

**MIAMI COUNTY PROBATE COURT**  
[www.miamicountyohio.gov](http://www.miamicountyohio.gov)

**ESTATE - FULL ADMINISTRATION CHECKLIST**

- Forms must be typewritten or printed in ink (Local Rule 51.1, 52.1, 57.1)
- Decedent died a resident of Miami County (RC 2113.01)
- There may be additional requirements based upon the specific circumstances in the case
- There may be additional costs owing in this case

**INITIAL FILING REQUIREMENTS**

- Court costs paid at time of filing (Local Rule 58.1)
- Letter from Special Counsel to the Ohio Attorney General:** Every applicant who seeks a summary release, a release of estate from administration or the administration of any estate shall file with the Court a completed Medicaid Recovery Acknowledgement. This can be in the form of a letter obtained from the Special Counsel to the Ohio Attorney General.

(Local Rule 62.1)

- In order to comply with this rule, you may mail a letter to attorney Stan Evans, Special Counsel to the Ohio Attorney General, with this request. You must include the decedent's social security number. The attorney will mail you a reply which you will file with the Court.

- The address for the attorney is:

Stan Evans, Special Counsel to the Ohio Attorney General  
Elsass, Wallace, Evans & Co., L.P.A.  
PO Box 499  
Sidney, OH 45365

- Copy of Death Certificate**
- Form SSN - Social Security Number**
- Form SOI - Statement of Intent**
- Form 1.0 – Surviving Spouse, Next of Kin, Children, Legatees and Devisees** (RC 2105.06, 2106.13, 2107.19, Local Rule 59.1)
  - Page 1: If there is no spouse and no children, parents shall be listed, even if deceased
  - Form AFF-3 – Affidavit Listing Three Attempts** (Local rule 59.1)
    - Necessary for any unknown person or if any person whose addresses are unknown
  - Page 1: Names shall match those as stated in Will (if name is different, include AKA / FKA)
  - Page 2: Names for beneficiaries named in Will shall match those as stated in Will (if names are different, include AKA / FKA)

- Page 2: If Will references an age / age limit for a beneficiary, include for reference the beneficiary's date of birth or that the beneficiary is older / younger than the age limit
- Page 2: must be dated
- Form 2.0 - Application to Probate Will with Entry Admitting Will to Probate or Form APP WRO - Application to File Will for Record Only** (Local Rule 59.1, RC 2107.11, 2107.18 & 2107.19)
  - City, Village or Township if unincorporated area (list city / village if decedent lived within the city / village limits; list township if decedent lived outside the city / village limits)
  - Post Office shall be listed (list city in which the decedent's mail was addressed)
- Form 2.3 - Entry Admitting Will to Probate**
- Original Last Will and Testament** (Local Rule 59.1)
  - Will should be signed by testator and witnessed by two persons (RC 2107.03)
  - If Will references a List or some other documents where specific items are to be given to someone, include that List or other document or provide an attorney statement addressing the List / other document
- Form FA - Fiduciary's Acceptance** (Local Rule 57.1, RC 2109.02)
  - Must be dated
- Form 4.0 – Application for Authority to Administer Estate** (Local Rule 60.1, RC 2109.02, 2109.07)
  - City, Village or Township if unincorporated area (list city / village if decedent lived within the city / village limits; list township if decedent lived outside the city / village limits)
  - Post Office shall be listed (list city in which the decedent's mail was addressed)
  - Title of fiduciary must be listed
  - Estimated value of the estate: this section must be completed – if undetermined, may state undetermined
  - If bond is not required by the Will or by law: one of four boxes must be checked (bottom of page 1 / top of page 2)
- Form 4.2 - Fiduciary's Bond** (if applicable)
  - Required to be filed
  - Amount of Bond is 2 times the personal property (include annual income)
- Form 4.3 - Waiver of Right to Administer** (if applicable)
- Form 4.4 - Notice and Citation of Hearing on Appointment of Fiduciary**, if applicable (RC 2113.06 & 2113.07)
  - To be provided if there is a minor who would have been entitled to priority to administer the estate except for the minority (CivR 4.1 & 4.2, RC 2113.07)

