

# **The Process at the Wayne County Probate Court:**

## **Who and What Attorneys Need to Know to Practice Effectively**

### **Services**

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Wayne County Probate Court emphasizes accessibility for the public through multiple convenient methods for filing documents and obtaining service. Individuals can submit their documents via email, fax, mail, or in person, catering to diverse preferences. The court's integration of technology facilitates a paperless electronic workflow, ensuring efficient and prompt service onsite or remotely, without the requirement for the customer to come to the courthouse in person. This multifaceted approach makes it easier for the community to engage with the court and access the services they need.

### **Court Updates and Announcements**

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Regularly visit the court's website [www.wcpc.us](http://www.wcpc.us) for frequently updated information regarding court procedures, news, and other important information.

### **Location**

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The main offices of the Wayne County Probate Court are located on the 13<sup>th</sup> floor of the Coleman A. Young Municipal Center. Courtrooms are on the 12<sup>th</sup> and 13<sup>th</sup> floors. The Behavioral Health Unit is located on the 9<sup>th</sup> floor in Room 902. The court's main address is:

Wayne County Probate Court  
1305 CAYMC  
Two Woodward Ave.  
Detroit, Michigan 48226

### **Court Hours**

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The filing hours are 8:00 a.m. to 4:00 p.m., Monday through Friday, except holidays and court closures. Filings submitted outside of these filing hours will not be processed by court staff until the next business day.

The court staff are unavailable during lunch, from 12:30 to 1:30 p.m.

### **Holidays**

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The current year's Holiday /Court Closure Schedule is available on the Court's website [www.wcpc.us](http://www.wcpc.us) (under Hours).

### **Key Contacts in the Probate Court\***

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\*Email is the best way to reach staff members due to remote work schedules.

Title	Name	Email	Room	Phone	Fax
General Information		<a href="mailto:info@wcpc.us">info@wcpc.us</a>	1305	224-5706	
Probate Register/Director of Information Services	April K. Maycock	<a href="mailto:register@wcpc.us">register@wcpc.us</a>	1305	224-2722	967-4035
Chief Deputy Probate Register	Jennifer Parmalee	<a href="mailto:chiefdepreg@wcpc.us">chiefdepreg@wcpc.us</a>	1305	224-0359	967-4042
Court Attorney	Kevin Sanker	<a href="mailto:chiefdepreg@wcpc.us">chiefdepreg@wcpc.us</a>	1305	224-5602	967-4042
Assistant Court Attorney	Sarah McGaughey	<a href="mailto:chiefdepreg@wcpc.us">chiefdepreg@wcpc.us</a>	1305	224-5578	967-4042
BHU Liaison	Sojourner Jones	<a href="mailto:BHUMgr@wcpc.us">BHUMgr@wcpc.us</a>	902	224-5702	967-4013
Probate Counter Supervisor	Asia Curry	<a href="mailto:probatecountermgr@wcpc.us">probatecountermgr@wcpc.us</a>	1307	224-6431	967-4030
Budget and Management	Jonathan Edwards	<a href="mailto:Budget@wcpc.us">Budget@wcpc.us</a>	1307	224-8227	967-4055
Records Supervisor	Jamar Williams	<a href="mailto:filedeptmgr@wcpc.us">filedeptmgr@wcpc.us</a>	1307	224-8880	967-4043

#### Refer to the Court's Contact Us page

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See: [www.wcpc.us/contact-us.html](http://www.wcpc.us/contact-us.html)

Hon. David Braxton, Chief Judge	(313) 224-5681	<a href="mailto:dbstaff@wcpc.us">dbstaff@wcpc.us</a>
Hon. David A. Perkins, Chief Judge Pro Tempore	(313) 224-5676	<a href="mailto:dapstaff@wcpc.us">dapstaff@wcpc.us</a>
Hon. Macie Tuiasosopo Gaines	(313) 224-6279	<a href="mailto:mtgstaff@wcpc.us">mtgstaff@wcpc.us</a>
Hon. Terrance A. Keith	(313) 224-5668	<a href="mailto:takstaff@wcpc.us">takstaff@wcpc.us</a>
Hon. Lawrence J. Paolucci	(313) 224-5672	<a href="mailto:ljpstaff@wcpc.us">ljpstaff@wcpc.us</a>
Hon. Michael J. McClory	(313) 224-5686	<a href="mailto:mjmstaff@wcpc.us">mjmstaff@wcpc.us</a>

#### Processing Cases at Wayne County Probate Court

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- Please visit [www.wcpc.us](http://www.wcpc.us) for the most updated information before planning a visit or submitting documents for filing.

