

**IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

JUDGE TERRE L. VANDERVOORT

IN THE MATTER OF _____
CASE NO. _____

REQUEST FOR RECORDING OF HEARING

[Local Rule 11.2(C)]

I request a copy of the Court's digital recording of the hearing that took place on _____, 20____, in this case.

A new flash drive must accompany any and all requests for a recording of a hearing.

I am:

- A party in this case
- An attorney representing a party in this case
- Not a party or attorney for a party in this case

When the copy is ready, please:

- Call or email me. I will pick it up at the Court.
- Mail it to me. I have provided a self-addressed return envelope of appropriate size and protection for mailing a flash drive, with sufficient prepaid postage.

I acknowledge that if I want a transcript of the recording prepared, I am responsible for making arrangements for and paying the cost of the transcription.

Signature

Typed or Printed Name

Address

City State Zip

Telephone Number (include area code)

Email Address

For Court Use Only

- Notified requesting party that copy was ready for pick-up on _____, 20____ _____
Initials
- Mailed copy to requesting party on _____, 20____ _____
Initials

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE**

IN RE: CHANGE OF NAME OF _____
To _____ (Present Name)
_____ (Name Requested)
Case No. _____

**APPLICATION TO WAIVE PUBLICATION REQUIREMENT
AND SEAL FILE
[R.C. 2717.01(A)(4)]**

Now comes _____, pursuant to R.C. 2717.01(A)(4), hereby requests this Court to waive the publication requirement and order the file in the above-captioned matter be sealed. The publication of notice in a newspaper of general circulation will jeopardize the applicant’s personal safety for the following reason:

Exhibits attached in support of application.

Attorney for Applicant

Applicant’s Signature

JUDGMENT ENTRY WAIVING PUBLICATION AND SEALING FILE

It is hereby ORDERED that the publication requirement for the Application for Change of Name is waived, and the file in the above-captioned matter be and hereby is sealed pursuant to R.C. 2717.01(A)(4).

JUDGE TERRE L. VANDERVOORT

**IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

JUDGE TERRE L. VANDERVOORT

IN THE MATTER OF _____

CASE NO. _____

CONFIDENTIAL DISCLOSURE OF PERSONAL IDENTIFIERS

[Rule 45(D) of the Rules of Superintendence for the Courts of Ohio]

	<u>Complete Personal Identifier</u>	<u>Institution</u>	<u>Abbreviation</u>	<u>Form No.</u>	<u>Filing Date</u>
Ex.	123-45-6789	Social Security	6789	22.3	7/1/2009
Ex.	0001234567	Anytown Bank Checking	Anytown #1	6.1	7/1/2009
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____
7.	_____	_____	_____	_____	_____
8.	_____	_____	_____	_____	_____
9.	_____	_____	_____	_____	_____
10.	_____	_____	_____	_____	_____

Check if additional pages are attached.

Signature of Filing Party

Printed Name

Date

**IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

JUDGE TERRE L. VANDERVOORT

THE ESTATE OF _____, DECEASED
CASE NO. _____

APPLICATION FOR EXTENSION OF TIME TO FILE
[Local Rule 56.1]

The Applicant requests an extension of time to file:

- | | |
|--|--|
| <input type="checkbox"/> Certificate of Service of Notice of Probate of Will | <input type="checkbox"/> Inventory |
| <input type="checkbox"/> Account | <input type="checkbox"/> Status Report |
| <input type="checkbox"/> Other: _____ | |

This filing is due on: _____, 20____

- This request is for the:
- First Extension (maximum 60 days upon a clear showing of reasonable cause)
 - Second Extension (maximum 30 days upon a clear showing of exceptional circumstances)
 - _____ Extension (requires prior conference with Court)

Length of extension requested: _____ days

Proposed new due date: _____, 20____

Below is a clear and concise statement establishing the required grounds for the requested extension (reasonable cause for a first extension or exceptional circumstances for a second extension):

Date

Applicant (Fiduciary or Attorney)

CERTIFICATION

As attorney for the Fiduciary in this case, I certify that the Fiduciary has reviewed and approved this Application before I signed and filed it on the Fiduciary's behalf.

Attorney for Fiduciary

**IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

JUDGE TERRE L. VANDERVOORT

THE ESTATE OF _____

CASE NO. _____

ENTRY REGARDING EXTENSION OF TIME TO FILE

Upon application for an extension of time to file _____, it is ordered that:

- The Court grants the Application. The due date for this filing is extended to _____.
- The Court denies the Application for the reason stated below. The due date remains unchanged.
 - The Application was not timely filed before the due date.
 - The Application requests additional time exceeding the limits permitted by Local Rules.
 - The Application does not state sufficient reasonable cause to justify the extension.
 - The Application does not state sufficient exceptional circumstances to justify the extension.
 - Other: _____

Date

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION

JUDGE TERRE L. VANDERVOORT

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION FOR EXTENSION OF TIME TO FILE

[Local Rule 56.1]

The Applicant requests an extension of time to file:

- Guardian's Report
- Inventory
- Account
- Other: _____

This filing is due on: _____, 20__

- This request is for the:
- First Extension (maximum 60 days upon a clear showing of reasonable cause)
 - Second Extension (maximum 30 days upon a clear showing of exceptional circumstances)
 - _____ Extension (requires prior conference with Court)

Length of extension requested: _____ days

Proposed new due date: _____, 20__

Below is a clear and concise statement establishing the required grounds for the requested extension (reasonable cause for a first extension or exceptional circumstances for a second extension):

Date

Applicant (Guardian or Attorney)

CERTIFICATION

As attorney for the Guardian in this case, I certify that the Guardian has reviewed and approved this Application before I signed and filed it on the Guardian's behalf.

