

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
- _____ 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.