

STATE OF MICHIGAN  
PROBATE COURT  
COUNTY OF \_\_\_\_\_

NOTICE TO SPOUSE OF RIGHTS  
OF ELECTION AND ALLOWANCES,  
PROOF OF SERVICE, AND ELECTION

FILE NO. \_\_\_\_\_

Estate of \_\_\_\_\_

**NOTICE**

TO: \_\_\_\_\_

As surviving spouse of a decedent domiciled in Michigan, you have the right to elect between certain property interests in this estate.

- 1. Your spouse died leaving a will. You may elect one of the following:
  - a. To abide by the terms of the will.
  - b. To take half of the share that would have passed to you had your spouse died without a will, reduced by half of the value of all property derived from your spouse by any other means other than testate or intestate succession upon his/her death.
- 2. Your spouse died leaving no will. You may take your intestate share.
- 3. This election shall be made within 63 days after the date for presentment of claims, or within 63 days after service of inventory upon you, whichever is later. Send a copy of this election to the personal representative. You may also file a copy with the court.
- 4. You may also have the right of priority to homestead, certain property, and a family allowance.

Attorney name (type or print) \_\_\_\_\_ Signature of personal representative \_\_\_\_\_

Address \_\_\_\_\_ Address \_\_\_\_\_

City, state, zip \_\_\_\_\_ Telephone no. \_\_\_\_\_ City, state, zip \_\_\_\_\_ Telephone no. \_\_\_\_\_

**PROOF OF SERVICE OF NOTICE**

I served  by mail  personally the above notice on the spouse on \_\_\_\_\_ Date \_\_\_\_\_

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

Date \_\_\_\_\_ Signature \_\_\_\_\_

Choose only one box.

**SPOUSE'S ELECTION**

- 1. I will abide by the terms of the will.
- 2. I will take half of the share that would have passed to me had the testator died intestate, reduced by half of the value of all property derived from the decedent by any means other than testate or intestate succession upon the decedent's death.
- 3. I, as widow, take my intestate share (no will) as prescribed by law.

Date \_\_\_\_\_ Signature \_\_\_\_\_

**PROOF OF SERVICE OF ELECTION**

I served  by mail  personally the above spouse's election on the personal representative on \_\_\_\_\_ Date \_\_\_\_\_

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

Date \_\_\_\_\_ Signature \_\_\_\_\_

Do not write below this line - For court use only