Attorney for Guardian

**IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

JUDGE TERRE L. VANDERVOORT

GUARDIANSHIP OF _____

CASE NO. _____

ENTRY REGARDING EXTENSION OF TIME TO FILE

Upon application for an extension of time to file _____, it is ordered that:

- The Court grants the Application. The due date for this filing is extended to _____.
- The Court denies the Application for the reason stated below. The due date remains unchanged.
 - The Application was not timely filed before the due date.
 - The Application requests additional time exceeding the limits permitted by Local Rules.
 - The Application does not state sufficient reasonable cause to justify the extension.
 - The Application does not state sufficient exceptional circumstances to justify the extension.
 - Other: _____

Date

Terre L. Vandervoort, Probate Judge

**IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

JUDGE TERRE L. VANDERVOORT

IN THE TRUST OF _____

FOR THE BENEFIT OF _____

CASE NO. _____

APPLICATION FOR EXTENSION OF TIME TO FILE
[Local Rule 56.1]

The Applicant requests an extension of time to file:

- Inventory
- Account
- Other: _____

This filing is due on: _____, 20____

- This request is for the:
- First Extension (maximum 60 days upon a clear showing of reasonable cause)
 - Second Extension (maximum 30 days upon a clear showing of exceptional circumstances)
 - _____ Extension (requires prior conference with Court)

Length of extension requested: _____ days

Proposed new due date: _____, 20____

Below is a clear and concise statement establishing the required grounds for the requested extension (reasonable cause for a first extension or exceptional circumstances for a second extension):

Date

Applicant (Trustee or Attorney)

CERTIFICATION

As attorney for the Trustee in this case, I certify that the Trustee has reviewed and approved this Application before I signed and filed it on the Trustee's behalf.

Attorney for Trustee

**IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

JUDGE TERRE L. VANDERVOORT

IN THE MATTER OF _____

CASE NO. _____

ENTRY REGARDING EXTENSION OF TIME TO FILE

Upon application for an extension of time to file _____, it is ordered that:

- The Court grants the Application. The due date for this filing is extended to _____.
- The Court denies the Application for the reason stated below. The due date remains unchanged.
 - The Application was not timely filed before the due date.
 - The Application requests additional time exceeding the limits permitted by Local Rules.
 - The Application does not state sufficient reasonable cause to justify the extension.
 - The Application does not state sufficient exceptional circumstances to justify the extension.
 - Other: _____

Date

Terre L. Vandervoort, Probate Judge

**IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

JUDGE TERRE L. VANDERVOORT

IN THE MATTER OF _____

CASE NO. _____

APPLICATION FOR EXTENSION OF TIME TO FILE

[Local Rule 56.1]

The Applicant requests an extension of time to file:

This filing is due on: _____, 20____

- This request is for the:
- First Extension (maximum 60 days upon a clear showing of reasonable cause)
 - Second Extension (maximum 30 days upon a clear showing of exceptional circumstances)
 - _____ Extension (requires prior conference with Court)

Length of extension requested: _____ days

Proposed new due date: _____, 20____

Below is a clear and concise statement establishing the required grounds for the requested extension (reasonable cause for a first extension or exceptional circumstances for a second extension):

Date

Applicant (Fiduciary or Attorney)

CERTIFICATION

As attorney for the Fiduciary in this case, I certify that the Fiduciary has reviewed and approved this Application before I signed and filed it on the Fiduciary's behalf.

Attorney for Fiduciary

**IN THE COURT OF COMMON PLEAS, FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

JUDGE TERRE L. VANDERVOORT

IN THE MATTER OF _____

CASE NO. _____

ENTRY REGARDING EXTENSION OF TIME TO FILE

Upon application for an extension of time to file _____, it is ordered that:

- The Court grants the Application. The due date for this filing is extended to _____.
- The Court denies the Application for the reason stated below. The due date remains unchanged.
 - The Application was not timely filed before the due date.
 - The Application requests additional time exceeding the limits permitted by Local Rules.
 - The Application does not state sufficient reasonable cause to justify the extension.
 - The Application does not state sufficient exceptional circumstances to justify the extension.
 - Other: _____

Date

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

**APPLICATION FOR APPOINTMENT AS
SPECIAL ADMINISTRATOR**
[Local Rule 60.1]

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

Attached is Supreme Court Form 1.0, listing the decedent's surviving spouse, children, next of kin, legatees and devisees known to applicant.

Applicant's relationship to the decedent is:

- Surviving Spouse
- Child/Next of Kin
- Attorney for applicant
- Other _____

Applicant applies to the Court for appointment as Special Administrator of this estate, for a period not to exceed 90 days, to investigate the composition and value of the decedent's assets and other material aspects of the decedent's estate before beginning a formal estate administration. A Fiduciary Acceptance as Special Administrator accompanies this application.

Attorney for Applicant

Typed or Printed Name

Address

City State Zip

Telephone Number (include area code)

Attorney Registration No.

Applicant's Signature

Typed or Printed Name

Address

City State Zip

Telephone Number (include area code)

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

**FIDUCIARY ACCEPTANCE OF
SPECIAL ADMINISTRATOR**

[Local Rule 60.1]

I accept and agree to perform the duties the law and Greene County Probate Court Local Rules of Practice impose on me as Special Administrator of this estate and all additional duties that the Court may order. I understand and agree that my duties as Special Administrator include, without limitation:

1. Investigating and gathering all relevant information concerning the composition and value of all of the decedent's assets, including without limitation the contents of the decedent's safe deposit box;
2. Investigating and gathering all relevant information concerning the way in which each of the decedent's assets is titled;
3. Investigating and gathering information regarding all other aspects of this estate that are or may be relevant, necessary or beneficial in the actual settlement of the decedent's estate;
4. Directing the delivery of the decedent's mail from the United States Postal Service to myself as Special Administrator or to the attorney representing me in this case, and accepting and preserving all of the decedent's mail that I receive;
5. Accepting and preserving all claims that creditors of the decedent submit;
6. Upon receipt of a written request, promptly delivering all documents and information in my possession relating to the decedent's estate to the person having priority to serve as fiduciary, or to the appointed fiduciary, of the decedent's estate;
7. If it is determined that no actual probate proceeding is necessary, preserving all information collected for a period of at least one year following the termination of the special administration period;
8. Discharging all of my duties as Special Administrator diligently and faithfully in compliance with the Ohio Revised Code, Rules of Superintendence, Local Rules of Greene County Probate Court and further orders of the Court;
9. Always keeping the Court informed of my current address and daytime telephone number, and notifying the Court promptly of any changes.

