

2011 in Review

*by Rebecca A. Schmelz
Probate Court Administrator*



Each year, courts in Michigan are required to report certain caseload statistics to the Michigan Supreme Court. These statistics include, among other details, information on the number of new filings, how many cases were reopened, and the total number of active cases on the court's caseload. A summary of statistics for all courts in the state is eventually published in the Michigan Supreme Court's Annual Report.

The caseload numbers for the 2011 calendar year reflect the fact that the Oakland County Probate Court continues to grow. As a court, almost 8,500 new filings and reopened estates were processed during 2011. This includes new filings over all case types assigned to probate as well as files that were reopened for additional proceedings after being closed. Assigned case types include decedent estates, trusts, adult and minor guardianships and conservatorships, developmentally disabled individuals, mental health commitments, civil matters, protective orders, and other miscellaneous matters. During 2011, the Probate Court also accepted 786 wills from individuals for safekeeping.

In addition to processing new filings as well as motions and petitions in ongoing matters, the probate court is responsible for tracking annual accountings by conservators and annual reports on the welfare of the ward for guardianships. Decedent estates are also monitored to ensure the proper completion of personal representative duties such as Notices of Continued Administration, inventories, and payment of inventory fees.

The court is also required to perform regular reviews on guardianship cases. The reviews require an individual to

visit the ward and make a report to the court on the status and well-being of the individual. For adult guardianships, a review must take place within one year of the appointment and every three years after that. In minor guardianships, there must be an annual review for all wards under the age of six.

One of the main daily functions of probate court staff is providing assistance to court users who come to the service counter for filing, copies and questions. During 2011, Probate staff served close to 50,000 customers at the probate service counter and vault. This includes activities such as opening new files; processing motions; reviewing inventories, accounts and annual reports; and processing petitions for hospitalization in mental health cases. As of November 1, 2011, customer service must also be provided to our e-filers through the electronic acceptance of documents.

The Oakland County Probate Court is dedicated to providing excellent service in a professional manner. As court rules and statutes are modified and our access to resources changes, we are continually re-evaluating how we do what we do in order to maintain that excellence.

NEW FILES OPENED	2010	2011
Small Estates	638	651
Supervised Estates	17	21
Unsupervised Estates	1,762	1,767
Trust – Intervivos	206	228
Adult Guardianships	939	969
Minor Guardianships	671	612
Adult Conservatorships	392	396
Minor Conservatorships	127	100
Mentally Ill	2,802	3,058
Guardianships (Developmentally Disabled)	353	352
Reopened Estates	217	205
Protective Orders	39	47
Civil and Other Matters	86	87
TOTALS	8,249	8,493

Active Cases as of December 31, 2011	
Estates & Trust Cases	4,463
Adult Guardianships	3,869
Adult Conservatorships	1,733
Minor Guardianships	2,459
Minor Conservatorships	1,138
Developmentally Disabled	1,729
Civil and Other Matters (Including Protective Orders)	63
TOTAL	15,454