

QUALIFIED DISPOSITIONS IN TRUST ACT (EXCERPT)
Act 330 of 2016

700.1043 Probate court; jurisdiction; venue.

Sec. 3. (1) The probate court has exclusive jurisdiction over an action that addresses either of the following questions:

- (a) Whether a transfer is a qualified disposition.
- (b) The extent of the transferor's interest in, or the income from, a qualified disposition.
- (2) The probate court has concurrent jurisdiction over an action brought under section 5(2).
- (3) Venue for a proceeding under subsection (1) or (2) is as follows:

(a) For a trust registered under section 7209 of the estates and protected individuals code, 1998 PA 386, MCL 700.7209, the place of registration.

(b) For a trust that is not registered, in any place where the trust properly could be registered.

(4) If a trust has no qualified trustee and has not been registered, and there is no place in this state where the trust properly could be registered, venue for a proceeding under subsection (1) or (2) is in the following order of priority, except to the extent otherwise provided by court rule:

(a) In a county in this state in which the immediately preceding qualified trustee had its usual place of business or residence.

(b) In a county in this state in which a trust beneficiary resides.

(c) In a county in this state in which any trust property is located.

(d) In any county in this state.

History: 2016, Act 330, Eff. Mar. 8, 2017.