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| <b>STATE OF MICHIGAN<br/>OAKLAND COUNTY<br/>PROBATE COURT</b> | <b>Authority for Probate<br/>Register to Perform<br/>Judicial Acts</b> | <b>ADMINISTRATIVE<br/>ORDER<br/>PROBATE 2025-01</b> |
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**AUTHORITY FOR PROBATE REGISTER TO PERFORM JUDICIAL ACTS**

**IT IS ORDERED:**

This order hereby rescinds this court's previous Administrative orders 1989-01, 1989-03, 1992-01, and Order Amending 1992-01 dated December 1, 1995.

This order is issued under the authority granted this court in MCL 600.834 and MCR 8.301.

1. The authority granted in this order extends to the Probate Register and Deputy Probate Registers, i.e. Court Administrator, Supervisor of Probate Operations, Probate Supervisor, Unit Specialist, Case Management Coordinator, Deputy Probate Register, Judicial Court Clerk, Judicial Secretary, and Judicial Staff Attorney in uncontested cases involving:
  - a. a decedent's estate, including small estate assignment and determination of heirs as a separate proceeding,
  - b. a trust,
  - c. a guardianship or conservatorship for a minor or adult,
  - d. a protective order,
  - e. Orders regarding mental health code
  - f. a delayed registration of foreign birth,
  - g. an appeal of denial of delayed certificate of in-state birth,
  - h. a death by accident or disaster,
  - i. an opening of a safe deposit box,
  - j. a review of an adoption subsidy,

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- k. a review of a drain commission matter,
- l. a review of mental health financial liability,
- m. a secret marriage,
- n. a matter involving the Uniform Transfers to Minors Act.
- o. the approval of an uncontested settlement and distribution in a decedent estate of a minor's estate,
- p. an order for Examination for an adult or minor.

For purposes of this order, an uncontested case is a matter where there is no objection or contest from any party as to the relief requested in the petition, application, or complaint.

2. Until further order, the Probate Register and Court Administrator in the capacity of Deputy Probate Register, have the authority to perform the following judicial acts in the matters listed in Section 1:

- a. conduct a hearing,
- b. conduct a pre-hearing conference,
- c. sign or by device indicate the name of a judge to all orders and letters of authority of the court, with the same force and effect as though the judge had signed them. In all such cases, the authorized individual must place his or her initials under the name of the judge.

\*Authority in this section is contingent upon being licensed to practice law in the state of Michigan with at least five (5) years of experience.

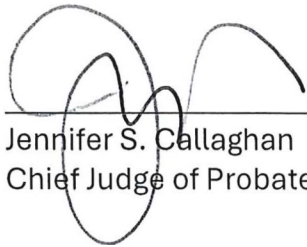
3. The authority granted in this order does not extend to any matters involving:
  - a. a person's commitment to, or incarceration in, an institution or facility,
  - b. appointment of guardian for a legally incapacitated individual,
  - c. appointment of a conservator for a reason other than minority,
  - d. a developmentally disabled individual.

4. Until further order, the Probate Register and Deputy Probate Registers, i.e. Court Administrator, Supervisor of Probate Operations, Probate Supervisor, Unit Specialist, Case Management Coordinator, Deputy Probate Register, Judicial Court Clerk, Judicial Secretary, and Judicial Staff Attorney, have the authority to perform the following acts in matters listed in Section 1:
  - a. determine whether the petitioner or the petitioner's attorney has complied with the requirements of law and supreme court rules,
  - b. set the time and place of hearings,
  - c. take acknowledgments,
  - d. administer oaths,
  - e. sign notices to fiduciaries, attorneys, and sureties,
  - f. conduct conferences with fiduciaries required to ensure prompt administration of estates,
  - g. conduct a pre-hearing conference,
  - h. in an uncontested matter, take testimony as provided by law or court rule in all of the following matters:
    - i. appointment of a fiduciary of the estate of a deceased or minor,
    - ii. admission to probate of a will, codicil, or other testamentary instrument,
    - iii. determination of heirs,
    - iv. assignment of the residue of an estate or any part of the residue of an estate,
  - i. take testimony as provided by law or court rule when conducting conferences with fiduciaries required to ensure prompt administration of estates.
  - j. sign or by device indicate the name of a judge to all orders and letters of authority of the court, as authorized by the judge they are signing on behalf of, with the same force and effect as though the judge had signed them. In all such cases, the authorized individual must place his or her initials under

the name of the judge.

5. Upon the oral or written request of an interested person made before commencement or during the hearing of the proceeding, the proceeding shall be taken immediately before the judge for trial or hearing of the issues.

Effective Date: April 16, 2025



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Jennifer S. Callaghan  
Chief Judge of Probate

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April 10, 2025