

Updates and Reminders

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Case Search

It is now possible to search the register of actions for Oakland County probate cases from our website, www.oakgov.com/probate. Click on the "Online Services" button and from there, click on "Case Search." The search function is a name-based search. It is not possible to order documents at this time.

E-filing

Just a quick reminder that e-filing has come to the Oakland County Probate Court. All DE, DA, TV and CZ cases opened on or after November 1, 2011, and assigned to Judge Daniel A. O'Brien are mandatory e-filing cases. All cases are still initiated through standard paper filings. However, after the case is opened, all additional documents must be e-filed. Please visit the "Online Services" section of our website for helpful hints. Training classes on the e-filing system are scheduled regularly. The schedule is posted at www.oakgov.com/clerkrod/efiling/. No registration is necessary.

Mental Health Attorney Appointments

We are now emailing all necessary documents to attorneys serving as attorney of the week for mental health commitment petitions. This has replaced faxing large amounts of documents, which can be difficult for the attorneys as well as the court. If you accept mental health appointments, Nicole Rude, the attorney appointment specialist, will obtain the appropriate email address for you at the time of appointment.

Form Changes

Don't forget that the new year also brings form changes on SCAO forms. A list of the revised/new forms, and a description of the changes, may be found at courts.michigan.gov/scao/courtforms/. Some highlights include new forms entitled *Receipt of Property from Conservator*, *Order Appointing Emergency Temporary Guardian for Individual with Alleged Developmental Disability*, and *Notice of Ancillary Administration Filing (Foreign Conservator)*. There have been multiple small changes to a large number of forms. Please check to be sure that you are using the most recent version to file with the court.

COLA

Pursuant to MCL 700.1210, exemptions, allowances, small estate, small estate affidavit and intestate share amounts are adjusted yearly for inflation, rounded to the nearest \$1,000. Be sure to use the correct amount, which is determined by the year the decedent died. Amounts to be used for decedents with a date of death in 2011 and 2012 are shown in the chart below.

Amount	Amount for 2011	Amount for 2012
Intestate (Surviving Spouse's share)	204,000	210,000
Intestate (Surviving Spouse's share - no children w/ decedent)	136,000	140,000
Homestead Allowance	20,000	21,000
Exempt Property Allowance	14,000	14,000
Family Allowance*	24,000	25,000
Small Estate	20,000	21,000
Small Estate Affidavit Procedure	20,000	21,000
*Amount that a personal representative can determine automatically without prior approval		

You may also wish to note that section MCL 700.7414 of the Michigan Trust Code (MTC) allows the trustee of a trust consisting of trust property having a total value less than a specific amount to terminate the trust (after giving notice to qualified trust beneficiaries and the attorney general if it is a charitable trust) if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration. This amount is also subject to the COLA adjustment under MCL 700.1210. The dollar amount for 2012 is \$70,000.