- **Detailed instructions for filing and e-payments, as well as Zoom instructions, are on our website.** For e-payments, make sure you are selecting just the item you intend to make payment for.
- **SCAO Forms:** If SCAO has an official form for a particular purpose, it must be used when preparing that particular document for filing with the court. MCR 5.113(A). These forms are updated periodically. Outdated forms will be rejected per SCAO guidelines. Current forms can always be found through our court's website or directly through SCAO.
- **PPII:** Double-check your non-form pleadings for PPII and remove it (you can always attach and reference the MC97/MC97a if the information is important) - the court does not check your non-form pleadings for PPII and if not redacted, it will be available through the court's public file.
- **WCPC Forms:** When submitting filings, be sure to review the court's website for court-specific forms. These must be used where appropriate. The court's filing coversheet, wcp99, should be used with all filings, and is found on the court's website.
- **Order of documents submitted for filing:** WCPC99 Coversheet should always be the first page. All PPII, death certificates, and other confidential documents should be the last pages. For all other pages of the pleading, follow the order of documents identified on the court's website for those filings detailed on the court's website. When filing companion cases and multiple pleadings together, repeat this order for each sub-group of submitted related pleadings.
- **Signatures:** Attorneys can sign all pleadings or forms filed with the Court on behalf of their client except inventories, accounts, acceptance of appointments, bonds, closing statements and receipts. MCR 5.114(A)(3). Electronic signatures may be used. For example, "/s/ [your name]" is an acceptable electronic signature for documents submitted via email. MCR 1.109.
- **Filings:** All filings (initial petitions, applications, summons/complaint, and subsequent filings) are accepted by email, fax, mail, or can be left in the court's drop box on the 13<sup>th</sup> floor of the Coleman A. Young Center. We strongly suggest attorneys file via email for prompt processing. Using the drop box or mailing does not speed any filing up and actually results in additional steps. Mail and drop box items only get processed once or twice per day and must first go through the mail room and then are converted to digital images – the only exception is for original wills (the only original document WCPC requires be submitted to the court). All filings are handled on a first to electronic queue, first to process basis. Make sure the pleading is submitted as one PDF. Review the PDF and delete blank pages, correct blurry pages, correct upside down, backwards, or folded pages. Make sure all of the attachments, exhibits, and necessary documents are there before submitting it. Separately submitted exhibits will be rejected as ex parte documents or improper pleadings\* (unless the file size is too large, then note such in the pleading submission that the entire pleading is being submitted in sections).
- **Original Wills:** In a testate estate application/petition, the **original will** must be filed with the court. To expedite processing of those cases, file the initial application/petition with a copy of the original will by email. If the will contains PPII, you must submit 2 copies of the will – one copy of the original and one copy with the PPII redacted. The Original Will **MUST** be delivered or mailed to the court and received within 14 days or your petition/application will be dismissed. We strongly encourage you to deliver original wills to the court by using either the public drop box located on the 13<sup>th</sup> Floor or in the alternative, to the drop box located inside the Wayne County Probate Bar Association's Attorney Lounge on the 12<sup>th</sup> floor.
- **Use the "Where Do I File" chart:** This chart is found on the court's website and details where to submit filings. It is updated from time-to-time, so regularly review it. Submit your filing only to the department indicated on the chart.
- **Emergency pleadings:** Use the subject line of the email to flag the filing as an emergency. Clearly explain the reason for the emergency request on the Request for Emergency Hearing form (wcp96)

and in the pleading. Not all matters submitted as an emergency request will be recognized by the court as an emergency. You must attend the hearing as scheduled unless provided a different date by the court.