**Form 4.5 – Entry Appointing Fiduciary; Letters of Authority**

Title of fiduciary must be listed

Domiciled in must list City, Village or Township if unincorporated area (list city / village if decedent lived within the city / village limits; list township if decedent lived outside the city / village limits)

All applicable boxes must be checked and paragraphs completed

**Form 8.0 - Citation to Surviving Spouse to Exercise Elective Rights & Form 8.3 – Summary of General Rights of Surviving Spouse (RC 2106.01, 2106.02)**

Will be issued by Court unless Waiver of Service to Surviving Spouse of the Citation to Elect (Form 8.6) is filed (Attorney / Fiduciary to provide Court with Forms 8.0, 8.3, 8.4 & 8.5)

This form must be provided to court if form 8.6 is not filed with a new estate

**Forms 8.1 or 8.2 - Election of Surviving Spouse to Take Under / Against Will (SupR 60; CivR 73; RC 2106.01, 2106.02, 2106.04, 2106.05 & 2106.06)**

Election Against Will to be set for hearing (election to be signed in presence of Court)

**Form 8.3 – Summary of General Rights of Surviving Spouse (RC 2106.02)**

This form must be provided to Court if form 8.6 is not filed with a new estate

**Form 8.4 - Certificate of Service and Notice of Citation to Surviving Spouse to Exercise Elective Rights (RC 2106.02)**

This form must be provided to Court if form 8.6 is not filed with a new estate

**Form 8.5 – Return for Certificate of Service of Citation to Surviving Spouse to Exercise Elective Rights (RC 1206.02)**

This form must be provided to Court if form 8.6 is not filed with a new estate

**Form 8.6 - Waiver of Service to Surviving Spouse of the Citation to Elect (RC 2106.01(A))**

To be filed or Court will issue Citation to Surviving Spouse to Exercise Elective Rights

**ANCILLARY ADMINISTRATION**

**Form 4.1 – Supplemental Application for Ancillary Administration (RC 2129.04)**

Applicable boxes must be checked and paragraphs completed

Authenticated copies (NOT certified) of Letters of Authority and/or Will must be filed

**PROCEEDING FIDUCIARY APPOINTMENT**

**Form 2.1 - Waiver of Notice of Probate of Will (RC 2107.19(A)(2))**

- Form 2.2 - Notice of Probate of Will** (RC 2107.19(A))
- Form 2.4 - Certificate of Service of Notice of Probate of Will** (RC 2107.19 (A)(3))
  - 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, RC 2107.19)
  - Surviving spouse, persons who would be entitled to inherit under RC 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)
    - Applicable boxes to be checked
    - If Notice of Probate of Will was issued, copy of Notice and signed copies of green cards are to be filed
- Form 3.0 – Appointment of Appraiser** (RC 2115.02, 2115.06, Local Rule 61.1, SupR 61.1)
- Form APP PA – Application to Pay Appraiser** (Local Rule 61.1)
  - Use if Appraiser's fee is greater than \$250
- Form 6. 0 – Inventory** (RC 2115.02 & 2115.09, Local Rule 61.1 )
  - Page 1 of Inventory - one of two boxes must be checked for filing of estate tax return (RC 2115.09)
  - Appraiser must sign Appraiser's Certificate
- Form 6.1 - Schedule of Assets** (RC 2115.02, Local Rule 61.1)
  - To be filed simultaneously with Form 6.0 - Inventory
  - Digital Assets (RC 2137.01 – 2137.18)
  - Real Estate: If using any Ohio Auditor's evaluation, a copy of the evaluation must be attached (Local Rule 61.1)
    - If an asset has been appraised, it must be marked appraised
    - Must include legal description for real estate
    - Must provide parcel number for real estate
  - If motor vehicles are listed, must attach a copy of the market value found in any nationally recognized valuation guide under "average retail"
  - Additional Bond to be filed, if not sufficient
    - Amount of Bond is 2 times the personal property (include annual income)
- Form 45D - Confidential Disclosure of Personal Identifiers** (Local Rule 45, SuprR 45(D))
- Form 6.2 – Waiver of Notice of Hearing on Inventory**

