

STATE OF MICHIGAN

IN THE PROBATE COURT FOR THE COUNTY OF MACOMB

Administrative Order 2015- 03

Rescinds Administrative Order 2010-01

**AUTHORITY FOR PROBATE REGISTER TO PERFORM JUDICIAL ACTS**

IT IS ORDERED:

This order is issued under the authority granted this Court in MCL 600.834 and MCR 8.301.

1. The authority granted in this order extends to uncontested cases involving:
  - a. a decedent's estate, including small estate assignment and determination of heirs as a separate proceeding;
  - b. a trust;
  - c. a guardianship or conservatorship for a minor;
  - d. a protective order;
  - e. a delayed registration of foreign birth;
  - f. an appeal of denial of delayed certificate of in-state birth;
  - g. a death by accident or disaster;
  - h. an opening of a safe deposit box;
  - i. a review of an adoption subsidy;
  - j. a review of a drain commission matter;
  - k. a review of mental health facility liability;
  - l. a secret marriage; and
  - m. a matter involving the Uniform Transfers to Minors Act.

For purposes of this order, an uncontested case is a matter where there is no objection or contest from any party as to the relief requested in the petition, application or complaint.

2. The authority granted in this order does not extend to any matters involving:

- a. a person's commitment to, or incarceration in, an institution or facility;
- b. an appointment of a guardian for a legally incapacitated individual;
- c. an appointment of a conservator for a reason other than minority; and
- d. a developmentally disabled individual.

3. Until further order, the Probate Court employees listed in paragraph five have the authority to perform the following judicial acts in the case types listed in paragraph one:

- a. conduct a hearing;
- b. conduct a pre-hearing conference; and
- c. sign or by device indicate the name of a judge to all orders and letters of authority of the court, with the same force and effect as though the judge had signed them. In all such cases, the authorized individual must place his or her initials under the name of the judge.

4. Until further order of the court, the Probate Court employees listed in paragraph five, have the authority to:

- a. determine whether the petitioner or the petitioner's attorney has complied with the requirements of law and supreme court rules;
- b. set the time and place of hearings;
- c. take acknowledgements;
- d. administer oaths;
- e. sign notices, citations, and subpoenas to fiduciaries, attorneys and sureties;
- f. conduct conferences with fiduciaries required to ensure prompt administration of estates;
- g. in an uncontested decedent estate case, take testimony as provided by law or court rule in all of the following matters:
  - i. appointment of a fiduciary of the estate of a deceased or minor;

- ii. admission to probate of a will, codicil, or other testamentary instrument;
- iii. determination of heirs;
- iv. sale, mortgage or lease of property;
- v. assignment of the residue of an estate or any part of the residue of an estate;
- vi. setting and approval of bonds; and
- vii. removal of fiduciaries.

h. Take testimony as provided by law or court in both of the following matters:


- i. issuing of a license to marry if the issuance of the license is authorized under section 1 of 1987 PA 180, MCL 551.201; and
- ii. conduct conferences with fiduciaries required to act and their titles are listed below.

5. The Probate Court employees authorized to act and their titles are listed below:

John D. Brennan	Deputy Court Administrator/Probate Register
Robert Szalka	Legal Services Director/Probate
Debra Lux-Roland	Attorney/Deputy Probate Register
Julie M. Strawn	Attorney/Deputy Probate Register
Charles Semarjian	Attorney/Deputy Probate Register
Kimberly Tatum	Judicial Secretary
Gail Stevens	Judicial Secretary
Sandra Wolny	Judicial Secretary
Barbara P. Camacci	Chief Deputy Register
Rosalyn Harnsberry	Assistant Chief Deputy Register
Karen F. Folske	1 <sup>st</sup> Deputy Register
Mona L. Jacob	2nd Deputy Register
Heather Lawson	Research Attorney
Bonnie Sue Duncan	Deputy Register
Dorota Corolovski	Deputy Register
Kathy Gudenau	Data Maintenance Clerk
Mallory Messing	Deputy Register
Denise Anastos	Deputy Register
Marybeth Kehrig	Deputy Register
Doreen Willerer	Deputy Register
Mirela Halilovec	Deputy Register

6. Upon the oral or written request of an interested person made before commencement or during the hearing of the proceeding, the proceeding shall be taken immediately before the judge for trial or hearing of the issues.

Date: September 15, 2015



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James M. Biernat, Jr. – Chief Judge  
16<sup>th</sup> Judicial Circuit, Macomb Probate and  
42<sup>nd</sup> District Courts