- **Resubmissions:** Use the subject line of the email to flag the filing as a resubmission. Mark the box on the petitioner coversheet that the filing is a resubmission. Attach the return correspondence letter you received from the Court as the page after the coversheet. Submit the complete packet (each and every page) of the pleading (i.e., do not just submit the additional page or corrected pages from the prior submission). Note: when an original will was submitted with a pleading that was rejected, the court retains the original will under safekeeping (WSD), and when another pleading is submitted, the original will gets associated with the new filing.
- **Fees:** Payment can only be made after the pleading is accepted for filing and the case is opened (if applicable). Payment can be made online through Case Access on the court's website using ePayment (this is the preferred payment method). Be sure to select the specific fee you wish to pay. Use the drop-down arrow for this purpose. Any credit card can be used with ePayment, which has a 3.5% convenience fee or \$3.00, whichever is greater. If you submit via the court's drop box or send your documents by regular mail or FED EX, UPS, etc., you may include a check or money order for the applicable fees but must reference the case name in the memo of the check or money order. Cash, check, or money order payments can also be made onsite at the court with the Cashier. For the current schedule of court fees, see Michigan Supreme Court Administrative Order 2004-8 and the Probate Fee Schedule found at [www.courts.michigan.gov](http://www.courts.michigan.gov).
- **Inventory Fee:** You can calculate an Inventory fee at [www.wcpc.us](http://www.wcpc.us) on the Fees page. For decedents with a date of death **on or after** March 28, 2013, a deduction is allowed for any lien on real estate. No parcel can have a value of less than zero, and there is no carryover to the other estate assets. For decedents with a date of death before March 28, 2013, the inventory fee is based on the gross estate. 2012 PA 596; *Estate of Sandra Wolfe-Hadad v. Oakland County and Oakland County Probate Court*, 272 Mich App 323; 725 NW 2d 80 (2006). Please note that liens can only be deducted from real property. You must submit documentation verifying the real estate value and lien amount used on the inventory for the fee to be calculated by the court. Date of death values are required. Inventories that are blank, or state "TBD" or "still investigating" are not sufficient for the court to calculate a fee and will be rejected – asset information must be identified even if the value is unknown. Timely file amended inventories when additional assets are identified or actual values are known.
- **Status of filings:** Check Case Access to check the status of a pleading submitted for filing. If you do not see that your submission is filed into CaseAccess after 7 business days from submission, double check that you did not receive a return correspondence from court staff (senders with a "wcpc.us" address). If no return correspondence was received, forward the email/proof of filing again to the appropriate email address (according to the Where to File Chart), and indicate in the email and coversheet that you have checked CaseAccess and see that it has not yet been processed. Your filing will then be investigated to determine why there is the delay and appropriate follow up will occur.
- **Hearings:** Hearing dates will be scheduled after requisite fees are paid. The hearing date is usually 3-5 weeks after payment is processed. Hearings are held via Zoom unless directed otherwise by the Judge of record. Instructions for joining the Zoom call are included in the Notice of Hearing prepared by the court when the hearing is scheduled; Zoom meeting IDs for all courtrooms are also available on our website.
- **Image Access:** Court rule changes mandated that we removed online access for documents filed before April 1, 2022. Non-confidential documents filed from April 1, 2022, onward are viewable online. Please remember to turn off any pop-up blockers to view or print documents from Case Access. Visit our website for updated information on requesting certified or exemplified copies of

documents, or standard copies of documents filed before April 1, 2022. Non-confidential images filed prior to April 1, 2022, are available for viewing on the court's public access computers on the 13<sup>th</sup> floor or via Wayne County Probate Bar Association's attorney lounge on the 12<sup>th</sup> floor.

### **Process for Obtaining Assignments**

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- Attend Attorney Training Program (PM session for all attorneys, AM session additionally required for attorneys who have not attended previously);
- Pay the \$100 training program fee;
- Complete Attorney Profile Sheet via link on the court's website under Attorney Training; and
- Submit your declarations page of your malpractice insurance policy indicating minimum coverage of \$250,000 aggregate (if required based upon assignments sought, refer to the Attorney Profile Sheet).

### **Getting Paid**

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- Complete and submit the vouchers immediately following the hearing [vouchers@wcpc.us](mailto:vouchers@wcpc.us).
- If billing the "estate", submit your itemization to the court with your report; do not submit the voucher.
- For guardianship reviews, follow the policy outlined in the packet and email the Probate Register's Administrative Coordinator ([register@wcpc.us](mailto:register@wcpc.us)).
- Refer to the Court Appointed Attorney Fee Schedule on the court's website under the Attorney Training Materials.