- Not required to be filed with Court
- Form 6.3 – Notice of Hearing on Inventory** (RC 2115.16)
  - Only file if you would like an actual hearing on the Inventory
- Form NDA – Newly Discovered Assets** (RC 2113.69)
  - To be filed within 30 days of discovery of assets
  - To be signed by the fiduciary
  - Additional Bond, attached, with Newly Discovered Assets, if not sufficient
    - Amount of Bond is 2 times the personal property (include annual income)
- If motor vehicles are listed, must attach a copy of the market value found in any nationally recognized valuation guide under “average retail”
  - Real Estate: If using any Ohio Auditor’s evaluation, a copy of the evaluation must be attached (Local Rule 61.1)
    - Must include legal description for real estate
    - Must provide parcel number for real estate
  - Form 45D - Confidential Disclosure of Personal Identifiers** (Local Rule 45)
- Form APP T – Application for Transfer of Motor Vehicle, Etc.** (SupR 63, RC 2109.45)
  - To be used to transfer Motor Vehicle, Watercraft, Motor, Trailer, Mobile Home or Recreational Vehicle
  - Inventory must be filed
  - Consent form Next of Kin is needed if automobile is going to someone listed on Next of Kin and is not a specific bequest under Will
- Form 7.0(A) – Notice to Administrator of Medicaid Estate Recovery Program** (If decedent was fifty-five (55) years of age or older at the time of death and has been determined to have been a recipient of Medicaid assistance) (RC 2117.061, 5162.21, Local Rule 62.1)
  - This form is mailed directly to Medicaid Recovery and NOT filed with the Probate Court
- Form 7.0 - Certification of Notice to Administrator of Medicaid Estate Recovery Program** (If decedent was fifty-five (55) years of age or older at the time of death and has been determined to have been a recipient of Medicaid assistance) (RC 2117.061, 5162.21, Local Rule 62.1)
  - A copy of the green card is to be filed along with the Notice
- Form 7.1 – Application for Family Allowance** (RC 2106.13)
  - Do not use this form if there are minor children of the decedent who are not the children of the serving spouse or if there is no surviving spouse and more than one minor child. Use **Form 7.2 Application for Apportionment of Family Allowance**

- Form 7.2 - Application for Apportionment of Family Allowance** (RC 2106.13(B)(3) & (4))
- Form 9.0 - Application to Sell Personal Property** - inventory must be filed (SupR 63, RC 2109.45, 2113.40, 2113.41, 2113.42 & 2113.43)
- Form 9.1 – Entry Authorizing Sale of Personal Property**
- Form 9.2 – Notice of Sale of Personal Property**
- Form 10.0 – Application to Distribute in Kind** (RC 2113.55)
- Form 10.1 – Entry Approving Distribution in Kind**
- Form 10.2 – Notice of Hearing of Application to Distribute in Kind**
- Form 11.0 – Consent to Power to Sell Real Estate**
- Form 12.0 – Application for Certificate of Transfer / Entry Issuing Certificate of Transfer** (RC 2113.61)
  - Inventory must be filed (RC 2113.61)
  - City, Village or Township if unincorporated area (list city / village if decedent lived within the city / village limits; list township if decedent lived outside the city / village limits)
  - Post Office shall be listed (list city in which the decedent’s mail was addressed)
  - Page 1: File-stamp date to be used for date Will was admitted to probate
  - One of three boxes must be checked regarding payment of debts
  - Page 1: File-stamp date to be used for date Will was admitted to probate
  - Page 1: File-stamp date to be used for date fiduciary was appointed
  - Page 2: Middle section, if applicable, must be completed
- Form 12.1 – Certificate of Transfer**
  - Page 1: List Certificate of Transfer Number
  - All applicable boxes / paragraphs must be completed
  - Provide legal description (must match legal description on inventory)
  - Provide parcel number (must match parcel number on inventory)
- Form 13.0 – Fiduciary’s Account, Final or Partial** (RC 2109.30, 2109.31 & 2109.32, Local Rule 58.1, 64.1)
  - If fiduciary is the sole beneficiary **Form 13.6 - Certificate of Termination** can be filed
- Court costs are to be paid in full at the time of filing
  - If a partial account or one or more accounts have previously been filed, list the accounting period
  - If accounts have previously been filed, list accounting periods and fiduciary / attorney fees paid for each period

