

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.2936 Probate in chancery of foreign will; proof by copy; legal representative's bill of peace.

Sec. 2936. (1) Whenever it is necessary to probate in this state, the last will of any deceased person which was either

(a) executed in a foreign country whose laws do not require or provide for the probate of wills after the death of the maker, or

(b) executed by a testator who was not at the time of his death domiciled in the country of execution, and the laws of the country of execution require or provide for the probate of wills after the death of the maker, if the original will cannot be produced in this state for probate, it, or any part thereof, may be proved and allowed by a full and complete copy in an action in the circuit court in and for any county in which the testator left any property affected by the will at his decease. The will or that part thereof established and proved shall be certified to and filed with the proper probate court which vests the probate court with the power and jurisdiction over the estate as if the will had been validly proved and allowed in the probate court.

(2) Whenever any person appointed by a probate court as the legal representative or trustee of the estate of a deceased person, a minor, or a mentally incompetent person, has possession of over \$100.00-worth of the estate's real or personal property or its proceeds and has good reason to doubt his right to hold or dispose of this property because of adverse claims of title or lien of other persons or corporations, or of conflicting proceedings to administer the estate in that or another probate court, and no proceedings have been taken to test his right, by adverse claimants or otherwise, he may file a complaint in the nature of a bill of peace in the circuit court of the county in which is located the probate court which appointed him, to have adjudicated the validity of his own right and the rights of adverse claimants and the legal representatives appointed in conflicting proceedings.

History: 1961, Act 236, Eff. Jan. 1, 1963.