

SHELBY COUNTY PROBATE COURT

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ESTATE CHECKLIST - NEW FULL ADMINISTRATION

PRECEDING FIDUCIARY APPOINTMENT

- ___ Form 2.0 – Application to Probate Will / ___Entry Admitting Will to Probate
- ___ Form 1.0 – Surviving spouse, Next of Kin, Children, Legatees and Devisees
- ___ Form 4.0 – Application for Authority to Administer Estate
- ___ Form 4.01 (website) - Entry Setting Hearing on Application for Authority to Administer Estate
- ___ Form 4.5 – Entry Appointing Fiduciary; Letters of Authority
- ___ Form 4.8 (website) - Fiduciary’s Acceptance
- ___ Form 4.2 - Fiduciary’s Bond (if applicable)
- ___ Form 4.3 - Waiver of Right to Administer (if applicable)
- ___ Form 4.4 - Notice and Citation of Hearing on Appointment of Fiduciary (if applicable)
(*SupR 60; RC 2113. 05-07*)
- ___ Original Last Will and Testament
- ___ Security deposit for costs (Local Rule 58.1)

- ___ Decedent died a resident of Shelby County (*RC 2113.01*)

- ___ Will signed by testator and witnessed by two persons (*RC 2107.03*)

- ___ Bond- required/not required by Will or by law (options on Form 4.0) (*Local Rule 64.4; RC 2109*)

- ___ Non-resident fiduciary compliance (*Local Rule 60.1*)

- ___ Beneficiaries named in Will listed on page 2 of Form 1.0

- ___ Form 4.5 – Entry Appointing Fiduciary; Letters of Authority not entirely completed

PROCEEDING FIDUCIARY APPOINTMENT

- ___ **Surviving Spouse – Form 8.0 - Citation to Surviving Spouse & Form 8.3 Summary of Rights OR signed Form 8.6 - Waiver of Citation;** citation must be issued within seven days of fiduciary’s appointment (*SupR 60; CivR 73; RC 2106.01-02*)

- ___ **Form 2.4 - Certificate of Service of Notice of Probate of Will**
 - ___ To be filed within two months of fiduciary’s appointment (*SupR 59; RC 2107.19*)

 - ___ Next of kin and beneficiaries to receive notice or waive notice; appropriate boxes to be checked; copy of notices and signed certified mail cards and/or waivers to be attached (*SupR 59; CivR 73*)

- ___ **Form 6.0 - Inventory – RC 2115.02**
 - ___ Appraiser to be court appointed by **Form 3.0 – Appointment of Appraiser;** Appraiser to sign Form 6.0 – Inventory or attach a signed letter or appraisal. (*SupR 61; Local Rule 61.1; RC 2115.06*)

 - ___ One of two boxes checked for filing of estate tax return (*RC 2115.09*)

- ___ **Form 6.1 - Schedule of Assets – RC 2115.02**
 - ___ Motor vehicles (*Local Rule 61.1E*)
 - A. Should either be Appraised OR copy of NADA/Kelley Blue Book values to be attached
 - B. Median value of trade-in value and retail value listed in used car guide may be used as readily ascertainable value

___ Real property - need appraisal or copy of Auditor's valuation (*Local Rule 61.1D*)

___ **Form 6.5 (website) Affidavit of Service of Notice of Hearing** – interested parties to receive or waive notice of hearing; copies to be attached. (*Local Rule 61.1J; RC 2115.16*)

___ **Form 6.41 (website) Orders on Filing Inventory – Waivers/Approval**

___ **Form 9.0 - Application to Sell Personal Property / Form 9.3 – Application/Entry to Transfer Motor Vehicle** – if by purchase – inventory must be filed . (*SupR 63, RC 2109.45*)

___ **Form 12.0 - Certificate of Transfer** –

___ Inventory must be filed (*RC 2113.61*)

___ One of three boxes should be checked regarding payment of debts

___ **Form 245.XX (website) - Application to Extend Time:** if request is to extend time to file inventory, account or guardian's report – must be signed by Fiduciary (*SupR 78A2*)

___ **Form 7.0 – Notice to Administrator of Estate Recovery Program** (if decedent was fifty-five (55) years of age or older at the time of death and has been determined to have been a recipient of medical assistance)