Page 2: receipts, disbursements and balance remaining in fiduciary's hand must match Form 13.1 Receipts and Disbursements / Form 13.2 - Assets Remaining in Fiduciary's Hands

Must be dated

**Form 13.1 – Receipts and Disbursements**

Address Family Allowance, if applicable

Receipts section should list all assets from Inventory / Newly Discovered Assets

File **Form NDA - Newly Discovered Assets** If assets, other than refunds, appear on the account and are not listed on the inventory or assets remaining for a previous account; \$7.00 will be due

If R/E was sold, receipts section of account must show the gross amount of proceeds (SuprR64)

If Real estate has been sold, attach settlement sheet

If Real Estate has been foreclosed, attach proof of foreclosure (Common Pleas Court entry)

Disbursements must be clearly explained

Appraiser Fee not to exceed \$250 without court order (Local Rule 61.1)

Claim(s): If claim(s) have not been paid in full on the account need release / satisfaction of claim(s) filed before case can be closed (RC 2117.06)

**Form 45D - Confidential Disclosure of Personal Identifiers** (Local Rule 45)

**Form BSF - Bond Sufficiency Form** must be filed with a Partial Account if there is a bond (Local Rule 75.1)

Additional Bond to be filed with Partial Account, if not sufficient

**Form CAF - Computation of Attorney Fees** must be computed and signed (Local Rule 71.1, 71.2)

Reimbursements for costs advanced (other) must be explained

**Form CFF - Computation of Fiduciary Fees** must be computed and signed, even if fees are waived (Local Rule 72.1)

**Form 13.2 - Assets Remaining in Fiduciary's Hands** (Partial Account)

Bank certificate or certified bank statement to be included for any financial listed

**Form BC – Bank Certificate**

**Form 13.3 – Entry Approving and Settling Account** (RC 2109.32)

Court will generate this form and provide a copy to the attorney or applicant, if no attorney

**Form 13.4 - Waiver of Partial Account** (RC 2109.30(B)(2), Local Rule 58.1)

- To be signed by all legatees, devisees OR heirs
- Court costs are to be paid in full at the time of filing
- Form BSF - Bond Sufficiency Form** must be filed with a Waiver of Partial Account if there is a bond (Local Rule 75.1)
  - Additional Bond to be filed with Waiver of Partial Account, if not sufficient
- Form 13.5 Notice of Hearing on Account** (RC 2109.33)
  - Only file if you would like an actual hearing on the Account
- Form 13.6 – Certificate of Termination** (RC 2109.30, Local Rule 58.1)
  - May be filed by the executor or administrator if they are the sole legatee, devisee or heir
  - Court costs are to be paid in full at the time of filing
  - Form CAF - Computation of Attorney Fees** must be computed and signed (Local Rule 71.1, 71.2)
    - Reimbursements for costs advanced (other) must be explained
- Form 13.7 - Waiver of Notice of Hearing on Account** (RC 2109.33)
  - Not required to be filed
    - \$1.00 due for each Waiver, if filed
- Form 13.9 - Certificate of Service of Account to Heirs or Beneficiaries** (RC 2109.32)
  - To be filed with every partial, final or amended account
- Form SR - Status Report** (SupR 78C, RC 2109.30, Local Rule 58.1)
  - Court costs are to be paid in full at the time of filing

