

HOUSE BILL No. 6290

June 27, 2008, Introduced by Rep. Hildenbrand and referred to the Committee on Judiciary.

A bill to amend 1998 PA 386, entitled
"Estates and protected individuals code,"
by amending section 3719 (MCL 700.3719).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3719. (1) A personal representative is entitled to
2 reasonable compensation for services performed. A personal
3 representative may pay the personal representative's own
4 compensation periodically as earned without prior court approval.

5 (2) If an attorney serves as personal representative, the
6 attorney shall maintain time records that state the identity of the
7 person performing personal representative services, the date the
8 services are performed, the amount of time expended in performing
9 the services, and a brief description of the services.

1 (3) Upon request of an interested person affected by payment
2 of personal representative fees, ~~the attorney~~ **A PERSONAL**
3 **REPRESENTATIVE** shall send ~~the~~ time records **THAT STATE THE DATE THE**
4 **PERSONAL REPRESENTATIVE PERFORMED SERVICES, THE AMOUNT OF TIME**
5 **EXPENDED IN PERFORMING THE SERVICES, AND A BRIEF DESCRIPTION OF THE**
6 **SERVICES** to the interested person.

7 (4) ~~(3)~~ If a will provides for the personal representative's
8 compensation and there is no contract with the decedent regarding
9 compensation, the personal representative may renounce the
10 provision before qualifying and be entitled to reasonable
11 compensation. A written contract between the decedent and the
12 personal representative regarding compensation for estate
13 settlement services is binding on the personal representative.

14 (5) ~~(4)~~ A personal representative also may renounce the right
15 to all or a part of the compensation. A written renunciation of fee
16 may be filed with the court and shall be served on all affected
17 interested persons.