



Mental Health Petitions & Orders

All Petitions and Court Orders relating to mental health proceedings are handled through the **Behavioral Health Unit** of the Wayne County Probate Court.

- The BHU handles Petitions for Transport (for evaluation) and Petitions for Treatment, including hospitalization and Assisted Outpatient Treatment programs
- The BHU partners with the Detroit Wayne Integrated Health Network (DWIHN), outpatient mental health providers, area hospitals, law enforcement, other courts, and community advocacy groups as part of the continuum of care for our county's citizens

Guardianships for Developmentally Disabled Individuals

- Guardianships of the individual and estate are initiated and administered through the BHU and Probate Court.
- It is strongly recommended you contact the Detroit Wayne Integrated Health Network (DWIHN) at 800 241-4949 for assistance with preparing and filing this petition, including obtaining the required evaluations.

BHU contact: (email) mentalhealth@wcpc.us

About Us

The **Wayne County Probate Court** is a fully remote/electronic court. Hearings are conducted via Zoom. The Court is physically accessible to the public via drop-box; no in-person filings are accepted. Filings are accepted via email, fax, mail, and drop-box. The Court accepts filings Monday through Friday, 8:00 AM to 4:00 PM, excluding holidays and days the Court is closed ("the filing hours"). The Court's holiday and closing schedule is found online through the Court's website. To check the status of cases, see the Court's website under Case Access. Court fees can be paid online through Case Access or delivered to the court via mail or drop-box.

Contact Us

Phone: 313-224-5706

Email: info@wcpc.us

Web: www.wcpc.us



WAYNE COUNTY PROBATE COURT
1305 Coleman A. Young Municipal Center
2 Woodward Ave.
Detroit, MI 48226

Who We Are

Vision:

An **innovative court** where there is complete confidence that **all** probate matters will be resolved with **fairness & integrity**.

We Care!

**COURTESY
ACCESSIBILITY
RESPONSIVENESS
EFFICIENCY**

Mission:

We are dedicated to handling **all** probate matters with **C.A.R.E.**

Wayne County Probate Court

WAYNE COUNTY PROBATE COURT

Website: www.wcpc.us

Decedent Estates

Formal vs. Informal Administration

Estates for a deceased individual can be opened either informally (via application) or formally (via petition). Estates can later be closed either formally (via petition for complete estate settlement) or informally so long as the estate is not supervised (via sworn statement). There are different benefits and burdens based upon the method used.

If the decedent had a will, the original will must be submitted to the probate court. If the original will cannot be found and only a copy exists, the estate must be opened via formal petition.

Through either informal or formal administration, a Personal Representative is appointed by the court to conduct the administration of the estate.

Small Estates

Some estates may qualify for the small estate administration, known as the Petition for Assignment. No Personal Representative is appointed (no letters of authority issued), but rather the decedent's assets get assigned to reimburse funeral expenses, with the balance assigned to the decedent's heirs.

The assets solely left in the decedent's name are the only assets that require probate administration. See the following chart for the recent asset limits for small estates:

<u>Year of death</u>	<u>Total Assets</u>
2023	\$27,000
2022	\$25,000

Guardianships

A guardianship is a court order that allows one person to make decisions for another such as for housing and medical care. Guardianships can be established either for adults or minors. Minor guardianships can be limited guardianships or full guardianships. A limited guardianship is created when the minor's custodial parents voluntarily suspend their parental rights for a limited period of time. A full guardianship creates the same rights and responsibilities as a parent.

Conservatorships

A conservatorship is a method of granting authority and supervising or reviewing the management of a minor's or protected adult's assets and income.

An initial inventory (starting balance of assets) is reported to the court and parties, and then periodic (usually once per year) reports ("Accounts") are submitted to the court and the interested parties.

Who is a Guardian Ad Litem?

A Guardian Ad Litem (GAL) represents the best interests of the person subject to a petition. A probate judge appoints a GAL to act as the eyes and ears of the court. A GAL will investigate the claims made in the petition, inform the individual who is the subject of the petition about the case, explain their rights and the petition, and make a recommendation to the court on how to resolve the case. The GAL is not an attorney for the case and does not represent any party to the case.

Trust Administration and Supervision

Not all Trust matters require court involvement, however the probate court is the exclusive court to hear matters relating to Trust Administration and supervision.

The supervision of a Trust can be limited and short in duration, or can be ongoing, depending upon the situation.

The probate court can provide assistance when there is an issue with a Trust's administration.

Court Tips:

Court staff cannot provide legal advice.

Use the correct forms -- all current court forms are accessible via the Court's website.

Submit filing only during the Filing Hours (Mon-Fri, 8:00 AM to 4:00 PM, excluding holidays and days the Court is closed).

Keep copies of the documents you submit for filing.

Email filing is best and payment can be made online! It is the most efficient and fastest method.

Original wills can be delivered to the Court via the drop-box.

Check the Court's website frequently as important updates are regularly posted.

Review who the interested parties to your matter are and make sure you provide them with proper service of all necessary documents.