



# Probate Court Fees, Continued

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In my last article, I outlined several issues relating to miscellaneous fees charged in Probate Court matters including various case processing fees, service fees and copying charges. I also outlined several instances where no fees are charged. Below please find a listing of some case processing fees that are applicable to multiple types of cases.

| Type of Filing or Request Where There is a Case Pending  | Fee     |
|--|---------|
| Demand for Jury Trial [MCL 600.857(3)]   | \$30.00 |
| Motion [MCL 600.880b(1)]<br>Motions applicable to <u>multiple</u> types of cases include: <ul style="list-style-type: none"> <li>• Motion to Change Venue</li> <li>• Motion to Show Cause</li> <li>• Motion to Recuse</li> <li>• Motion for Rehearing</li> </ul> | \$20.00 |
| Objection [MCL 600.880b(1)]<br>This may include an objection to an inventory, to an account, to wills and to an appointment of a fiduciary.  | \$20.00 |
| Amended Petition [MCL 600.880b(1)]   | \$20.00 |
| Petition for Instruction [MCL 600.880b(1)]   | \$20.00 |
| Petition to Withdraw a Petition [MCL 600.880b(1)]  | \$20.00 |
| Petition to Withdraw an Attorney [MCL 600.880b(1)]   | \$20.00 |
| Appeal from Probate Court to Circuit Court or to Court of Appeals [MCL 600.880b(1)]  | \$25.00 |
| Petition and Order (MCL 600.880b(1))   | \$20.00 |
| Petition for Settlement of Personal Injury Claim [MCL 600.880b(1)]   | \$20.00 |

While there are many fees applicable to decedents' estates the most common ones include:

| Type of Filing or Request   | Fee                  |
|---|----------------------|
| Petition for Assignment of Estate under \$15,000 [MCL 600.880(2)]<br><i>Note:</i> This fee does not include the inventory fee for the estate  | \$25.00              |
| Petition to Determine Heirs<br>- No Estate Pending [MCL 600.880(1)]<br>- Estate Pending [MCL 600.880b(1)]<br><i>Note:</i> This fee does not apply to the Request for Determination of Heirs required in every petition for testate. This fee includes Annual Accounts, Amended Accounts, Final Accounts, Interim Accounts, Supplemental Accounts.<br><i>Important</i> – this filing fee is to be applied to <u>each</u> account filed, regardless of the number of separate accounts.   | \$150.00<br>\$20.00  |
| Value of Estate as Reflected in Inventory [MCL 600.871(1); 600 877]. A recent Court of Appeals case supports that no liens will be deducted from the inventory value for purposes of computing an inventory fee.  |                      |
| -Estate Valued less than \$1000   | \$5.00-\$10.00       |
| -Valued from \$1000 to \$2999.00  | \$25.00              |
| -Valued from \$3000 to \$9999.99  | \$25.00 - \$68.75    |
| -Valued from \$10,000 to \$24,999.99  | \$68.75 - \$143.75   |
| -Valued from \$25,000 to \$49,999.99  | \$143.75 - \$237.50  |
| -Valued from \$50,000 to \$99,999.99  | \$237.50 - \$362.50  |
| -Valued from \$100,000 to \$500,000   | \$362.50 - \$862.50  |
| -Valued from \$500,000.01 to \$1,000,000  | \$862.50 - \$1175.00 |
| -Valued above \$1,000,000   | \$1175.00 and up     |
| Any other paper, no matter how titled, which requests relief or requires a hearing or ruling of the court when a proceeding is pending. These may include: <ul style="list-style-type: none"> <li>• Petition for partial distribution of assets.</li> <li>• Petition for approval of sale of real estate.</li> <li>• Petition for authority to settle wrongful death claims.</li> <li>• Petition for supervised administration</li> <li>• Application for removal of personal representative and appointment of successor.</li> <li>• Petition for reinstatement.</li> <li>• Petition for surcharge of fiduciary</li> </ul> | \$20.00              |

Next month I will outline fees that are applicable in trust cases, conservatorships and guardianship cases. Stay tuned!