

NOTICE TO THOSE REPRESENTING THEMSELVES IN PROBATE COURT

Montcalm County Probate Court
Hon. Charles W. Simon, III
Montcalm County Court Complex
625 North State Street
Stanton, Michigan 48888
(989) 831-7316

Office Hours: Monday-Friday
8:00 a.m. – 5:00 p.m.

The law and court procedures are complicated. The personnel of the trial courts are prohibited from providing you with legal advice for conducting a matter in court without a lawyer.

The people that work here are not able to give you advice on completing forms, serving interested parties, publishing notices, and other things you must do to proceeding with a matter in court. If you are acting without an attorney, when you appear in court you will be expected to present your case as an attorney would present the case, you must follow all procedures as set forth in the Michigan Court Rules and the Michigan Rules of Evidence.

If you need help, you should seek the assistance of a lawyer. There are circumstances when the court cannot hear the same matter two times, so if you do not achieve the result you desire simply hiring a lawyer to help you the next time may not be a viable alternative. There are many lawyers in the area that can assist you; people at the court cannot recommend which lawyer to use. If you feel you cannot afford a lawyer you may contact Legal Aid of Western Michigan to determine if they can help you.

If you know the forms required we can provide you with copies of blank forms. This form book is provided for your use and the forms are also available online at www.courts.michigan.gov. If special pleadings are needed there is no standard form. Selection of the correct form for a particular set of facts is not a guarantee that the court will act in a particular way. What the court does is dependent upon the evidence presented in court. The court cannot refund any filing fees once they have been paid.

As a petitioner, guardian, conservator or personal representative it is your responsibility to see that hearings are timely set, proper notices are mailed, and proposed orders are submitted to the court. On all documents that the court rules require to be served, you must file a proof of service with the court before each hearing.

In some cases, this Court is required by law to appoint an attorney to serve as Guardian ad Litem to represent the interests of parties such as the person for whom guardianship or conservatorship is sought. The fees charged by this attorney will be billed to the petitioner and it is the responsibility of the petitioner to pay these fees.

OLDER RESIDENTS CAN GET HELP
OVER TOLL-FREE HOTLINE: The Legal Hotline for older Michiganders, a legal service for state residents 60 years of age and older, has been put into service. The hotline is sponsored by the Michigan office of Services to the Aging, the Legal Counsel for the elderly and the State Bar of Michigan. **By calling 1-800-347-LAWS (5297) 9:00 a.m. to 5:00 p.m., Monday through Friday**, older residents can talk with an attorney and get free help with many kinds of legal problems, including concerns about Medicaid and Medicare, consumer law issues and much more.

PROBATE COURT FEE SCHEDULE

Effective July 1, 2004

Copies.....\$1.00/page

Certified copies.....\$10.00 for the certification
and \$1.00/ea for each page of same document

Guardianships.....\$150.00

Conservatorships and Protective Orders.....\$150.00

Decedent's Estate.....\$162.00 plus inventory fee
(receive one certified copy of Letters with fee)

Trust Supervision.....\$150.00

Petition for Assignment of Estate\$25.00 plus
inventory fee and \$12.00 certified fee

Wills filed for safekeeping.....\$25.00

Registration of Trust.....\$25.00

Subsequent Petitions, Motions, Objections... \$20.00

Accounts.....\$20.00

Claims.....\$20.00

Civil Actions.....\$150.00

Jury Demand.....\$30.00

*Filing Fees are not charged in Developmentally Disabled
Guardianships*

**Fees may be paid by cash, check or money
order payable to:**

Montcalm County Probate Court

\$40.00 fee for returned checks