

SHELBY COUNTY PROBATE COURT

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ESTATE - RELEASE FROM ADMINISTRATION CHECKLIST (revised 06/07/16)

PRECEDING COMMISSIONER APPOINTMENT

___ Form 2.0 – Application to Probate Will / ___ Entry Admitting Will to Probate

___ Original Last Will and Testament

___ Form 1.0 – Surviving Spouse, Next of Kin, Children, Legatees and Devisees

___ Form 5.0 – Application to Relieve Estate from Administration

___ Boxes checked for testate/intestate and for value of assets (RC 2113.03)

___ Form 5.1 – Assets and Liabilities of Estate to be Relieved from Administration

___ A copy of the paid funeral bill shall be attached to the Application (*Local Rule 75.3 (C)*)

___ The market value of **real property, including mobile homes, modular homes and manufactured homes** as found in the Shelby County Auditor’s property records shall be accepted as the readily ascertainable value of the property and no further appraisal of such property shall be required... (*Local Rule 61.1(D)*)

___ A copy of said evaluation shall be attached. (*Local Rule 61.1(D)*)

___ The market value of any **motor vehicle, ATVs, motorcycles, personal watercraft, side cars, snowmobiles, trailers, utility vehicles, power boats, sailboats, personal watercraft, outboard motors, boat trailers, travel trailers/fifth wheels, motor homes, camping trailers, truck campers, and park models** as found in a current, nationally recognized used car guide, by determining the median value of the trade-in value and retail value may be adopted as the readily ascertainable value of the property and no further appraisal of such property shall be required... (*Local Rule 61.1(E)*)

___ However, if the median value of the trade-in value and retail value are not available in the current, nationally recognized used car guide, then the Court will accept the retail value and it may be adopted as the readily ascertainable value of the property and no further appraisal of such property shall be required...

___ A copy of the appropriate page(s) from said current nationally recognized used car guide shall be attached. (*Local Rule 61.1(E)*)

___ Form 5.2 - Waiver of Notice of Application to Relieve Estate from Administration (RC 2113.03) (if applicable)

___ **Form 5.3 – Notice of Application to Relieve Estate from Administration** (RC 2113.03) (if applicable)

___ If an Application to Relieve Estate from Administration is filed by the decedent’s surviving spouse, no further notice of said Application to the parties listed on Form 1.0 will be required, unless the surviving spouse is not the natural parent of one or all of decedent’s children.

___ **Form 5.6 – Entry Relieving Estate from Administration**

___ All applicable boxes/paragraphs to be checked and completed

___ Security deposit for costs (Local Rule 58.1)

___ Decedent must have been a resident of Shelby County, Ohio at time of death (RC 2113.01)

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

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

___ **Signature** of ___Applicant ___Fiduciary ___Attorney required (*SupR 57, CivR 11*)

PROCEEDING COMMISSIONER APPOINTMENT

___ **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*)

___ 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** AND/OR 2) sign **Form 2.1 – Waiver of Notice of Probate of Will** (*SupR 59, CivR 73*)

___ **Form 7.0 – Certification of Notice to Administrator of Medicaid Estate Recovery Program** (if applicable)

___ **Form 5.9 - Report of Distribution/Judgment Entry**

___ To be filed within 60 days of the date of the Entry Relieving Estate from Administration

___ **OTHER** _____

