

**CHECKLIST- INITIAL FILING OF FULL ADMINISTRATION OF ESTATE TESTATE (WITH WILL)**  
**(Disclaimer: This checklist is intended as a guideline only and is subject to modification by the Court at any time)**

**DEPOSIT** \$200.00 (Additional court costs will depend on what is filed in the case and those fees will be due at the time of additional filings.)  
(Cash / Check / Money Orders Only)

**REQUIREMENTS**

The decedent must have been a resident of Lake County, Ohio at the time of death, or owned real estate in Lake County.  
See R.C. 2109.02 and 2109.07 for additional Requirements.

**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
- ☐ The **original** Last Will and Testament of decedent
- ☐ Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)
  - o If there is Surviving Spouse, mark the box that applies at the bottom of this form.
- ☐ Application to Probate Will (Form 2.0)
- ☐ Entry Admitting Will to Probate (Form 2.3)
- ☐ Waiver of Notice of Probate of Will (Form 2.1)
  - o If anyone on front and back of form 1.0 waive notice, then these can be filed with the initial filing.
- ☐ Certificate of Service of Notice of Probate of Will (Form 2.4) *If applicable*
  - o This can be filed with the initial filing if everyone on the front and back of the form 1.0 waives notice. If they are to be served notice, then you must wait until you have proof of service before filing this.
- ☐ Application for Authority to Administer Estate (Form 4.0)
  - o If Applicant is a non-resident, a letter must be filed stating Executor will keep all assets in Ohio.
- ☐ Appointment of Appraiser (See R.C. 2109.02 and 2109.07) *If applicable*
  - o If asking the Court to approve an Appraiser, Applicant must file the Application for Appointment of Appraiser (Form 3.0)
    - If this form is filed, the Applicant must include the Appraisers credentials, and Name, Address, and Phone Number.
  - o If using the Auditor Valuation, you do not need to file Form 3.0.
- ☐ Waiver of Right to Administer (Form 4.3) *If applicable*
  - o If an Executor named in the Will cannot act as Executor, persons with equal relation to decedent must sign waivers:
    - Must be an Ohio resident to serve as Administrator. No waivers needed from anyone out of state.
    - If the surviving spouse is the Applicant, then we do not need waivers from anyone.
  - o If there is not a surviving spouse, or surviving spouse is not the Applicant, and there is more than one person on the front page of Form 1.0, then everyone other than the Applicant needs to waive.
- ☐ Instructions for Service, *If applicable*
  - o If an individual with an equal right to serve as Administrator does not waive right to administer, then they must receive notice of the Application. (Ohio Residents only)
- ☐ Fiduciary's Bond (Form 4.2) *If applicable*
  - o If sole beneficiary under the will or real estate only, no bond is required.
  - o If all beneficiaries consent, a motion to waive bond may be filed (LCPC Form 4.1).
  - o If bond is needed, bond amount must be twice the amount of personal property and any annual rental income.

*If there is a Surviving Spouse, complete one of the following regarding surviving spouse's elective rights:*

If spouse waives notice of service of citation to elect:

- o Waiver of Service to Surviving Spouse of the Citation to Elect (Form 8.6)

File with Application

OR

If spouse does not waive notice, the following forms will be served via certified mail by court (Cost: \$25.00):

- o Citation to Surviving Spouse to Exercise Elective Rights (Form 8.0)
- o Summary of General Rights of Surviving Spouse (Form 8.3)
- o Certificate of Service and Notice of Citation to Surviving Spouse to Exercise Elective Rights (Form 8.4)

