refer to ADM File No. 2026-19. If you are unable to submit a written comment online or by email, the Court will accept comments during the written comment period mailed to P.O. Box 30052, Lansing, MI 48909. For more information on submitting public comments regarding Michigan Supreme Court rule proposals, see the Public Comments on Court Rule Proposals webpage.

Written comments may be posted on the One Court of Justice website under the chapter(s) affected by this proposal.

I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 2, 2026

Clerk