

**Public Policy Position  
HB 5795**

The Probate & Estate Planning Section is a voluntary membership section of the State Bar of Michigan, comprised of 3,357 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 19 members. On June 5, 2020, the Section adopted its position after a discussion and vote at a scheduled meeting. 19 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 0 members did not vote.

**Oppose**

**Explanation:**

The Probate and Estate Planning (“PEP”) Section of the State Bar of Michigan opposes HB 5795 as drafted. Will formalities requirements provide evidentiary, channeling, ritual and protective (e.g., protections from undue influence, fraud, delusion, coercion, forgery or perjury) functions. The PEP Section believes that HB 5795 as drafted, does not adequately serve these functions. The PEP Section wishes to work with the sponsor to formulate a proposal that better serves those functions.

**Contact Person:** Christopher A. Ballard

**Email:** [caballard@varnumlaw.com](mailto:caballard@varnumlaw.com)