___ **Form 13.8 – Application to Extend Administration OR Form 13.10 - Notice to Extend Admin.:** must be filed to permit filing of partial account instead of six month final account/certificate of termination (*Sup R 78B1; Local Rule 64; RC 2109.301*)

___ **Form 13.0 – Fiduciary's Account (PARTIAL) - RC 2109.30**

___ **Form 213.80 (website) - Entry Setting Hearing on Account**

___ Calculations are incorrect

___ Attorney fees listed as disbursement – to be approved by court order or consent (*Local Rule 71.1*)

___ Real property sold – copy of closing statement to be attached (*SupR 64*)

___ Receipt signed by a POA – copy of POA to be attached to account (*SupR 64*)

___ **Form 13.2 - Assets Remaining in Fiduciary's Hands** - bank statement or certificate to be attached (*Local Rule 64.5*)

___ **Form 13.9 - Certificate of Service of Account to Heirs or Beneficiaries** – to be filed simultaneous with account (*RC 2109.32*)

___ **Form 113.46 - Status Report** (*SupR 78C, Local Rule 64.1 and 78.1C, RC 2109.30*)

___ **Form 6.5 (website) Affidavit of Service of Notice of Hearing** – interested parties to receive or waive notice of hearing; copies to be attached. (*Local Rule 64.1, RC 2109.33*)

___ **Form 13.3 - Entry Approving & Settling Account** – clerk only fills in date filed – any boxes must be checked by attorney (*RC 2109.32*)

___ **Form 13.0 Fiduciary's Account (FINAL) – RC 2109.30**

___ **Form 213.80 (website) - Entry Setting Hearing on Account**

___ Calculations are incorrect

___ Attorney fees listed as disbursement – to be approved by court order or consent (*Local Rule 71.1*)

- ___ Real property sold – copy of closing statement to be attached (*SupR 64*)
- ___ Receipt signed by a POA – copy of POA to be attached to account (*SupR64*)
- ___ **Form 13.2 - Assets Remaining in Fiduciary’s Hands** - bank statement or certificate to be attached (*Local Rule 64.5*)
- ___ **Form 13.9 - Certificate of Service of Account to Heirs or Beneficiaries** – to be filed simultaneous with account (*RC 2109.32*)
- ___ **Form 6.5 (website) Affidavit of Service of Notice of Hearing** – interested parties to receive or waive notice of hearing; copies to be attached. (*Local Rule 64.1, RC 2109.33*)
- ___ **Form 13.3 - Entry Approving & Settling Account** – clerk only fills in date filed – any boxes must be checked by attorney (*RC 2109.32*)
- ___ **Claims:** need release/satisfaction of claim(s) filed (*RC 2117.06*)
- ___ Three months passed since decedent’s D.O.D.; surviving spouse made election or time passed to elect (*RC 2109.32*)
- ___ Costs must be paid (*SupR 64*)

___ **Form 78.0 – Application/Order for Attorney Fees – Local Rule 71.1**

- ___ Computations exceed guidelines of *Local Rule 71.1*; consents or application for extraordinary fees needed
- ___ Postage, copy costs, long distance telephone call charges
- ___ Delinquent filings (*Local Rule 64.2*)
- ___ Attorney both fiduciary and attorney (*Local Rule 71.1*)

___ **Form 14.0 - Application to Approve Settlement and Distribution of Wrongful Death & Survival Claims – RC 2125**

___ **Form 14.01 (website) – Entry Setting Hearing and Ordering Notice**

___ **Form 14.1 – Waiver and Consent – Wrongful Death & Survival Claims**

- ___ Attachments to Application as indicated on form
- ___ Court approval of contingent fee contract (*SupR 71*)
- ___ Notice of hearing & copy of application to be served on anyone not waiving notice; proof of service to be filed with Court prior to hearing on application (*SupR 70*)

___ **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** (*Local Rule 78.1D; RC 2125*)

___ **Form 14.4 (website) – Entry Approving Report of Distribution**

___ **Signature of __Applicant __Fiduciary __Attorney required** (*SupR 57, CivR 11*)

___ **Other:**