I further understand and agree that I am NOT permitted to do any of the following, personally or in my capacity as Special Administrator, unless the Court specifically authorizes and orders otherwise:

1. Access any of the decedent's financial or investment assets, or otherwise use any of the decedent's assets for any purpose;
2. Close, transfer or otherwise deal with any of the decedent's financial or investment accounts;
3. Sell, exchange, transfer, distribute or otherwise dispose of any of the decedent's assets;
4. Allow or reject any claims that creditors present against the estate;
5. Negotiate, compromise, settle or pay any creditor claims or other liabilities of decedent;
6. Bind the estate to any obligations for any purpose;
7. Institute, defend or otherwise participate in any lawsuit on behalf of or against the estate.

Date

Fiduciary

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

ENTRY APPOINTING SPECIAL ADMINISTRATOR

[Local Rule 60.1]

This matter came before the Court upon application of _____ for appointment as Special Administrator for investigation of the estate of _____ under Fairfield County Probate Court Local Rule 60.1.

The Court finds that the applicant is qualified to serve as Special Administrator under Local Rule 60.1(B) and is a suitable person for serving in that capacity. The Court further finds that the applicant has filed with the Court all documents required under Local Rule 60.1(C).

The Court appoints the applicant as Special Administrator, to serve without bond and without hearing on the application. The Court will issue Letters of Authority of Special Administrator to the applicant simultaneously with filing this Entry.

The Court grants to the Special Administrator, and authorizes the Special Administrator to exercise, all powers and authority described in Local Rule 60.1(E), subject to the limitations described in Local Rule 60.1(F). The Special Administrator will not have any other powers or authority unless the Court specifically orders otherwise by separate judgment entry.

The Court further orders the Special Administrator to comply with the terms of the Fiduciary Acceptance of Special Administrator and with all other requirements of Local Rule 60.1.

The authority of the Special Administrator terminates automatically on the earlier of: (i) 90 calendar days after the date of this Entry; or (ii) the date that the Court issues letters testamentary, letters of administration, an entry releasing the estate from administration or an order granting summary release from administration regarding this estate. The Court will not grant any extension of time of the special administration period.

The Court further orders the Special Administrator to send a Notice of Appointment of Special Administrator (FC Form 60.1-E) by ordinary mail to all persons listed on the Supreme Court Form 1.0 within seven days of the date of this Entry.

It is so ordered.

Date

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

**LETTERS OF AUTHORITY FOR
SPECIAL ADMINISTRATOR**
[R.C. 2113.15]

Name and Title of Fiduciary: _____, Special Administrator
Valid through _____

The decedent was a resident of Fairfield County, Ohio at the time of death.

The Court has appointed the fiduciary as Special Administrator of the decedent's estate for the period stated above. The Court has dispensed with bond by Local Rule.

The Court has granted the Special Administrator full power and authority to take any action necessary to investigate and gather information regarding all aspects of the decedent's estate, including without limitation the composition and value of the decedent's assets, the decedent's liabilities or other material aspects of the estate that are or will be necessary or beneficial in the formal administration of the decedent's estate. The Special Administrator specifically has authority to access the decedent's safe deposit boxes, but may not remove any items from the box except the Last Will. The Special Administrator may also access the decedent's mail and may change the address with the United States Postal Service to redirect delivery to the Special Administrator, or to his or her attorney.

The Special Administrator does not have any power to actually access any of the decedent's financial assets, close or transfer any accounts, sell, transfer or distribute any assets, pay any liabilities, bind the estate to any obligations or institute or defend any lawsuit, without prior separate Court authority.

NOTICE TO FINANCIAL INSTITUTIONS

These Letters of Authority constitute a formal Court Order of the Fairfield County Probate Court. Any attempt to limit or impede the Special Administrator's access to information regarding the decedent's accounts or other financial information is a violation of this Court Order and may constitute contempt of court.

Date

Terre L. Vandervoort, Probate Judge

CERTIFICATE OF APPOINTMENT AND INCUMBENCY

The above document is a true copy of the original kept by me as custodian of this Court. It constitutes the appointment and letters of authority of the named Special Administrator, who is qualified and acting in that capacity.

Terre L. Vandervoort, Probate Judge

(Seal)

By: _____
Deputy Clerk

Date

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

NOTICE OF APPOINTMENT OF SPECIAL ADMINISTRATOR

Name

Address

City, State, Zip

Name

Address

City, State, Zip

Name

Address

City, State, Zip

Name

Address

City, State, Zip

Name

Address

City, State, Zip

Name

Address

City, State, Zip

On _____, 20____, the Probate Court of Fairfield County, Ohio appointed _____ as Special Administrator of the estate of _____. The Special Administrator's authority is limited to investigating the composition and value of the decedent's assets and liabilities, and gathering information regarding other material aspects of the estate that will be necessary or beneficial in the actual settlement of the decedent's estate. The authority of the Special Administrator is valid for a period not exceeding 90 days.

If you have any questions regarding the authority of this Special Administrator or your rights in this case, you should contact an attorney.

Date

Applicant/Attorney for Applicant

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

**NOTICE OF APPOINTMENT FOR WRONGFUL DEATH
OR SURVIVAL ACTION**

[Local Rule 60.2(C)(2)]

The applicant gives notice that this estate is opened for the sole purpose of pursuing a wrongful death or survival action. To the best of applicant's knowledge, there are no probate assets to administer in this estate. Applicant requests that the Court dispense with the requirement of filing of an inventory and accounts.

Attorney

Applicant

ENTRY

Upon representation that there are no probate assets to administer in this estate, and that the sole purpose of opening this estate is to pursue a wrongful death or survival action, the Court dispenses with the requirement of filing an inventory and accounts in this estate. If the fiduciary later discovers any assets that require probate administration, the Court may modify this Entry to require an inventory and accounts.

The fiduciary must file a status report annually on or before the anniversary date of appointment (See Local Rule 64.2(H)).

