

ESTATES AND PROTECTED INDIVIDUALS CODE (EXCERPT)
Act 386 of 1998

700.3308 Informal appointment proceedings; proof and required findings.

Sec. 3308.

- (1) In informal appointment proceedings, the register shall determine whether all of the following are true:
- (a) The application for the personal representative's informal appointment is complete.
 - (b) The applicant has made oath or affirmation that the statements contained in the application are true to the best of the applicant's knowledge and belief.
 - (c) The applicant appears from the application to be an interested person.
 - (d) On the basis of the statements in the application, venue is proper.
 - (e) A will to which the requested appointment relates has been formally or informally probated. This subdivision does not apply to the appointment of a special personal representative.
 - (f) From the statements in the application, the person whose appointment is sought has priority to the appointment or the requirements of section 3310 have been satisfied.
- (2) Unless section 3612 controls, the register shall deny the application if it indicates any of the following:
- (a) That a personal representative who has not filed a written statement of resignation as provided in section 3610 has been appointed in this or another county of this state.
 - (b) That, unless the applicant is the domiciliary personal representative or his or her nominee, the decedent was not domiciled in this state and that a personal representative whose appointment has not been terminated has been appointed by a court in the state of domicile.
 - (c) That the other requirements of this section are not met.

History: 1998, Act 386, Eff. Apr. 1, 2000

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