

Filing Fee	\$10.00
Certified Copy Fee	\$11.00

Opening a Safe Deposit Box

Forms included in this packet:

1. Petition and Order to Open Safe Deposit Box to Locate Will or Burial Deed (PC 551)
2. Safe Deposit Box/Certificate and Receipt (PC 552)



INSTRUCTIONS FOR OPENING A SAFE DEPOSIT BOX

Self Help Legal Resource Center
811 Port Street, St. Joseph, MI 49085 • 269.983.7111
1205 N. Front Street, Niles, MI 49120 • 269.684.5274 Ext. 6202

PLEASE READ BEFORE PROCEEDING

This information is the only information court personnel can give you about this procedure. This information is not intended to be legal advice, but a brief explanation of the basic procedure that is required.

Probate court personnel cannot give legal advice about your particular situation or complete your forms for you. You are not required to have an attorney; however, the court cannot act as your attorney. If you do not understand these instructions or the process, you will need to obtain other assistance.

WHENEVER IT APPEARS TO THE COURT BY PETITION OF AN INTERESTED PERSON THAT A SAFE DEPOSIT BOX LOCATED IN THIS COUNTY MAY CONTAIN A WILL AND/OR A DEED TO A BURIAL PLOT OF A DECEDENT the court may issue an order directing the institution to permit the person named in the order to examine the safe deposit box in the presence of an officer or other authorized employee of the institution.

If a paper purporting to be a Will of the decedent or a deed to burial plot is found in the box, the person named in the order shall deliver the Will and/or deed to this court within 7 days. The court shall furnish a receipt to the person named in the order.

An item contained in the safe deposit box other than the Will or deed SHALL NOT BE REMOVED FROM THE SAFE DEPOSIT BOX.

At the time of the opening of the safe deposit box, all individuals in attendance shall execute a written statement (PC 552) certifying whether a Will or deed to a burial plot is found and that no other items are removed.

WHAT MUST BE FILED

- Completed *Petition and Order to Open Safe Deposit Box to Locate Will or Burial Deed* (PC 551)
- Proposed *Safe Deposit Box/Certificate and Receipt* (PC 552)
- Copy of death certificate
- \$10.00 file fee
- \$11.00 certified copy fee
- Within 7 days from opening the safe deposit box, petitioner must deliver the Safe Deposit Box Certificate (PC 552) and the Last Will and Testament and/or deed to a burial plot (if applicable) to the Probate court.

STATE OF MICHIGAN PROBATE COURT COUNTY OF BERRIEN	PETITION AND ORDER TO OPEN SAFE-DEPOSIT BOX TO LOCATE WILL OR BURIAL DEED	FILE NO.
------------------------------------------------------------------	------------------------------------------------------------------------------------------	-----------------

USE NOTE: File this petition in the county where the safe-deposit box is located.

Estate of _____

PETITION

- I, _____, am interested in the decedent's estate and make this
Name
petition as _____.
Relationship to decedent, i.e. heir, devisee, etc.
- Decedent died _____, domiciled in _____.
Date County and state or other jurisdiction
- _____, as lessor, leased to decedent, alone or jointly, safe-
Name of bank, trust company, or safe-deposit company
deposit box number _____, located at _____ in _____ in this
Branch City or township
county, and the safe-deposit box may contain decedent's will and/or a deed to a burial plot in which the decedent is to be interred.
- I REQUEST** that this court issue an order directing the lessor to permit _____
Name
to examine the contents of the safe-deposit box in the presence of an officer or other authorized employee of lessor for the purpose of locating and removing a will and/or a deed to a burial plot only.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Attorney signature

Petitioner signature

Name (type or print) Bar no.

Name (type or print)

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

ORDER

IT IS ORDERED:

- The above petition is granted and the lessor is ordered to permit _____
to examine the safe-deposit box described above in the presence of an officer or other authorized employee of the lessor. Only a will of the decedent and/or a deed to a burial plot shall be removed from the box and shall be delivered by the person named above to the probate register or deputy register of this court.
- At the time of the opening of the safe-deposit box, all persons in attendance shall execute a written statement certifying whether a will and/or a deed to a burial plot was found and that no other items were removed from the safe-deposit box. The person named above shall file that written statement with the probate register or deputy register of this court within 7 days of opening the box. If no safe-deposit box is located, the person named above shall file a written statement indicating that no box was found.

Date

Judge Bar no.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY OF BERRIEN	SAFE-DEPOSIT BOX CERTIFICATE AND RECEIPT	FILE NO.
---------------------------------------------------------	---------------------------------------------	----------

Estate of _____

CERTIFICATE

1. The undersigned certify that they were present on this date at the opening of the safe-deposit box number _____ located in _____, and
Name of bank, trust or safe-deposit company
- a. they did did not find a will of the decedent;
- b. they did did not find a deed to a burial plot in which decedent is to be buried;
- c. no item or items, other than the deed or will, were removed from the safe-deposit box.
2. No safe-deposit box was located.

Date

Signatures of others present, if any:

Signature of person named in order to examine contents of box

Signature

Signature of bank officer or authorized employee

Signature

REGISTER'S RECEIPT

3. I acknowledge receipt from _____
Name of person given authority by court order to examine contents of box

of the following items:

- a. will of the decedent.
- b. burial plot deed.

Date

Deputy probate register

Do not write below this line - For court use only