Date

Terre L. Vandervoort, Probate Judge

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

FIDUCIARY ACCEPTANCE

[R.C. §2109.02 and Local Rule 60.2(E)]

I accept and agree to perform the duties the law imposes on me as fiduciary of this estate and all additional duties that the Court may order. I understand and agree that my duties include, without limitation:

1. Providing all notices to heirs and beneficiaries of the estate when and as required by law;
2. Gathering and preserving all of the decedent's assets that are subject to probate administration, including the contents of safe deposit boxes, and maintaining appropriate insurance on all real and tangible personal property;
3. Lawfully and prudently depositing and investing all funds and other intangible assets in a reputable financial institution in Ohio, and always keeping estate assets completely separate from my personal assets;
4. Assuring that all estate assets remain in the state of Ohio during administration of this estate;
5. Preparing and filing with the Court within three months of my appointment a complete and accurate inventory of all of the decedent's real and personal assets that are subject to probate administration, and the fair market value of those assets as of the decedent's date of death;
6. Preparing and filing with the Court a final and distributive account or a certificate of termination within six months of my appointment, unless extended by law or Court order;
7. Timely preparing and filing all estate, gift and income tax returns required by law;
8. Obtaining prior Court approval before using, purchasing or otherwise dealing with any estate assets for personal benefit;
9. Not paying any attorney or fiduciary fees until my final and distributive account is prepared and ready to file, unless the Court orders otherwise;
10. Always keeping the Court informed of my current address and daytime telephone number, and notifying the Court promptly of any changes.

IMPORTANT NOTICE

Under *Revised Code* §2109.31 and Local Rule 77, a fiduciary is subject to sanctions for failing to perform his or her duties in a proper and timely manner. Possible sanctions include, without limitation, removal of the fiduciary. Failure to comply with any Court order may be punishable as contempt of court. A fiduciary may be subject to civil or criminal penalties for improper use of any asset for which the fiduciary is responsible.

Date

Fiduciary

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

SUPPLEMENTAL APPLICATION FOR NONRESIDENT FIDUCIARY
[Local Rule 60.3]

Applicant submits this Supplemental Application to qualify for appointment as a nonresident Fiduciary.

Applicant is eligible to serve as a nonresident Fiduciary under R.C. §2109.21.

Applicant is represented by an attorney who is licensed and in good standing to practice law in Ohio.

Applicant will meet the requirements of Local Rule 60.3(B) in the following manner (check only one):

- Promptly after appointment, Applicant will deposit all intangible personal property in a custodial account at a financial institution located in Greene County, Ohio pursuant to R.C. §2109.13, and will promptly file a written Verification of Receipt and Deposit with the Court (GC Form 60.3-C).
- Applicant will serve as Co-Fiduciary with a person or entity who is a resident of Ohio and who is nominated as an alternate or successor Fiduciary in the governing instrument. (Local Rule 60.3(B)(2))
- Applicant will post a bond in compliance with R.C. §2109.04 and Local Rule 75.2, even though the governing instrument waives bond. (Local Rule 60.3(B)(3))

Applicant respectfully requests the Court to issue an Entry approving the Applicant's qualification to serve as a nonresident Fiduciary.

Date

Signature

Applicant (type or print name)

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

**ENTRY REGARDING SUPPLEMENTAL APPLICATION
FOR NONRESIDENT FIDUCIARY**

[Local Rule 60.3]

The Court approves the Supplemental Application for Nonresident Fiduciary based on the following findings and will issue Letters of Authority upon the following conditions:

The Court finds that the Applicant is eligible to serve as a nonresident Fiduciary under R.C. §2109.21.

The Court further finds that the Applicant is represented by an attorney who is licensed and in good standing to practice law in Ohio.

The Court orders that the Applicant must do the following:

Promptly after appointment, Applicant must deposit all intangible personal property in a custodial account at a financial institution located in Fairfield County, Ohio pursuant to R.C. §2109.13, and must file a written Verification of Receipt and Deposit with the Court (FC Form 60.3-C) immediately upon opening the Fiduciary's custodial account, but no later than the date the Inventory is due. No funds may be withdrawn from that account without prior order of the Court.

Applicant must at all times serve as Co-Fiduciary with a person or entity who is a resident of Ohio and who is nominated as an alternate or successor Fiduciary in the governing instrument.

Applicant must post a bond in compliance with R.C. §2109.04 and Local Rule 75.2, even though the governing instrument waives bond.

The Court denies the Supplemental Application for Nonresident Fiduciary for the reason that it does not comply with Local Rule 60.3.

Date

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

VERIFICATION OF RECEIPT AND DEPOSIT
[Local Rule 60.3(B)(1)]

Pursuant to Court Order, a custodial depository account has been opened with this financial institution in the name of the Fiduciary.

Title of Account: _____
Last Four Digits of Account Number: _____
Opening Balance \$ _____

THE FINANCIAL INSTITUTION AGREES THAT ALL DEPOSITS, TOGETHER WITH ACCUMULATED INTEREST, WILL NOT BE RELEASED TO THE FIDUCIARY, OR TO ANY OTHER PERSON, UNTIL FURTHER ORDER OF THE COURT.

Financial Institution

By: _____
Authorized Officer

Typed or Printed Name

Phone Number

Date

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

APPLICATION FOR EXCEPTION TO LOCAL RULE 60.3(B)
FOR NONRESIDENT FIDUCIARY
[Local Rule 60.3(C)]

Applicant applies to the Court for an exception to the requirements of a nonresident Fiduciary in Local Rule 60.3(B). Applicant submits that an exception is appropriate in this case because all of the following conditions are satisfied:

1. Applicant is represented by an attorney who is licensed and in good standing to practice law in Ohio.
2. Applicant is nominated as Executor in the decedent's will to serve without bond.
3. Applicant is a residual beneficiary of the estate.
4. Attached to this Application are the signed consents of all other residual beneficiaries of the estate.

Applicant respectfully requests the Court to issue an Entry approving this Application for Exception to Local Rule 60.3.

Date

Signature

Applicant (type or print name)

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

CONSENT TO APPOINTMENT OF NONRESIDENT FIDUCIARY

[Local Rule 60.3(C)]

I am a residual beneficiary of this estate. I consent to the appointment of _____ as Executor of this estate without bond or other protection, even though that person does not reside in Ohio. I acknowledge that by signing this Consent, I am permitting the Applicant to serve as Executor without posting a fiduciary's bond, depositing the assets into a custodial account, or acting with a resident Co-Fiduciary, which would otherwise be required under the Court's Local Rules if I did not sign this Consent.

Beneficiary

Typed or Printed Name

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

**ENTRY REGARDING EXCEPTION FROM LOCAL RULE
60.3(B) FOR NONRESIDENT FIDUCIARY**

[Local Rule 60.3(C)]

Upon review of the Application for Exception to Local Rule 60.3(B) for Nonresident Fiduciary, the Court finds as follows:

- The Court grants the Application. Applicant has complied with all requirements in Local Rule 60.3(C).
- The Court denies the Application. Applicant has not complied with all requirements in Local Rule 60.3(C).

