

IN THE COMMON PLEAS COURT OF ALLEN COUNTY, OHIO

PROBATE DIVISION

GENERAL ESTATE CHECKLIST

\*PLEASE NOTE: THIS CHECKLIST IS PROVIDED AS A GENERAL REFERENCE AND COURTESY. THIS LIST MAY NOT INCLUDE EVERY DOCUMENT NEEDED FOR THE COMPLETION OF AN ESTATE IN ALLEN COUNTY PROBATE COURT.

IF YOU SEEK ADDITIONAL INFORMATION, PLEASE CONTACT AN ATTORNEY\*

Full Administration

CASE INITIATION

- \_\_\_\_ Death Certificate
- \_\_\_\_ Decedent must have been a resident of Allen County at time of death
- \_\_\_\_ Full legal name of decedent \*\* includes full middle name and any possible A.K.A.'s the decedent had
- \_\_\_\_ Addresses including zip codes & phone numbers for Fiduciaries and Attorneys Security deposit for costs: Full Administration \$175
- \_\_\_\_ No electronic signatures
- \_\_\_\_ Form 2.0 Application to Probate Will
  
- \_\_\_\_ Original Last Will and Testament
- \_\_\_\_ Will must be signed & dated by testator and witnessed by two persons
- \_\_\_\_ Form 1.0 Surviving spouse, Next of Kin, Children, Legatees and Devisees
- \_\_\_\_ (All beneficiaries named in Will must be listed on Page 2 of Form 1.0)
- \_\_\_\_ Form 2.3 Entry Admitting Will to Probate
- \_\_\_\_ Form 4.0 Application for Authority to Administer Estate
- \_\_\_\_ Form 1.0 Surviving spouse, Next of Kin, Children, Legatees and Devisees
- \_\_\_\_ Form 4.2 Fiduciary's Bond (if applicable) (also see below)
- \_\_\_\_ Form 4.3 Waiver of Right to Administer (if applicable)
- \_\_\_\_ Declination by Executor named in will (if applicable)
- \_\_\_\_ Bond
  - a) \_\_\_\_ Required
  - b) \_\_\_\_ Motion to Waive Bond/Order to Waive Bond filed, including consents of beneficiaries
  - c) \_\_\_\_ Not required by the Will or by law: one of four options/boxes on Form 4.0 must be checked
- \_\_\_\_ Form 4.5 Entry Appointing Fiduciary; Letters of Authority: all applicable boxes must be checked and paragraphs completed
- \_\_\_\_ (Out of state letters if executor does not live in Ohio)

ADMINISTRATION OF ESTATE

- \_\_\_\_ Surviving spouse, persons who would be entitled to inherit under R.C. Chapter 2105 if testator had died intestate, and all legatees and devisees named in will either need to:
  - 1.) receive Form 2.2 - Notice of Probate of Will
  - \_\_\_\_ (If Notice of Probate of Will was issued, copy of Notice and signed certified mail card or print out from USPS to be filed (*SupR* 59; *CivR* 73))
  - AND/OR
  - 2) sign Form 2.1- Waiver of Probate of Will
  - \_\_\_\_ (Minors age 16 & 17 cannot waive or have anyone waive for them, they MUST receive notice).
- \_\_\_\_ Form 2.4 Certificate of Service of Notice of Probate of Will
- \_\_\_\_ (To be filed within two months of fiduciary's appointment, or if no fiduciary has been appointed, not later than two months after the admission of the will to probate (*SupR* 59, *ORC* 2107.19))
- \_\_\_\_ Form 8.6 Waiver of Service to Surviving Spouse of the Citation to Elect
- \_\_\_\_ (If not filed, check with Attorney or Applicant to see if plan to file or Citation is needed)
- \_\_\_\_ Form 8.0 Citation & Form 8.3- Summary of General Rights sent by court (if applicable)

ANCILLARY ADMINISTRATION

\*\* Ohio estate when decedent died in another estate\*\*

- \_\_\_\_ Form 4.0 Application to Administer, 1.0, Letters of Authority required
- \_\_\_\_ Form 4.1 Supplemental Application for Ancillary Administration
  - \_\_\_\_ applicable boxes must be checked and paragraphs completed
  - \_\_\_\_ authenticated copies (NOT certified) of domiciliary state's filings
  - \_\_\_\_ waivers/notice of right to administer (if applicable)

INVENTORY

\*\* Due 3 months from date of appointment\*\*

\*\*If opened for wrongful death or other reasons and assets are \$0, MUST state that on 6.0 or 6.1.

Otherwise \$0, unknown or "none" for all asset values is not acceptable.\*\*

- \_\_\_\_ Surviving Spouse waive/notice of TAKING of Inventory (if applicable)
- \_\_\_\_ Form 6.0 Inventory
- \_\_\_\_ Copy of 1.0 Required
- \_\_\_\_ Form 6.1 Schedule of Assets
  - \_\_\_\_ Appraisal of personal property required unless Motion and Entry to dispense with is filed and approved by Judge. Prefer consents, verify with Judge if required.
  - \_\_\_\_ Appraisers signature on Form 6.0-Inventory OR a separate appraiser's certificate

