

**CHECKLIST OF DOCUMENTS TO INITIATE A
RELEASE OF AN ESTATE FROM ADMINISTRATION**

These instructions are being provided as a public service of the Huron County Probate Court, and are intended as a guideline only, not as a comprehensive list of duties. The documents that you file must be typewritten and completed in their entirety.

___ **Filing Fee with Will \$165.00/Filing Fee without Will \$145.00**

- This is an initial deposit. Additional costs may be required as the matter progresses. This fee may be paid in cash, check payable to the Huron County Probate Court, money order payable to the Huron County Probate Court, or credit/debit card (there is a fee of \$2.00 or 3% to use a credit/debit card)

___ **Form 2.0 – Application to Probate Will/Entry Admitting Will to Probate**
(RC 2107.11, RC 2107.18, and RC 2107.19) *(If applicable)*

___ **Original Last Will and Testament of Decedent** *(If applicable)*

___ **Form 2.1 – Waiver of Notice of Probate of Will** (RC 2107.19) *(If applicable)*

Form 2.2 – Notice of Probate of Will (RC 2107.19) *(If applicable)*

- All parties listed on the front and back of the Next of Kin (Form 1.0) are entitled to be notified of the probate of the Will.
- Notice of the Probate of Will cannot be mailed until after the case has been filed and the Will admitted to probate
- Notice shall be issued in the manner provided by Civil Rule 73(E) and proof of service (green cards), if by certified mail, must be filed with the court along with a copy of the notice that was issued
- A Waiver of Notice of Probate of Will may be signed by individuals over the age of 18 who are not under legal disability

___ **Form 2.4 – Certificate of Service of Notice of Probate of Will** (RC 2107.19)

- This form is filed AFTER all waivers and/or certified mail notices of probate of Will have been obtained and filed with the Probate Court
- For dates of death on or after 1/1/2002, the Certificate of Service of Notice of Probate of Will must be filed within 120 days of the appointment of the fiduciary

___ **Form 1.0 – Surviving Spouse, Next of Kin, Children, Legatees and Devisees**
(RC 2105.06, RC 2106.13, and RC 2107.19)

- On front of form, list all next of kin (those persons who are or would be entitled to inherit if decedent had died without leaving a Will), on back (page 2) of form, list all persons named in Will who will inherit (if decedent left a Will)
- Specify complete addresses of all listed individuals
- Specify Date of Birth for all Minors

___ **Form 5.0 – Application to Relieve Estate from Administration** (RC 2113.03)

___ **Form 5.1 – Assets and Liabilities of Estate to be Relieved from Administration**
(RC 2113.03)

- The Assets and Liabilities form must be filed at the time of filing the Application to Relieve Estate from Administration
- On the front of form list all assets of the estate, on back (page 2) of form, list all debts owed by the decedent

- If there is real estate and the value was determined by the Auditor's Appraisal Card, a copy of the Auditor's Appraisal Card must be attached to the Assets and Liabilities Form
- If there is real estate and a private appraisal was done, a copy of the appraisal with the original signature of the appraiser must be attached or the appraiser must sign the Certification on the bottom of page 2 of the Assets and Liabilities form

___ **Form 3.0 – Appointment of Appraiser** *(if applicable)*

___ **Confidential Disclosure of Personal Identifiers Form** (Sup.R. 45(D))

- This form is to be filed with any document that would normally contain personal identifiers, such as social security number, account number, credit card, loan, or policy numbers
- When completing this form you must list the full identifying number, the Name/Institution associated with the identifying number, the abbreviation that you used on the court document, and the form number that it would be listed on
- This document is confidential and kept in a separate envelope in the file not viewable to the public

___ **Form 5.2 - Waiver of Notice of Application to Relieve Estate from Administration**

Form 5.3 - Notice of Application to Relieve Estate from Administration *(If applicable)*

- All parties are entitled to be notified of the application to relieve estate from administration unless notices are waived or the court determines that notice is not necessary
- You must obtain a Waiver of Notice of the Application to Relieve Estate from Administration from each individual (Form 5.2) who is over the age of 18 and not under disability or a hearing may be necessary and you, as applicant, will be required to send by certified mail, a Notice of Application to Relieve Estate from Administration (Form 5.3) to each individual who did not sign a waiver
- Prior to the scheduled hearing, you will be required to file proof of service with the Court (certified green cards) with a copy of the notice that was sent to each individual
- Certified mail notices cannot be sent until AFTER the Application to Relieve Estate from Administration has been filed and a hearing has been scheduled

___ **Form 5.6 - Entry Relieving Estate from Administration** (RC 2113.03)

- Complete form (fill in name of decedent, check appropriate boxes, make any required explanations, and attach any necessary forms)
- All debts listed on Assets and Liabilities form must be listed on the Entry Relieving Estate
- If Commissioner is appointed – the REPORT OF DISTRIBUTION must be filed within 60 days of the Entry Relieving Estate from Administration being granted.

IF YOU CHOOSE TO REPRESENT YOURSELF AND USE THE COURT'S FORMS, PLEASE BE ADVISED THAT STATE LAW PROHIBITS EMPLOYEES OF HURON COUNTY PROBATE COURT FROM PROVIDING YOU WITH LEGAL ADVICE OR ASSISTING YOU IN THE SELECTION OR PREPARATION OF LEGAL FORMS. IF YOU NEED ADDITIONAL ASSISTANCE, YOU WILL NEED TO CONTACT AN ATTORNEY OF YOUR CHOOSING.