Date

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

REPRESENTATION OF SUMMARY INSOLVENCY
[Local Rule 62.2]

The period for creditors to present claims in this estate has expired. The fiduciary represents to the Court that this estate appears to be insolvent.

The Inventory and Schedule of Assets have been filed and approved. The fiduciary states that the estate assets have been liquidated, to the extent necessary.

An Insolvency Schedule of Claims (Supreme Court Forms 24.4 and 24.5) is attached, showing all of the claims presented to the fiduciary in a timely manner or secured by estate assets. Each claim is properly classified and listed in the order of priority stated in R.C. §2117.25. Administrative expense claims for attorney fees and fiduciary fees comply with Local Rule 62.2(B). An application for attorney fees and the statutory fiduciary fee computation accompany this filing, or have been approved by the Court in advance. The fiduciary states that there are no known contingent claims.

The estate assets and claims are summarized as follows:

Total value of probate assets:	\$ _____
Total value of claims:	\$ _____

The Fiduciary states the total of all claims properly classified under R.C. §2117.25 (A)(1) through (A)(3) exceeds the total value of probate assets, as shown on the Insolvency Schedule of Claims. There are no probate assets available to satisfy any lower priority claims.

The fiduciary requests the Court determine that the estate is insolvent and order the payment of the claims in the order of priority to the extent of the probate assets. Pursuant to Local Rule 62.2, the fiduciary further requests the Court make this determination summarily without prior notice or hearing.

Attorney for Fiduciary

Fiduciary's Signature

Typed or Printed Name

Typed or Printed Name

Street Address

Street Address

City State Zip

City State Zip

Telephone Number (include area code)

Telephone Number (include area code)

Attorney Registration No.

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

JUDGMENT ENTRY OF SUMMARY INSOLVENCY

[Local Rule 62.2]

This matter came before the Court for consideration of the fiduciary's Representation of Summary Insolvency and Insolvency Schedule of Claims pursuant to Local Rule 62.2.

The Court finds that the fiduciary acted properly in classifying, allowing or rejecting claims on the Insolvency Schedule of Claims. The Court further finds that the fiduciary's Representation of Summary Insolvency complies with all requirements of Local Rule 62.2.

Based on the evidence presented, the Court finds that this estate is insolvent. The Court further finds that there are insufficient assets in this estate to pay any claims of a lower priority than those properly classified under R.C. §2117.25 (A)(1) through (A)(3), as shown on the Insolvency Schedule of Claims.

The Court orders the fiduciary to pay claims in the order of priority and in the amounts shown on the Insolvency Schedule of Claims to the extent of the probate assets. With respect to any priority class of claims in which there are sufficient assets to pay all of the claims of that class, the fiduciary must pay all claims within that class in full before paying any claims in the next class. With respect to any class of claims in which there are not sufficient assets to pay all of the claims of that class in full, the fiduciary must pay the claims within that class prorata. All claims below that class are disallowed, as there are no funds available to pay those claims.

The Court further orders as follows:

- The fiduciary must file a final and distributive account within 30 days after the date of this Judgment.
- The fiduciary must file a certificate of termination within 30 days after the date of this Judgment.
- The Court dispenses with a final accounting in this estate, provided that the fiduciary files a report of distribution within 30 days after the date of this Judgment, showing the payment of claims in the priority required in this Judgment Entry.

The Court dispenses with the requirement of notice and a hearing on this matter for the reason that no heirs, beneficiaries or creditors are prejudiced due to the insufficiency of assets to pay other claims or inheritance.

The Court orders the fiduciary to send a copy of this Judgment Entry to all heirs, beneficiaries and creditors of this estate within 30 days after the date of this Judgment.

Date

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

CERTIFICATE CLOSING ESTATE
WRONGFUL DEATH OR SURVIVAL ACTION
[Local Rule 64.2(F)]

The fiduciary states that the wrongful death or survival action in this estate has concluded and the fiduciary has filed a Report of Distribution consistent with the Court's Entry approving the settlement. The fiduciary certifies that there are no known assets that require probate administration. Therefore, the fiduciary requests that the Court close this estate and discharge the fiduciary.

Attorney

Fiduciary

ENTRY

The Court finds that the purpose for which this estate was opened has been fully resolved and that there are no known assets that require probate administration. The Court orders that this estate is closed and that the fiduciary is discharged.

Date

Terre L. Vandervoort, Probate Judge

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

STATUS REPORT

[Local Rule 64.2(H)]

This Status Report accompanies the fiduciary's partial account or waiver of that partial account.

Instructions

Please complete all portions of the Status Report. If a question regarding a particular type of asset does not apply to this estate, you may leave that question blank. If you need additional space to respond to any question, please continue on a separate sheet and attach the sheet to this Status Report.

WORKING RELATIONSHIP

If the fiduciary is represented by an attorney, is the working relationship between the fiduciary and the attorney good, with mutual cooperation and responsiveness? Yes No

If "No," please explain: _____

Are the heirs or beneficiaries being cooperative and responsive, as needed? Yes No

If "No," please explain: _____

Are there any ongoing disputes among the heirs or beneficiaries that are causing delays in the administration of this estate?

Yes No

If "Yes," please explain: _____

ASSETS

Have all of the tangible personal property assets been distributed or liquidated? Yes No

If "No," please explain why: _____

Note: *If tangible personal property assets remain in the fiduciary's hands, you are required to attach to this Status Report a copy of the insurance declaration page showing that the assets are currently and properly insured.*

Have all of the intangible personal property assets been distributed or liquidated? Yes No

If "No," please explain why: _____

Are all of the intangible personal property assets that remain in the fiduciary's hands in one or more fiduciary accounts under the control of the fiduciary? Yes No

If "No," please explain why: _____

Is any real estate in this estate the subject of a pending foreclosure action? Yes No
If "Yes," is there any equity in the real estate that may benefit the estate? Yes No Maybe
Has all of the real estate been transferred by certificate of transfer or sold? Yes No
If "No," please explain why: _____

If the fiduciary intends to sell the real estate, is the real estate currently listed for sale? Yes No
If "Yes," how long has the property been actively marketed for sale? _____
If "No," please explain why: _____

Note: If real estate remains in the fiduciary's hands, you are required to attach to this Status Report a copy of the insurance declaration page showing that the assets are currently and properly insured.

