

Account of Fiduciaries

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Accounts are statements or forms that show the income and expenses for the estate or protected individuals, and which must be filed on an annual basis. Personal representatives, conservators and guardians of the estate are required to file accounts.

What does an account contain?

An account contains an itemized list of income and expenses for the accounting period. It also must contain a written description of services by the fiduciary if the fiduciary receives compensation.

When is an account filed?

A personal representative or guardian of the estate of an individual with developmental disabilities must file an account within 56 days after acceptance of the appointment. (Please note that accountings are only required to be filed within *supervised* administration, not *unsupervised*). A conservator must file an accounting annually unless otherwise directed by order of the court.

Accounting period:

The accounting period begins on the date that the fiduciary qualifies to act by filing a bond or an acceptance of appointment. The accounting period ends one year later unless the court orders a shorter period. Your letters should contain your accounting period, and please remember there is a \$15 filing fee for all accounts.

Account preparation:

Account of Fiduciary forms (PC-583 or PC-584) can be obtained from the Oakland County Probate Court. The form is fairly self-explanatory; however, please note the following:

- **Identifying the Account:** To identify the account and accounting period, you should state as follows: "first annual account," "second annual account," etc. The account date must be from the date of your qualification until the day before its anniversary unless the estate is closed sooner.
- **Income and Expenses:** The income column should list all income of the estate. You must separately list each source of income, i.e.: pension income, Social Security income, etc. On the expense column, each expense must be identified in such a way that it can be easily verified. These accounts are sent to

interested persons and must be easily understood.

- **Summary:** The summary (PC-584 #2) reflects what happened during the accounting period. Start with the inventory if this is your first account or with the balance on hand from your last accounting. The balance is the dollar value of those assets that you hold at the end of each accounting period. This amount will be the beginning balance for your next account.
- **Balance of Assets Remaining:** The balance is made up of assets which typically include bank accounts, stocks, real estate, etc. This is also a good time to make sure that each of the items identified mirror those that you have reported on your inventory. Remember, real estate must be shown by the legal description shown in your inventory.
- **Interested Persons:** Additional interested persons must be named if they were not identified on the initial petition or if their addresses have changed. Creditors must be named if claims were filed during the accounting period as well.

Remember that you are representing to the court and to all persons receiving this account that the accounting is a true and accurate reflection of all the receipts and disbursements you made during that accounting period. If you want the account allowed by the court, you must set it for hearing at the Probate counter. Once the court sets the hearing date and time, you must send a *Notice of Hearing* with a copy of the account to all interested persons. You must subsequently file a *Proof of Service* with the court as well. As with most filings, if you wish to avoid a formal hearing on your account, simply file completed *Waivers and Consents* from all interested persons and you will be able to receive an order allowing your account.

Finally, if at any time you find that there are additions or deletions that need to be made to your accountings, supplemental or amended accountings are permitted as well. Please note there is a \$15.00 filing fee for each supplemental or amended accounting. If you have any questions with regard to these or other documents, please do not hesitate to contact me or Jill Koney Daly, Chief of Estates and Mental Health. Stay tuned!