

Michigan Small Estate Action Checklist (2026)

Step-by-step for the PC 598 affidavit and for the probate court assignment, side by side

Pick one column. Use PC 598 when there is no real estate and the net estate is \$53,000 or less for a 2026 death. Use the court assignment when there is real estate, or when a bank wants a court order. If you qualify for both, no one other than the court can make you use one instead of the other (MCL 700.3982(4)).

ROUTE 1: PC 598 AFFIDAVIT (NO COURT)

- ☐ Confirm the estate includes no real property.
- ☐ Total the estate net of liens and encumbrances; it must not exceed \$53,000 for a 2026 death.
- ☐ Wait until 28 days have passed since the death.
- ☐ Confirm no application or petition to appoint a personal representative is pending or has been granted anywhere.
- ☐ Confirm no petition for assignment has been filed with a court (PC 598 item 6).
- ☐ List the name, address and share of every other person entitled to the property.
- ☐ Complete SCAO form PC 598 (4/24) and sign it before a notary; the form warns that a false statement can be prosecuted as perjury.
- ☐ Order certified death certificates.
- ☐ Give PC 598 and a death certificate to whoever holds the property; ask transfer agents to re-register securities.
- ☐ Do not file PC 598 with the court.

ROUTE 2: ASSIGNMENT OF SMALL ESTATE (PROBATE COURT)

- ☐ Total the gross estate; subtract real-estate debt up to \$264,000 (2026 deaths).
- ☐ Gather the funeral bill marked paid (showing who paid and how much) or the unpaid bill.
- ☐ Get a certified death certificate.
- ☐ Complete the Petition and Order for Assignment (PC 556) and any heir testimony form the court asks for.
- ☐ File in the probate court for the county where the decedent lived. The filing fee is \$25 under MCL 600.880(2); ask the clerk about county charges.
- ☐ Once signed, the order pays or reimburses funeral and burial expenses first, then assigns the balance to the surviving spouse, or to the heirs if there is no spouse.
- ☐ Heirs (other than a qualifying surviving spouse or minor children): keep what you receive available for 63 days after the order; you are responsible for unpaid debts of the decedent up to the value received.

EITHER ROUTE

- ☐ Set aside assets that pass outside the estate: joint accounts, life insurance and retirement accounts with a named beneficiary, trust property. Ask the register about the rest.

☐ Vehicles follow Secretary of State steps (forms TR-40a to TR-40c when not probated); the value cap is in MCL 257.236.

☐ If the death was before February 21, 2024, ask the probate court which limits apply.

INSTRUCTIONS FOR USE

Steps verified in October 2026 against MCL 700.3982, 700.3983 and 600.880, forms PC 598 (4/24) and PC 556 (3/25), SOS form TR-40 (01/2026) and county probate court pages. This checklist is general information, not legal advice; procedures and amounts change. Confirm local requirements with your county probate court, and consult a licensed Michigan attorney. Companion guide: clearlegaltips.com/michigan-small-estate-affidavit/