LIABILITIES

Is the estate solvent? Yes No
If "No," please explain the status of probate insolvency proceedings: _____

If "Yes," have all debts and claims (except administrative expenses) been paid? Yes No
If "No," please explain why: _____

Is the estate involved in any pending litigation regarding any alleged debts or claims against the estate?
 Yes No
If "Yes," please describe: _____

Are there any other disputes between the estate and third parties that are not yet resolved? Yes No
If "Yes," please describe: _____

Are there any other disputes between the estate and heirs or beneficiaries that are not yet resolved? Yes No
If "Yes," please describe: _____

PROBLEMS AND EFFORTS

Please describe the circumstances that have precluded the fiduciary from completing the administration of this estate.

Please describe the efforts you made during this past accounting period to resolve the above circumstances.

CASE NO. _____

Please describe the efforts you plan to make during this coming accounting period to resolve the above circumstances.

When do you reasonably anticipate that you will be able to conclude the administration of this estate and file a final and distributive account? _____, 20____

I certify that the information in this Status Report is true, accurate and complete to the best of my knowledge and belief.

Attorney for Applicant

Applicant

Typed or Printed Name

Typed or Printed Name

Attorney Registration No. _____

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

STATUS REPORT
[Local Rule 64.2(H)]

This Status Report pertains to estates that were open for the sole purpose of pursuing wrongful death or survival claims, and in which the Court has dispensed with the requirement of filing accountings.

Instructions

Please complete all portions of the Status Report. If you need additional space to respond to any question, please continue on a separate sheet and attach the sheet to this Status Report.

STATUS OF LITIGATION

Has the fiduciary actually filed a lawsuit for wrongful death or survival claims? Yes No

If "Yes," please provide the following information:

Case Caption: _____

Court: _____

Case Number: _____

Date Filed: _____

[If suit has been filed, please attach a copy of the most recent Scheduling Order in the case]

If the fiduciary has not filed a lawsuit yet, is the fiduciary actively engaged in settlement discussions? Yes No

If "No," please explain: _____

If the fiduciary has not filed a lawsuit yet, what date does the statute of limitations run on the claims?

_____, 20____

STATUS OF ESTATE

Has the fiduciary discovered any assets that require probate administration? Yes No

If "Yes," please describe the action the fiduciary has taken to begin administration of those assets:

I certify that the information in this Status Report is true, accurate and complete to the best of my knowledge and belief.

Attorney for Applicant

Applicant

Typed or Printed Name

Typed or Printed Name

Attorney Registration No.

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

_____,
Plaintiff

vs.

_____, et al.,
Defendant

Case No.: _____
Judge Terre L. Vandervoort

CERTIFICATION OF TITLE

I certify that I performed or obtained a title examination of the real property that is the subject of this case within 15 calendar days before filing the Complaint. The title examination was performed by a title company licensed to issue title insurance or by an attorney experienced in examining real estate titles. I further certify that all parties having an interest in this real property, as determined by the title examination, are named as parties in this action.

A copy of the title examination is available to the Court for review upon the Court's request.

Date

Signature

Typed or Printed Name

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION TO DISPENSE WITH INVENTORY OR ACCOUNTS

The Applicant applies to the Court to dispense with the requirement of filing: (Check one or both boxes)

- Guardian's Inventory
- Guardian's Accounts

The Applicant states that the following special circumstances exist that make the filing of a Guardian's Inventory or Guardian's Account clearly unnecessary in this case:

The Applicant further states that dispensing with the Inventory or Account in this case will not be detrimental to the ward or to any other person or entity having a financial interest in this case.

**NOTE: THE COURT WILL RULE ON THIS APPLICATION AT THE HEARING ON THE APPLICATION FOR
APPOINTMENT OF GUARDIAN.**

Applicant

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____
CASE NO. _____

INCIDENT REPORT FORM
[Local Rule 66.1(E)]

The undersigned has reasonable cause to believe that the ward in this case is being abused, neglected, exploited or otherwise subjected to danger of emotional, physical or financial harm.

The nature of the wrongdoing to which the ward is being subjected is: (Check all that apply)

- Abuse Neglect Exploitation Other danger

The type of harm the ward is subjected to is: (Check all that apply)

- Emotional Physical Financial

The name of the person or persons who are alleged to have committed, or who are committing, the wrongdoing is:

Name(s): _____

Date you first became aware of the incident: _____

Was the incident: A single instance Multiple instances

Is the incident still continuing? Yes No

To your knowledge, did anyone report the incident to the police? Yes No

If yes, please attach a copy of the police report, if available.

To your knowledge, did anyone report the incident to the Adult Protective Services or any other agency?

- Yes No

If yes, please briefly describe the action the agency has taken, if known:

Please describe the incident in detail (continue on extra sheets, if necessary):

Please identify any other persons who have knowledge of this incident, or who may have information that would be helpful in investigating this incident:

Name: _____	Telephone Number: _____
Name: _____	Telephone Number: _____
Name: _____	Telephone Number: _____
Name: _____	Telephone Number: _____
Name: _____	Telephone Number: _____

Do you believe this situation is an emergency that requires the Court's immediate intervention? Yes No

Please attach any additional documentation you believe may be helpful in investigating this incident.

Signature of person making report

Printed name

Title (if applicable)

Phone number

Email

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

**APPLICATION FOR AUTHORITY TO SELL ASSETS OF A WARD
[Local Rule 66.1(I)]**

The Guardian applies to the Court for authority to sell the ward's tangible personal property listed on the schedule below in the following manner:

- | <u>METHOD OF SALE</u> | <u>PRICE</u> | <u>PAYMENT</u> |
|---|--|--|
| <input type="checkbox"/> Private Sale | <input type="checkbox"/> Fixed Price | <input type="checkbox"/> Cash |
| <input type="checkbox"/> Public Auction | <input type="checkbox"/> Best Price Obtainable | <input type="checkbox"/> Installment Terms |

The Guardian states that the sale of these assets is in the best interest of the ward.

