

Public Policy Position
In re Sherrod Estate, MSC No. 168598

The Probate & Estate Planning Section is a voluntary membership section of the State Bar of Michigan, comprised of 3,466 members. The Probate & Estate Planning Section is not the State Bar of Michigan and the position expressed herein is that of the Probate & Estate Planning Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Probate & Estate Planning Section has a public policy decision-making body with 23 members. On February 13, 2026, the Section adopted its position after a discussion and vote at a scheduled meeting. 14 members voted in favor of the Section's position, 0 members voted against this position, 2 members abstained, 7 members did not vote.

**The Probate & Estate Planning Section authorizes the filing of an amicus curiae brief in
*In re Sherrod Estate, MSC No. 168598.***

Explanation:

The Probate & Estate Planning Section authorizes the filing of an amicus curiae brief advocating that: (1) the Court of Appeals applied the wrong standard for a confidential or fiduciary relationship, without addressing whether the outcome was correct, and (2) that the Court of Appeals erred in reversing the probate court, rather than remanding, in the absence of the presumption of undue influence.

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