

CHECKLIST – RELEASE OF ESTATE FROM ADMINISTRATION

(Disclaimer: This checklist is intended as a guideline only and is subject to modification by the Court at any time)

DEPOSIT: (CASH / CHECK / MONEY ORDER ONLY)

\$140.00 With Will (Includes one certified Judgment Entry)
+\$2.00 for each additional certified copy.

\$110.00 Without Will (Includes one certified Judgment Entry)
+\$2.00 for each additional certified copy.

REQUIREMENTS:

This proceeding may only be used in one of the following situations:

1. There is a surviving spouse entitled to the entire estate (under the Will, or by law if no Will); and the assets don't exceed \$100,000.00
OR
2. There is no surviving spouse and the assets do not exceed \$35,000.00

** Proof of assets along w/proof of values MUST be provided to the court.

For more detail on these requirements, see Ohio Revised Code 2113.03.

Note: All paperwork should be typed, single sided, and please do not staple originals.

All documents being filed must have original signature.

INITIAL FILING:

- Photocopy of the death certificate – with the social security number redacted (must state Lake County resident).
- Application To Relieve Estate from Administration (Form 5.0)
- Surviving Spouse, Children, Next of Kin, Legatees and Devises (Form 1.0)
 - o If there is a Surviving Spouse, mark the box that applies at the bottom of this form.
- Assets and Liabilities of Estate to be Relieved from Administration (Form 5.1)
 - o Proof of assets.
 - o If there are no cash assets listed to pay the listed debts, there must be evidence provided that all debts are secured to be paid.
- Entry Relieving Estate from Administration (Form 5.6)
 - o Include the make, model, year and Vehicle Identification Number (VIN) on any type of motor vehicles, including mobile homes.
- Copy of funeral bill showing paid or executed written contract for payment of funeral and burial expenses and Waiver of Notice (Form 5.2) from funeral home.
 - o If the body was donated, evidence of the donation must be provided.
- Waiver of Notice of Application to Relieve Estate from Administration (Form 5.2) *If applicable*
Admitting the Will:
 - o **Original** Last Will and Testament Filed on the case
 - Application to Probate Will (Form 2.0),
 - Waiver of Notice of Probate of Will (Form 2.1)
 - Certificate of Waiver of Notice (Form 2.4)

If Real Estate is being transferred pursuant to the Release of Administration:

- o Certificate of Transfer (Form 12.1)
 - Tax value from the County Auditor AND Deed with Legal Description
- o For dates of death prior to January 1, 2013, a form ET 22 is required + \$5.00
OR
- o If filing an Appraisal, Appointment of Appraiser Form 3.0 with Appraisers Credentials (See Local Rule 61) +\$5.00
(The Court may appoint an appraiser if the applicant does not provide their own)

If Assets are being transferred pursuant to the Release of Administration:

- o Consent To Transfer Form (LCPC Form 5.13)
 - Vehicle, Watercraft, Trailer, Mobile Home, Recreational Vehicle

LATER FILING:

Report of Distribution (Form 5.9)

This is due 30 days from the date the final distribution is made, yet no longer than 90 days from the filing date of the Entry

Court of Common Pleas
Division of Probate
Judge Mark J. Bartolotta



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