SCHEDULE OF ASSETS TO BE SOLD

<u>DESCRIPTION OF ASSET</u>	<u>PRICE OR ESTIMATED VALUE</u>
_____	\$ _____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

[Check box below if applicable]

- Guardian has knowledge that one or more of the assets above is listed as a specific bequest in the ward's Last Will and Testament.

Date

Guardian

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

ENTRY AUTHORIZING SALE OF ASSETS OF A WARD
[Local Rule 66.1(l)]

This matter came before the Court for consideration of the Guardian's Application for Authority to Sell Assets of a Ward. The Court finds that the sale of assets on the proposed terms and conditions is in the best interest of the Ward. The Court approves the Application.

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

NOTICE OF DEATH OF WARD
[Local Rule 66.1(K)]

The Guardian gives notice to the Court that the ward under this guardianship died on _____.

A copy of the ward's death certificate or obituary is attached to this notice.

This guardianship is terminated by the death of the ward, subject to the Guardian filing a final account according to law, if applicable.

Guardian

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

HOUSEHOLD RESOURCE WORKSHEET
[Local Rule 66.2(D)]

Parent or Custodian 1

Name: _____ Age: _____
Occupation: _____ Monthly Gross Income: \$ _____
Employer: _____

Parent or Custodian 2

Name: _____ Age: _____
Occupation: _____ Monthly Gross Income: \$ _____
Employer: _____

Other Dependents

Monthly Expenses

Rent/Mortgage: \$ _____
Natural Gas: \$ _____
Electric: \$ _____
Water: \$ _____
Telephone: \$ _____
Cable: \$ _____
Groceries: \$ _____
Insurance: \$ _____
Automobile: \$ _____
Out of Pocket Medical: \$ _____
Other: \$ _____
Total Monthly Expenses: \$ _____

I certify that the information above is true and complete to the best of my knowledge.

Parent or Custodian 1's Signature

Parent or Custodian 2's Signature

Date: _____

Date: _____

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION TO MOVE WARD TO MORE RESTRICTIVE SETTING
[Supp. R. 66.08(E)(2)]

The Guardian applies to the Court for authority to change the residence of the ward to a more restrictive setting, as required in Sup. R. 66.08(E)(2). The Guardian states that the proposed setting is necessary and reasonable to properly meet the ward's activities of daily living and that no less restrictive alternatives exist to properly meet the ward's needs.

Attached is a written level of care assessment from a licensed physician or psychologist supporting the Guardian's proposed change of the ward's residence.

The location of the proposed new residence of the ward is:

Name of Facility _____
Street Address _____
City State and Zip Code _____
Telephone Number _____

The type of facility the proposed new residence of the ward is:

- Assisted living Skilled nursing care Hospice
 Group home Other: _____

Has the ward already been moved to the new, more restrictive residence due to an emergency before the Guardian could obtain Court authority? Yes No

If yes, please describe the nature of the emergency: _____

Date

Guardian

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

ENTRY REGARDING MOVE TO MORE RESTRICTIVE SETTING

Upon the Guardian's application for authority to change the residence of the ward to a more restrictive setting, the Court orders that:

- The Application is approved. The Court grants the Guardian authority to change the ward's residence to a more restrictive setting, as proposed.
- The Application on an emergency basis is approved. The Court approves the Guardian's prior change of the ward's residence to a more restrictive setting, as described.
- The Court denies the Application. The Court finds there is insufficient evidence to establish that changing the ward's residence to a more restrictive setting is necessary and reasonable or in the ward's best interest.

Date

Terre L. Vandervoort, Probate Judge

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

APPLICATION FOR AUTHORITY TO PAY ATTORNEY FEES

[Local Rule 71.2]

The Applicant provided legal services that were beneficial to the Fiduciary and the estate, and requests the Court to authorize the Fiduciary to pay the Applicant the legal fees stated in this Application. The proposed fee is consistent with the written fee agreement between the Fiduciary and the Applicant, and complies with the Local Rules. The Applicant has provided a copy of and explained this Application to the Fiduciary before filing it with the Court. A proposed Entry (FC Form 71.2-B) and a completed Attorney Fee Guideline (FC Form 71.2-C) accompany this Application.

Attorney Fee Requested This Application: \$ _____

Prior Attorney Fees Paid: \$ _____

Proposed Fee: \$ _____

This fee application is for: full and final payment of all services rendered
 partial payment: a good faith estimate of the work completed to date is _____%

Check appropriate box below (check only one):

- The proposed fee does not exceed the fee computed under the Guideline.
- The proposed fee exceeds the fee computed under the Guideline by 25% or less. An itemized hourly billing statement and a summary narrative explaining the unique circumstances of this case justifying a higher fee accompany this Application. The Fiduciary's consent (FC Form 71.2-D) also accompanies this Application.
- The proposed fee exceeds the fee computed under the Guideline by more than 25%, but not more than 50%. An itemized hourly billing statement and a summary narrative explaining the unique circumstances of this case justifying a higher fee accompany this Application. The Fiduciary's consent (FC Form 71.2-D) and the consent of heirs or beneficiaries pursuant to Local Rule 71.2(G)(2) also accompany this Application (FC Form 71.2-E).
- One or more of the consents required under Local Rule 71.2(G)(1) or 71.2(G)(2) are not available. An itemized hourly billing statement and a summary narrative explaining the unique circumstances of this case justifying a higher fee accompany this Application. The Applicant requests the Court set the matter for hearing.
- The proposed fee exceeds the fee computed under the Guideline by more than 50%. An itemized hourly billing statement and a summary narrative explaining the unique circumstances of this case justifying a higher fee accompany this Application. The Applicant requests the Court set the matter for hearing.

Attorney for Fiduciary

Typed or Printed Name

Address

City

State

Zip

Telephone Number (include area code)

Email Address

Attorney Registration No.

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

ENTRY AUTHORIZING PAYMENT OF ATTORNEY FEES

[Local Rule 71.2]

The Court finds that the proposed attorney fee is reasonable and complies with the Local Rules. The Court authorizes the Fiduciary of the estate to pay to the attorney \$_____ as fees for professional legal services rendered in this case. The Fiduciary must credit payment of the fees on the next accounting, subject to exceptions as provided by law.

