

**SMALL ESTATE AFFIDAVIT
PC598**

**It is possible that this form may be used if assets total value is less than \$15,000 (plus cost of living adjustment) For year of death 2014/2015 the total allowed amount is \$22,000. Please call probate court to determine the amount for 2013 and prior years.

**CANNOT USE IF REAL PROPERTY IS PART OF THE ESTATE

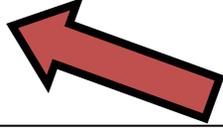
You must determine whether this exception to Probate statute applies to your situation. This form is provided to you by the court but the court cannot direct you as to legal advice regarding the form. This form is NOT filed with the court, you sign this sworn statement in front of a notary and provide it to the person/business that is holding the property or asset you are trying to transfer or liquidate.

MCL 700.3983 of the Estates and Protected Individuals Code provides that 28 days after a decedent's death, a person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action belonging to the decedent shall pay the indebtedness or deliver the tangible personal property or the instrument to a person claiming to be the decedent's successor upon being presented with the decedent's death certificate and a sworn statement made by or on behalf of the successor. The court will provide a form which meets the requirements of this statute. The form is titled Affidavit of Decedent's Successor for Delivery of Certain Assets Owned by Decedent (PC 598). **The sworn statement (affidavit) must state all of the following as true before the procedure can be used:**

1. The estate does not include real property and the value of the entire estate wherever located, net of liens and encumbrances, does not exceed \$15,000. (This amount will be adjusted annually for inflation beginning January 1, 2001.
2. Twenty-eight days have elapsed since the decedent's death.
3. An application or petition for the appointment of a personal representative is not pending or has not been granted in any jurisdiction.
4. The claiming successor is entitled to payment or delivery of the property.

5. The name and address of each other person that is entitled to a share of the property and the portion to which each is entitled.

<http://courts.mi.gov/Administration/SCAO/Forms/courtforms/estatetrusts/pc598.pdf>



CLICK ON THIS LINK FOR THE FORM