

## CHECKLIST- SUMMARY RELEASE OF ESTATE

(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)

\$98.00 With Will (Includes one certified Judgment Entry) +\$2.00 for each additional certified copy

\$68.00 Without Will (Includes one certified Judgment Entry) +\$2.00 for each additional certified copy

REQUIREMENTS: Review the information below and forms in the checklist to ensure your estate qualifies as a Summary Release.

For dates of death after August 31, 2000

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

1. There is a surviving spouse entitled to the entire family allowance; and The surviving spouse paid or contracted to pay the funeral and burial expenses; and  
The assets do not exceed \$40,000 plus \$5,000 (for reimbursement for funeral)  
Note: If the funeral bill was prepaid, a surviving spouse may still do a summary release but the assets cannot exceed \$40,000
- OR
2. The applicant (who is not the surviving spouse) paid or contracted to pay the funeral bill; and the assets do not exceed \$5,000; and Funeral expenses are equal to or exceed the amount of assets.

**\*\* 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.**

### INITIAL FILING:

**All documents being filed must have original signature.**

**Copies of the information listed below must be provided at the time at the time of filing:**

- ☐ Photocopy of the death certificate – with the social security number redacted (must state Lake County resident).
- ☐ Copy of funeral bill showing applicant paid and/or executed written contract for payment of funeral and burial expenses.
- ☐ Proof of all assets listed along with date of death values

### **Forms for Filing:**

- ☐ Application for Summary Release from Administration (Form 5.10)
- ☐ Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)
  - If there is a Surviving Spouse, mark the box that applies at the bottom of this form.
- ☐ Entry Granting Summary Release from Administration (Form 5.11)

### If Admitting the Will or Filing Will for Record Only:

- ☐ **Original** Last Will and Testament Filed on the case
  - o Application to Probate Will (Form 2.0),
  - o Waiver of Notice of Probate of Will (Form 2.1)
    - Certificate of Waiver of Notice (Form 2.4)

### If Real Estate is being transferred:

- ☐ Application for Certificate of Transfer (Form 12.0) + **\$7.00**
- ☐ Certificate of Transfer (Form 12.1)
- ☐ Proof of Valuation:
  - Tax value from the County Auditor AND Deed with Legal Description
- ☐ For dates of death prior to January 1, 2013, a ET Form 22 is required + \$5.00

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



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