## CONTINUATIONS / EXTENSIONS

- Form MTCCH - Motion to Continue Citation Hearing** must use Court form (Local Rule 56)
- Form 13.8 – Application to Extend Administration** (RC 2109.301 SupR 78(B) and (C))
  - Must be filed to extend administration of the estate beyond six months, otherwise, a Final Account, or Certificate of Termination, if applicable, is due within six months from the date of the appointment of the fiduciary
    - Check to see if form 13.10 – Notice to Extend Administration applies
  - Must be signed by the fiduciary
- Form 13.10 – Notice to Extend Administration** (RC 2109.301, SupR 78(B) and (C))  This extends the time to file a Certificate of Termination or an Account to thirteen months after the appointment of fiduciary. If the thirteen months has expired and additional time is need, file **Form APP ET - Application for Extension of Time**

**Form APP ET - Application for Extension of Time**

Must list quantity of previous extensions granted

Must be signed by fiduciary

This Application to Extend Time is NOT to be used to “extend the administration of the estate beyond six months”; to do that, use either **Form 13.8 Application to Extend Administration** or **Form 13.10 Notice to Extend Administration** instead (SupR 78A2)

**APPLICATION TO RELEASE MEDICAL INFORMATION**

Court costs must be paid

**Form SOI – Statement of Intent**

**Form APP RMR - Application to Release Medical Records and Medical Billing Records** (RC 2113.032)

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

2105.06, 2106.13, 2107.19, Local Rule 59.1)

Page 1: If there is no spouse and no children, parents shall be listed, even if deceased

**Form AFF-3 – Affidavit Listing Three Attempts** (Local rule 59.1)

Necessary for any unknown persons or if any persons whose addresses are unknown

Page 1: Names shall match those as stated in Will (if name is different, include AKA / FKA)

Page 2: Names for beneficiaries named in Will shall match those as stated in Will (if names are different, include AKA / FKA)

Page 2: If Will references an age / age limit for a beneficiary, include for reference the beneficiary’s date of birth or that the beneficiary is older / younger than the age limit

Page 2: must be dated

**Form APP WRO - Application to File Will for Record Only** (Local Rule 59.1)

Only necessary if applicant is not listed on Form 1.0 and is the named executor in the Will

City, Village or Township if unincorporated area (list city / village if decedent lived within the city / village limits; list township if decedent lived outside the city / village limits)

Post Office shall be listed (list city in which the decedent’s mail was addressed)

Original Last Will and Testament (Local Rule 59.1)

Only necessary if applicant is not listed on Form 1.0 and is the named executor in the Will

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

If Will references a List or some other documents where specific items are to be given to someone, include that List or other document or provide an attorney statement addressing the List / other document

**Form WAIV RMR – Waiver and Consent Release of Medical Records and Medical Billing Records**

**Form NOT APPRMR – Notice of Application to Release Medical Records and Medical Billing Records) RC 2113.032)**

To be used if a hearing is necessary

**Form E RMR – Entry Authorizing Release of Medical Records and Medical Billing Records (RC 2113.032)**

To be signed no earlier than ten (10) days after the court’s transmission of a copy of the application to those persons listed on Form 1.0 who have not signed Form WAI RMR - Waiver of Notice / Consent or at a further hearing if required by this Court.

**Form RPT RMR – Report on Receipt of Medical Records and Medical Billing Records**

Due upon obtaining the requested applicable records and before the expiration of the applicable statute of limitations

Will state whether a Full Administration will be filed for the decedent

If a Full Administration will be filed, the Court will assign a new case number. (You may contact the Court for the new case number.)

