

eFiling Updates and Hints

by Rebecca A. Schmelz
Probate Court Administrator



As you may be aware, the Oakland County Probate Court entered the world of eFiling on November 1, 2011, with a pilot project. For those of you who will be using the system, this column will provide answers to some basic eFiling questions, and tips to help you navigate the program requirements.

The Basics of the Probate eFiling Project

- The pilot only includes Judge Daniel A. O'Brien cases filed on or after November 1, 2011, with case type codes DE, DA, TV and CZ.
- The eFiling system is Tyler Odyssey File and Serve (formerly Wiznet). This is the same system used by the Circuit Court. If you have already registered as a firm to file in Circuit Court, you will be able to use the same firm and information for probate matters.
- Case initiation is accomplished only through standard paper filings. Once initial filing is done, all other documents must be eFiled.
- No fees are charged until a document is accepted for filing by the court.
- Training is offered at the courthouse. See www.oakgov.com/clerkrod/efiling/ for training dates and times at the court. No registration is necessary.

Additional user information and training videos are available online at www.wiznet.com/oaklandmi/login.jsp.

- Once approved for filing, documents submitted before 4:30 p.m. will be time stamped with the date of submission. Documents submitted after 4:30 p.m., if accepted for filing, are time stamped the next business day. This does not apply to orders being submitted for signature.

eFiling Requirements to Remember

- The Oakland County Probate Court does not utilize praecipis. When filing a petition or motion, you must submit a *Notice of Hearing* with the date left blank. The hearing date will be inserted by the court and appear on the time-stamped copy you receive after the petition/motion is accepted for filing. No *Notice of Hearing* is required for Motions for Rehearing and Motions for Reconsideration.
- Related documents may be submitted attached together for one fee. For example, a motion, accompanying brief and *Notice of Hearing* may be filed together as one document. Certain other documents

(continued on page 35)

Have you moved, received a promotion, facilitated a seminar, published an article or a book, received an award, or have any other news? We would like to know! OCBA members can submit announcements in writing with a current high-resolution photo to appear in LACHES at no cost. Send to Kristen Bennett at kbennett@ocba.org or to 1760 S. Telegraph Rd., Suite 100, Bloomfield Hills, MI 48302. Submissions are subject to editing and will be published in LACHES on a first-come, first-served basis.

(continued from page 31)

must be filed separately. The general rule is that if the document is something that could or should be filed on its own at any point, it should be eFiled separately. Examples of documents that must be eFiled individually include disallowance of claims, spousal election and homestead allowance documents, CICs and sworn statements.

- A personal representative must make publication arrangements and forward the *Notice to Creditors* to the selected newspaper. (Please note that, following publication, the original *Affidavit of Publication* for notices published in the *Legal News* will be sent to the PR, who must eFile a copy with the court. The originals will no longer be sent directly to the court by the *Legal News*.)
- Inventory fees must be paid in person or by mail. Inventories being presented must be presented in person or by regular mail. They cannot be presented through eFiling. Inventories being filed with the court must be submitted through eFiling.
- For eFiling cases, the court requires that a proposed order be submitted to the court no less than 24 hours prior to the hearing. Depending on the type of hearing, multiple proposed documents may need

to be submitted. For details, please see the "Order Requirements for eFiling Cases" information sheet on our website.

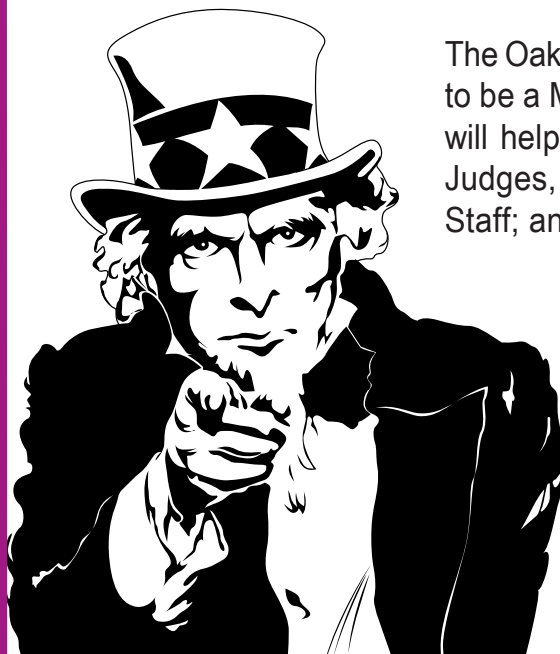
- When serving parties with initial pleadings on eFile cases, please include a copy of the *Notice of Mandatory eFiling* given to you at the time of filing.

Additional tips and order requirement information may be found on the court's website. From our home page at www.oakgov.com/probate, click on the "Online Services" button. You'll find links to the *eFiling Quick Tips* and *Order Requirements for eFiling Cases* information sheets under the eFiling section. From the Online Services page, you can also link to our Case Search function and the Judicial Schedule Online, as well as the Tyler eFiling login page.

We will continue to post updates to procedures and helpful hints, so please be sure to check back in the future. We are also in the process of updating the PDF forms on the website to complete their conversion to a format that allows saving.

If you have any questions or difficulties in using the eFiling system, please do not hesitate to contact the court. We look forward to working together to make the eFiling system a success for all users.

THE OCBA NEEDS YOU... TO MENTOR NEW LAWYERS



The Oakland County Bar Association needs you to volunteer to be a Mentor to a deserving new lawyer. In your role, you will help them to network; introduce him/her to Lawyers, Judges, Friend of the Court Personnel, Clerks and Court Staff; and invite him or her to OCBA events.

You can help to improve the practice of law!

Be a Mentor!

Please call (before she calls you...)

Jenna Huskinson (248) 334-3400
Mentor Program Coordinator