CASS COUNTY COURTS
FILING CHECKLIST TO OBTAIN COURT ORDER
FOR SURPLUS PROCEEDS AFTER MORTGAGE FORECLOSURE

This packet is being provided to provide a process for claiming surplus proceeds on deposit with Cass County after sale of real estate and payment of the mortgage and costs and expenses of the mortgage foreclosure and sale, pursuant to MCL 600.3252.

Court	Circuit Court, CZ case type
Filing Fee/copy fees	$175 filing fee, plus $10 for certified copy of final order (fee waiver of the $175 filing fee can be requested with SCAO form, https://www.courts.michigan.gov/siteassets/forms/scao-approved/mc20.pdf (page 1 needs to be completed by claimant, leave page 2 blank for Clerk/Court to complete)—certified copy fee cannot be waived.
Legal Authority	MCL 600.3252, https://legislature.mi.gov/Laws/MCL?objectName=MCL-600-3252
Forms Used	• Claim for Surplus Money and Request for Court Order to Release the Same Pursuant to MCL 600.3252 https://casscourtsmi.org/wp-content/uploads/2025/05/Claim-for-surplus-proceeds.pdf (attached hereto and electronically linked)—include the following information: ○ Fill in name of Claimant(s) at the top of the form on the line ○ For 1., fill in requested information ○ For 2., fill in amount of money on deposit with Cass County in the blank and attach documentation verifying that dollar amount ○ For 3., fill in the dollar amount of your claim ○ For 4., attach a written summary of why you believe you are entitled to the surplus money ○ On page 2., fill in date, sign it, print your name, provide your email address, provide your phone number, and provide your mailing address including street, city, state, and zip You will file this Claim with the Circuit Court file room, located at 60296 M-62, Cassopolis, MI 49031.
What the Court will do	• After your Claim is filed, the Court will issue a Court Summons and Notice to Appear for Hearing on Claim for Surplus Money and Request for Court Order to Release the Same pursuant to MCL 600.3252 [see example https://casscourtsmi.org/wp-content/uploads/2025/02/Court-Summons-and-Notice-to-Appear-re-Claim-for-surplus-proceeds.pdf (electronically linked)] – the Court will send this out and you will be provided with a hearing date & time.
At the hearing	• Bring whatever documentation you have to support your Claim and be prepared to explain to the Court why you are entitled to the surplus proceeds • Be prepared to tell the Court how you want the surplus proceeds distributed to you if the Court rules in your favor (by picking up a check or having it mailed to you and if mailed, where it should be mailed to)

What to do AFTER the Court hearing if the Court rules in your favor	• If the Court rules in your favor, an Order will be provided to the Treasurer so that the Treasurer can release the surplus funds to you

Legal Resources

☐ State Bar of Michigan - https://www.michbar.org/

☐ Legal Resource and Referral Center - https://lrs.michbar.org/

☐ Michigan Legal Help - http://michiganlegalhelp.org/

☐ Legal Aid - Phone: (888) 783-8190 or https://www.lawestmi.org/

This document is for informational purposes. It is not a substitute for legal advice.
The staff from the Cass County Courts cannot give you legal advice and cannot tell you what to do.
If you have legal questions, please speak to an attorney.

STATE OF MICHIGAN
COUNTY OF CASS
43RD CIRCUIT COURT

In re:

_____
Claimant of Surplus of Funds

24-_____-CZ

CLAIM FOR SURPLUS MONEY AFTER MORTGAGE FORECLOSURE AND REQUEST FOR COURT ORDER TO RELEASE THE SAME PURSUANT TO MCL 600.3252

Pursuant to MCL 600.3252 (attached), the undersigned, represents, upon his/her oath that:

1. The following real estate was sold, commonly known as:

   _____
   Street Address

   _____
   City, State, Zip Code

   _____
   Township County

2. Surplus money is on deposit with Cass County Treasurer in the amount of $_____as evidenced by the attached documentation.

3. The undersigned is making a claim for $_____of the total surplus money on deposit with Cass County Treasurer.

4. The undersigned is entitled to the surplus money because (see attached).

I hereby am applying to the Court for an order to take proofs of the facts and circumstances contained of my claim after which I request the Court to give notice of and schedule a hearing to take proofs to determine the disposition of the surplus money or payment

thereof in accordance with the rights of the claimant or claimants or persons interested pursuant to MCL 600.3252.

I hereby swear or affirm that the foregoing statements are true.

Date:_____

_____
Signature

_____
Full Name

_____
Email address

_____
Phone number

_____
Mailing address

_____
City, State, Zip