## **WRONGFUL DEATH**

**Form 14.0 - Application to Approve Settlement and Distribution of Wrongful Death & Survival Claims (RC 2117.05, 2125.02, CR 19.1, SupR 70, Local Rule 70.1)**

All applicable attachments as indicated on Application must be attached when filed

Page 2: **Entry Setting Hearing and Ordering Notice**

Notice of hearing and copy of application to be served on anyone entitled to notice that has not waived (SupR 70)

Funds may be distributed to anyone under age 25 (RC 2125.03):

Trust needs to be established and filed in Probate Court

Provide Trust Declaration (approved by Judge and filed in Trust)

Funds will be held in the Trust until the beneficiary reaches the age of 25

**Form 14.1 – Waiver and Consent Wrongful Death and Survival Claims**

A hearing will be schedule for every Wrongful Death case, even when waivers are filed   
**Form 14.2 – Entry Approving Settlement and Distribution of Wrongful Death & Survival Claims**

**Form 14.3 - Report of Distribution of Wrongful Death and Survival Claims and Entry**

To be filed within 30 days of filing of Entry Approving Settlement (RC 2125)

Receipts needed for all distributions

**Form WDSR – Wrongful Death Status Report**

## **INSOLVENCY**

**Form 24.0 – Representation of Insolvency** (RC 2117.15)

**Form 24.1 - Judgment Entry Setting Hearing and Ordering Notice** (RC 2117.15, 2117.17 & 2117.25)

**Form 24.2 – Notice of Hearing on Representation of Insolvency and Schedule of Claims** (RC 2117.17)

To be filed, after hearing has been scheduled

Copies of green cards needed

Service must be completed at least 10 days prior to the hearing (RC 2117.17)

**Form WNHD – Waiver of Notice of hearing on Debts of the Estate and Report of Insolvency** required from attorney, fiduciary and all legatees, devisees and heirs (If a legatee, devisee or heir, they will sign the waiver “individually and as fiduciary”)

**Form 24.3 – Verification of Service Notice of Hearing on Representation of Insolvency and Schedule of Claims** (RC 2117.17)

To be filed once all Waivers / Notices have been filed

Waivers or Notices needed from attorney, fiduciary and all legatees, devisees and heirs (If Fiduciary is also a legatee, devisee or heir, they will sign the waiver “individually and as fiduciary”)

**Form 24.4 - Schedule of Claims** (RC 2117.15, 2117.17, 2117.25)

To be filed simultaneously with **Form 24.0 Representation of Insolvency**

Costs of administration, family allowance, funeral bill to be addressed

If Real estate has been sold, attach settlement sheet

If Real Estate has been foreclosed, attach proof of foreclosure (Common Pleas Court entry)

**Form CAF - Computation of Attorney Fees** must be computed and signed (Local Rule 71.1, 71.2)

Reimbursements for costs advanced(other) must be explained

**Form CFF - Computation of Fiduciary Fees** must be computed and signed, even if fees are waived (Local Rule 72.1)

**Form 24.5 - Continuation of Schedule of Claims** (RC 2117.15, 2117.17, 2117.25)

**Form 24.6 - Judgment Entry of Insolvency** (RC 2117.15, 2117.17, 2117.25)

To be provided to court when the Insolvency is filed (will be held for the hearing)

**OTHER**

**Form 45D - Confidential Disclosure of Personal Identifiers** (Local rule 45, SupR 45(D))

**Form MTCCH - Motion to Continue Citation Hearing** must use Court form (Local Rule 56)

**Form NDA – Newly Discovered Assets**

To be filed within 30 days of discovery of assets

To be signed by the fiduciary

Additional Bond to be filed with Newly Discovered Assets, if not sufficient

Amount of Bond is 2 times the personal property (include annual income)

**Form WRCW – Waiver of Right to Contest Will**

\_\_\_\_ Notes \_\_\_\_\_  
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