

**CHECKLIST OF DOCUMENTS TO INITIATE A
FULL ADMINISTRATION OF AN ESTATE**

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 of \$250.00**

- 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
- Specify Date of Birth for all Minors.

___ **Form 4.0 - Application for Authority to Administer Estate**
(RC 2109.02 and RC 2109.07)

- ___ **Fiduciary's Acceptance** (RC 2109.02, RC 2109.30, and RC 2109.301)
 - Complete name of decedent at top, read, sign, and date the form

- ___ **Form 4.2 – Fiduciary's Bond** (RC 2109) *(If applicable)*
 - A bond is required by all fiduciaries (including surviving spouse if he/she is not entitled to the entire net proceeds of the estate) unless the decedent's Will requests that no bond be required, the applicant is a trust company duly qualified in Ohio, or the applicant is the decedent's next of kin and entitled to the entire net proceeds of the estate and there is not a Will
 - Bond must be executed by the applicant (principal) and the surety company prior to filing with the Court. A copy of the surety's power of attorney must be attached to the bond form
 - The bond shall be in a sum not less than double the probable value of the personal property and income

- ___ **Form 4.3 - Waiver of Right to Administer** (RC 2113.07) *(If applicable)*
 - The surviving spouse and all next of kin with an equal or greater right to administer the estate may sign a waiver of right to administer, unless the applicant is named to serve in the Will. If unable or unwilling to obtain the waivers, a non-oral hearing will be set and the Court will notify parties that did not waive by certified mail

- ___ **Form 2.1 - Waiver of Notice of Probate of Will** (RC 2107.19) *(If applicable)*
 - All parties listed on the front and back of the next of kin form shall waive notice or be served notice (Form 2.2) of the probate of Will. If a party has not signed a waiver, the applicant shall serve notice (Form 2.2) and file proof of service (green cards from certified mail) and a copy of the notice attached with the Probate Court. Notice would not be given until after the Will was probated.

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.