Probate Updates

by Rebecca A. Schnelz
Probate Court Administrator

At the Probate Court, the judges and staff are always working together to improve our processes and provide the best service that we can to the public. Over the last few years, these efforts have been challenged by a steadily growing caseload and budget cuts. Despite the challenges, the court has been able to implement innovations to create efficiencies and ensure court users appropriate and timely access to the courts. To help keep everyone up-to-date and things moving smoothly, I thought it would be an appropriate time to review some items that will assist you in moving smoothly through the Probate Court.

Judge's Copies/Copies of Orders

Please note the following for non-e-filing cases:

- A judge's copy of all motions, briefs, and non-initiating petitions must be delivered to chambers no later than 4:30 p.m. one week prior to the hearing.
- Judge's copies of all responses and briefs must be delivered to chambers no later than noon on Friday before the hearing.
- If the motion or petition is adjourned, a new judge's copy must be provided.
- A copy of the Notice of Hearing must be included with the judge's copy.
- A proposed order must be prepared and presented to the court clerk when checking in for the hearing.

The judges' clerks will now be true copying copies of orders that are presented at the time an order is signed. Please bring up to four copies of any proposed orders to present to the clerk if you wish to have true copies made.

Case Search

It is now possible to search the register of actions for probate cases online through the Case Search function. This option is available from the Probate Court's online services page. (Go to www.oakgov.com/probate and click on the large "Oakland County Probate Court Online Services" button at the far right of the page, then click the blue "Case Search" button.) This is a name-based search. It is not possible to order copies of documents at this time. Please note that the probate register of actions is not accessible from the Court Explorer function through the county clerk's website.

Judge On-Line

With prior approval from the judge, it is possible for parties unable to attend a hearing in person to attend by phone. A $30 non-refundable convenience fee is charged per participating phone number. The initial request must be made at least seven days prior to the event. Each chamber will process the request pursuant to their judge's protocol and the judicial clerks will instruct the requesting party of additional necessary steps. Request forms, payment information and further requirements are available at www.oakgov.com/courts/jol. Again, please note that this service is available only with prior approval of the judge and may not be acceptable in certain circumstances.

Judicial Schedule On-Line

It is possible to search an individual judge's calendar for a particular date through the Judicial Schedule On-Line feature. Go to courts.oakgov.com/OakJSOS/ and search the selected dates. Please note that it can take a few processing days before the hearing date appears on the schedule.

E-filing

On November 1, 2011, the Probate Court began mandatory e-filing for certain cases. These cases include all new DE, DA, TV and CZ cases filed on or after the start date that are assigned to Judge Daniel A. O'Brien. Case initiation for all probate cases is still done through traditional methods. You will be advised if the case is an e-file case at the time the case is initiated. (Please note that this is different than for Circuit Court civil cases where case initiation by e-file is now mandatory.)

Classes are offered on a regular basis to assist in getting started with e-filing documents. In addition, e-filing training materials are available on the login page at www.wiznet.com/oaklandmi/login. For specific tips and information on e-filing in probate cases, please see the Probate Court's online services page. (Go to www.oakgov.com/probate and click on the large "Online Services" button at the far right.)