

Changes

by *Rebecca A. Schnelz*
Probate Court Administrator



Hopefully, by the time you read this our weather will have changed, so it seemed an appropriate time to talk about other changes coming our way.

Court Issues

The most immediate issue facing the Probate Court at this time is the necessity of further trimming our budget. Planning is currently taking place for the 2010, 2011 and 2012 budget years. Obviously, it is not an easy task. We will see changes. However, the focus remains on providing the most timely and professional service we can to the users of the court. A great deal of energy and effort is being focused on finding the means to maintain the highest levels of service possible.

The Probate Court will be offering the use of Judge On-Line, a program that utilizes telephone conferencing technology to allow attorneys and litigants to appear for certain types of court hearings by telephone. There is a \$30.00 charge per phone number participating in the hearing. The use of Judge On-Line for a particular hearing must be approved by the judge. Look for further information, procedures and forms coming to the Probate Court Web site at www.oakgov.com/probate.

Court Rules and Legislation

If you haven't checked out the most recent court rule changes, be sure to do that prior to May 1, 2009, when many of those changes take effect. There were also a multitude of form changes this year, so it is always a good idea to check our Web site or the SCAO Web site for the most up-to-date forms. In some instances we are required to use the new form, so a quick check can prevent a return trip to correct a form error. SCAO forms may be accessed through the Probate Court Web site at www.oakgov.com/probate.

You may also wish to view the recently introduced legislation relative to the Michigan Trust Code to get up-to-speed on some additional changes coming our way. Look for SB 387, which amends EPIC and enacts the Trust Code. Additional bills that make conforming changes to other statutes to be consistent with the Trust Code include SB 383, 384, 385 and 386. These bills may be found at www.legislature.mi.gov. In addition, detailed information regarding the Trust Code may be found on the State Bar of Michigan Probate and Estate Planning Section Web site where you can link to past issues of the *Michigan Probate*

and *Estate Planning Journal*. Go to www.michbar.org/probate for further information.

Important Messages

A quick thank you needs to go to everyone who participated in this year's Bench/Bar Conference on March 27. As always, it was an excellent opportunity to share ideas and to share perspectives on everyday practice issues. Thank you to Probate captains Judge Eugene Arthur Moore, Ronda Martinez and Mike Hughes for the time and effort they put into organizing the Probate portion of the event. Thank you also to Liz Luckenbach Brown for her excellent presentation on current ethical issues in Probate practice and to Jill Koney Daly for putting together the comprehensive summary information on court rule and form changes. A special thanks should also be given to co-chairs Judge James Alexander and Peter Alter, and the OCBA staff for organizing the event.

I also wanted to take a moment to recognize Judge Gus Cifelli, who passed away on March 26. I never had the pleasure of appearing before Judge Cifelli, but I did have the opportunity to work with him when he took on some visiting judge duties for the Probate Court. He was wonderful to work with and was always a gentleman, even when things did not go smoothly. I am glad that I had the opportunity to meet and work with him, even though the opportunity was so brief. He will be missed.

In Memoriam

THOMAS J. TRENTA
Nov. 14, 1946 ~ Mar. 22, 2009

MARVIN A. FREEDMAN
Jul. 16, 1936 ~ Mar. 25, 2009

HONORABLE GUS CIFELLI
Feb. 3, 1925 ~ Mar. 26, 2009

HONORABLE DAVID F. BRECK
Oct. 31, 1930 ~ Apr. 10, 2009