

CHECKLIST- INITIAL FILING OF FULL ADMINISTRATION OF ESTATE INTESTATE (NO 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 depend on what is filed and those fees will be due at the time of additional filings.)

-Cash / Check / Money Order 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 (must state Lake County resident)
- ☐ Application for Authority to Administer Estate (Form 4.0)
- ☐ Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)
 - o If there is a Surviving Spouse, mark the box that applies at the bottom of this form.
- ☐ Appointment of Appraiser (See R.C. 2109.02 and 2109.07) *If applicable*
 - o If asking the Court to approve an Appraiser, 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 this paperwork.
- ☐ Waiver of Right to Administer (Form 4.3) *If applicable*
 - o Must be an Ohio resident to serve as Administrator. We do not need waivers from anyone out of state.
 - o 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 heirs 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)
- 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)



Applicant/Attorney (or give other title)

**PROBATE COURT OF LAKE COUNTY, OHIO
JUDGE MARK J. BARTOLOTTA**

ESTATE OF _____, DECEASED
CASE NO. _____

APPLICATION FOR AUTHORITY TO ADMINISTER ESTATE

[R.C. 2109.02 and 2109.07]

[For Executors and all Administrators; attach supplemental
application for ancillary administration, if applicable]

Applicant states that the decedent died on _____

Decedent's domicile was _____
Street Address

City or Village, or Township if unincorporated area _____ County _____

Post Office _____ State _____ Zip Code _____

Applicant asks to be appointed _____
of decedent's estate. **[Check whichever of the following are applicable]** - ☐ To applicant's knowledge, decedent did
not leave a will ☐ Decedent's will has been admitted to probate in this court ☐ A supplemental application for ancillary
administration is attached.

Attached is a list of the surviving spouse, children, next of kin, legatees, and devisees, known to applicant, which list
includes those persons entitled to administer the estate.

The estimated value of the estate is:

Personal property	\$ _____
Annual real property rentals	\$ _____
Subtotal, personalty and rentals	\$ _____
Real Property	\$ _____
Total estimated estate	\$ _____
Applicant owes the estate	\$ _____
The estate owes applicant	\$ _____

[Check one of the following four paragraphs]

- ☐ Applicant says that decedent's will requests that no bond be required, and therefore asks the Court to dispense with bond.
- ☐ Applicant is a trust company duly qualified in Ohio, and bond is dispensed with by law.

CASE NO. _____

- ☐ Applicant is decedent's surviving spouse, and is entitled to the entire net proceeds of the estate, or applicant is the next of kin entitled to the entire net proceeds of the estate and there is no will. Bond is dispensed with by law.
- ☐ Applicant offers the attached bond in the amount of \$_____.

Applicant accepts the duties of fiduciary in the estate imposed by law, and such additional duties as may be required by the Court. Applicant acknowledges being subject to removal as fiduciary for failure to perform such duties as required, and also acknowledges being subject to criminal penalties for improper conversion of any property held as fiduciary.

Attorney for Applicant

Applicant's Signature

Typed or Printed Name

Typed or Printed Name

Address

Address

City State Zip

City State Zip

Telephone Number (include area code)

Telephone Number (include area code)

Attorney Registration No.

WAIVER OF RIGHT TO ADMINISTER

The undersigned, being persons entitled to administer decedent's estate, and whose priority of right to do so is equal or superior to that of applicant, hereby waive appointment to administer the estate.

ENTRY SETTING HEARING AND ORDERING NOTICE

The Court sets _____, at _____ o'clock __ M. as the date and time for hearing the application for authority to administer decedent's estate. The Court orders notice to take or renounce administration to be given those persons entitled to administer decedent's estate, whose priority of right to do so is equal or superior to that of applicant, and who have not waived appointment to administer the estate.

Date

Probate Judge