Service and Interested Parties

You will need to send a copy of the account, petition, and Notice of Hearing to each interested party. You will need to file a Proof of Service indicating to whom and when you served these papers.

The interested parties who need to be served with an account are:

- The protected individual or ward. Always for an adult, and for minors if they are 14 years old or older.
- Any presumptive heirs of the Estate

What Happens Next?

Your Account will then be looked over by a court investigator. If the accounting is correct, he or she will call you, and you will not have to come to court.

If there is an issue found with the accounting, the original hearing will be adjourned to a real hearing in front of a judge.

If one of the interested parties takes issue with the accounting, a new hearing date will be set where both sides will provide proofs in order to address any allegations made.

REFERENCES AND USEFUL RESOURCES:

How to Complete an Account of Fiduciary- Leelanau County
http://www.leelanau.cc/downloads/PKT_CV_account_of_fiduciary_sample_and_instructions.pdf

Manual Supplementing Guardianship and Conservatorship Video- Michigan Courts
http://courts.mi.gov/Administration/SCAO/Resources/Documents/Publications/Manuals/Guardianship.pdf

Michigan Legal Help
http://michiganlegalhelp.org/

Ingham County Probate Court
Veterans Memorial Courthouse
313 W. Kalamazoo Street
Lansing, MI 48933
(517) 483-6300
http://pr.ingham.org

INGHAM COUNTY PROBATE COURT

ACCOUNTS AND THEIR ALLOWANCE

What is an Account?

An account is a document listing all income and expenditures of an estate over a particular period (typically a year).

What is the purpose of an Account?

An account is a check to make sure that the conservator or guardian of the estate is following his or her duty to the estate, by showing how money and assets were collected and dispersed.

The Two different Forms

There are two SCAO-approved forms which can be used to file an account: PC583 or PC584.

PC583 is the Account of Fiduciary, Short Form. This one is simpler, and doesn't have a designated space for the appreciation/ depreciation of an asset.

PC584 is the Account of Fiduciary, Long Form. It is essentially the same, but there is a section for when an individually valued asset is sold or disposed of in some way during the accounting period. If the asset is sold for less than originally valued then there is depreciation. If for more, there is appreciation.

How to Complete an Annual Account

1. The most important thing to keep track of is all of the expenses of an estate throughout the course of a year. Keep a running tally of what money goes out (and what comes in).
2. Make sure that any numbers that need to be carried over from year to year remain the same.
3. Make sure that there is supporting documentation for the end total of liquid assets, like cash in the bank. Such a document would be a bank statement from the month covering the end of the accounting period.
4. If you have an attorney, he or she needs to sign the account along with you.

Who needs to file an Account?

An Account needs to be filed by any of the following: Conservator (either for a minor or for an adult), Guardian of the Estate of a Developmentally Disabled Individual, and Personal Representative or a trustee in a Supervised Estate or Trust, respectively.

Note: A personal representative or trustee in an unsupervised estate can file accounts if he or she so chooses.

When do I need to file an Account?

An Account needs to be filed every year that you are the conservator or guardian of the estate. It needs to be filed within 56 days of the anniversary of receiving your Letters of Authority.

What do I need when filing an Account?

For a conservatorship, there is a $20 filing fee for every account that is filed. There is generally no fee for an account for the Estate of a Developmentally Disabled Individual.

All accounts must have supporting documents, like bank statements, in order to verify the ending total of assets. You also need to file a Petition to Allow Accounts at the same time as the original filing.

Typically petitions to allow accounts are set for what is called a "paper hearings". There is no actual hearing to go to, but it is used to provide interested parties notice in case one wishes to object to the account.