- \_\_\_\_\_ (if applicable) Not needed for KBB or CAV
- \_\_\_\_\_ 3.0 Appointment of Appraiser, need for any appraiser and CAV but not KBB
- \_\_\_\_\_ \*\*cannot appoint an entity, must be a person\*\*
- \_\_\_\_\_ Personal Identifier Form (If applicable)
- \_\_\_\_\_ \*\*If intestate or form 2.4 is not on file or has been on file less than 3 months, then ALL parties listed on 1.0 must receive either:
- \_\_\_\_\_ Form 6.2 Waiver of Notice of Hearing on Inventory and/or
- \_\_\_\_\_ Form 6.3 Notice of Hearing on Inventory (by U.S. Certified Mail) w/verification of service (green card) or printout from USPS If testate AND form 2.4 is on file AND has been on file at least 3 months, then only surviving spouse & parties listed on page 2 of 1.0 form must receive either:
- \_\_\_\_\_ Form 6.2 Waiver of Notice of Hearing on Inventory and/or
- \_\_\_\_\_ Form 6.3 Notice of Hearing on Inventory (by U.S. Certified Mail) w/verification of service (green card) or printout from USPS
- \_\_\_\_\_ Form 13.12 (6A) Affidavit of Service on Notice of Inventory
- \_\_\_\_\_ Entry Approving Inventory

**TRANSFERRING ASSETS**

- \_\_\_\_\_ Form 9.0 Application to Sell Personal Property
  - \_\_\_\_\_ Inventory must be filed (only if intestate), 2.4 filed if testate
  - \_\_\_\_\_ Consents preferred from beneficiaries, need to check with Judge if not filed
  - \_\_\_\_\_ Entry Authorizing Sale of Personal Property
  - \_\_\_\_\_ Report of sale due within 30 days from date of sale; shall include proof of proper notice of public auction sale and if Clerk was employed for auction, sale bill signed by Clerk shall be filed with report
- \_\_\_\_\_ Form 9C Application to Transfer Motor Vehicle & Entry Approving Transfer
  - \_\_\_\_\_ Inventory must be filed (only if intestate) , 2.4 filed if testate
- \_\_\_\_\_ Form 10.0 Application to Distribute in Kind
  - \_\_\_\_\_ (Must be enough other assets to allow for equal distribution, unless without consideration)
  - \_\_\_\_\_ Inventory must be filed (only if intestate) , 2.4 filed if testate
  - \_\_\_\_\_ Consents filed from beneficiaries
  - \_\_\_\_\_ Entry Approving Distribution in Kind
- \_\_\_\_\_ Form 12.0 Application for Certificate of Transfer
  - \_\_\_\_\_ Inventory must be filed (only if intestate) , 2.4 filed if testate
  - \_\_\_\_\_ Mark testate or intestate
  - \_\_\_\_\_ One of three boxes MUST be checked regarding payment of debts
  - \_\_\_\_\_ One box marked concerning applicant or administrator (if applicable)
  - \_\_\_\_\_ One box must be marked to determine what transfer is pursuant to
- \_\_\_\_\_ Form 12.1 Certificate of Transfer
  - \_\_\_\_\_ Testate or intestate box/ applicable paragraphs must be completed

**ACCOUNTS**

\*\* Due 6 months from date of appointment\*\*

- \_\_\_\_\_ Form 13.0 Fiduciary's Account (PARTIAL)
  - \_\_\_\_\_ Copy of 1.0 Required
  - \_\_\_\_\_ Form 13.1 Receipts and Disbursements
  - \_\_\_\_\_ Real property sold, a copy of closing/settlement statement must be attached
  - \_\_\_\_\_ Form 13.2 Assets Remaining in Fiduciary's Hands
  - \_\_\_\_\_ Form 13.9 Certificate of Service of Account to Heirs or Beneficiaries
  - \_\_\_\_\_ Status Report
- \_\_\_\_\_ Form 13.0 Fiduciary's Account (FINAL)
  - \_\_\_\_\_ Copy of 1.0 Required
  - \_\_\_\_\_ Form 13.1 Receipts and Disbursements
  - \_\_\_\_\_ Real property sold, a copy of closing/settlement statement must be attached
  - \_\_\_\_\_ Form 13.9 Certificate of Service of Account to Heirs or Beneficiaries
  - \_\_\_\_\_ Affidavit of Service of Notice of Hearing
  - \_\_\_\_\_ Form 13.5 - Notice of Hearing on Account (by certified mail, return receipt Requested) and/or sign Form 13.7 - Waiver of Notice of Hearing on Account
  - \_\_\_\_\_ Copies of Notices of Hearing on Account to be filed with Affidavit
  - \_\_\_\_\_ Original signed Waivers of Notice of Hearing on Account to be filed with Affidavit
  - \_\_\_\_\_ Form 13.3 Entry Approving and Settling Account
  - \_\_\_\_\_ Attorney Fee Application
  - \_\_\_\_\_ Fiduciary Fee Compensation Statement
- \_\_\_\_\_ Form 13.8 Application to Extend Administration \*\*MUST be signed by Fiduciary\*\*
- \_\_\_\_\_ Form 13.10 Notice to Extend Administration \*\*MUST be signed by Fiduciary\*\*

**WRONGFUL DEATH**

**\*\*FIRST/FULL SETTLEMENT ALWAYS REQUIRES A HEARING (despite waivers/notice) \*\***

- \_\_\_\_\_ Form 14.0 Application to Approve Settlement and Distribution of Wrongful Death & Survival Claims
- \_\_\_\_\_ Atty Fee Contract; (Itemization of expenses); Statement in Support
- \_\_\_\_\_ Form 14.1 Waiver and Consent- Wrongful Death & Survival Claims (Includes next of kin, but may be different from beneficiaries on 1.0)
- \_\_\_\_\_ Form 14.2 Entry Approving Settlement and Distribution of Wrongful Death & Survival Claims
- \_\_\_\_\_ Form 14.3 Report of Distribution of Wrongful Death and Survival Claims (MUST match Entry, be dated and be filed with in 30 days of Entry being signed)
- \_\_\_\_\_ Vouchers for all Disbursements.