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
 TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

ATTORNEY FEE GUIDELINE
 [Fairfield County Local Rule 71.2(F)]

This Attorney Fee Guideline is merely a baseline against which the Court will evaluate each attorney fee application. This Guideline is not a minimum or maximum fee, and is not a fee that the Court suggests is reasonable in each case. The reasonableness of the fee will depend on the facts and circumstances of each particular case.

Section A: Value of Probate Estate

- | | |
|---|----------|
| 1. Total tangible and intangible personal property: | \$ _____ |
| 2. Total real estate: | \$ _____ |
| 3. Total probate income: | \$ _____ |
| Total Probate Value: | \$ _____ |

Section B: Fee Guideline on Personal Property and Income (Section A #1 + #3)

- | | |
|------------------------------|----------|
| Combined Value on Inventory: | \$ _____ |
| 5% of first \$50,000.00: | \$ _____ |
| 4% of next \$50,000.00: | \$ _____ |
| 3% of next \$300,000.00: | \$ _____ |
| 2% of balance: | \$ _____ |

Section B Fee: \$ _____

Section C: Fee Guideline on Real Estate

Check each box that applies and complete the appropriate computations.

- There is no real estate in the probate estate
- Real estate transferred by Certificate of Transfer
 \$500.00 x _____ (number of separate tax parcels + number of exceptions): \$ _____
- Real estate sold by Power of Sale

Appraised value on Inventory:	\$ _____
4% of first \$50,000.00:	\$ _____
3% of next \$50,000.00:	\$ _____
2% of balance:	\$ _____
Subtotal:	\$ _____
- Real estate sold by Land Sale Proceeding

Appraised value on Inventory:	\$ _____
6% of first \$50,000.00:	\$ _____
5% of next \$50,000.00:	\$ _____
4% of balance:	\$ _____
Subtotal:	\$ _____

Section C Fee: \$ _____

Section D: Total Attorney Fee Guideline

Section B Fee + Section C Fee: \$ _____

Total Requested Attorney Fee: \$ _____

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

FIDUCIARY'S CONSENT TO PAYMENT OF ATTORNEY FEES

[Local Rule 71.2]

The Fiduciary consents to payment of \$_____ to the attorney as fees for professional legal services rendered in this case.

Fiduciary

Typed or Printed Name

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

CONSENT TO PAYMENT OF ATTORNEY FEES
[Local Rule 71.2]

I am an heir or beneficiary whose distribution from the estate would be affected by the payment of attorney fees. I consent to payment of \$_____ to the attorney as fees for professional legal services rendered in this case.

Heir or Beneficiary

Typed or Printed Name

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION FOR AUTHORITY TO PAY ATTORNEY FEES
[Local Rule 71.3]

The Applicant provided legal services that were beneficial to the Guardian and the ward, and requests the Court to authorize the Guardian to pay the Applicant the legal fees stated in this Application. The proposed fee is consistent with the written fee agreement between the Guardian and the Applicant, and complies with the Local Rules. The Guardian has signed this Application to acknowledge the Guardian's consent to payment of the requested fees.

The amount of the attorney fee requested in this Application is \$ _____. An itemized hourly billing statement, in compliance with Local Rule 71.1(D), accompanies this Application to substantiate the requested fee.

A proposed Entry (FC Form 71.3-B) also accompanies this Application.

Applicant-Attorney for Guardian

Guardian

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)

Email Address

Email Address

Attorney Registration No. _____

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

ENTRY AUTHORIZING PAYMENT OF ATTORNEY FEES
[Local Rule 71.3]

The Court finds that the proposed attorney fee is reasonable and complies with the Fairfield County Local Court Rules. The Court authorizes the Guardian to pay to the attorney \$_____ as fees for professional legal services rendered in this case. The Guardian must credit payment of the fees on the next accounting, subject to exceptions as provided by law.

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE TRUST OF _____

FOR THE BENEFIT OF _____

CASE NO. _____

APPLICATION FOR AUTHORITY TO PAY ATTORNEY FEES

[Local Rule 71.4]

The Applicant provided legal services that were beneficial to the Trustee and the trust, and requests the Court to authorize the Trustee to pay the Applicant the legal fees stated in this Application. The proposed fee is consistent with the written fee agreement between the Trustee and the Applicant, and complies with the Local Rules. The Trustee has signed this Application to acknowledge the Trustee's consent to payment of the requested fees.

The amount of the attorney fee requested in this Application is \$_____. An itemized hourly billing statement, in compliance with Local Rule 71.1(D), accompanies this Application to substantiate the requested fee.

A proposed Entry (FC Form 71.4-B) also accompanies this Application.

Applicant-Attorney for Trustee

Trustee

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)

Email Address

Email Address

Attorney Registration No. _____

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE TRUST OF _____

FOR THE BENEFIT OF _____

CASE NO. _____

ENTRY AUTHORIZING PAYMENT OF ATTORNEY FEES

[Local Rule 71.4]

The Court finds that the proposed attorney fee is reasonable and complies with the Fairfield County Local Court Rules. The Court authorizes the Trustee to pay to the attorney \$_____ as fees for professional legal services rendered in this case. The Trustee must credit payment of the fees on the next accounting, subject to exceptions as provided by law.

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____
CASE NO. _____

APPLICATION FOR APPROVAL OF ATTORNEY FEE AGREEMENT
[Local Rule 71.5]

The Applicant(s) and the Applicant's attorney have entered into a written fee agreement for legal representation in the pursuit of minor's injury claims. The Applicant requests the Court to approve the fee agreement.

Check appropriate box below (check only one):

- The fee agreement complies with the requirements of Local Rule 71.5(B). Therefore, the Applicant was not required to seek Court approval of the agreement before proceeding with the claims.
- The proposed fee agreement exceeds the percentage limitations on Appendix B of the Local Rules. Therefore, under Local Rule 71.5(C) the Applicant requests the Court to approve the agreement before the Applicant proceeds with the claims. Reasonable cause exists to justify a higher percentage fee or different fee computation method in this case, as explained below:

Attorney for Applicant

Applicant

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)

Email Address

Email Address

Attorney Registration No. _____

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____

CASE NO. _____

ENTRY APPROVING ATTORNEY FEE AGREEMENT
[Local Rule 71.5]

The Court finds that the proposed attorney fee agreement is reasonable and complies with the Local Rules. The Court authorizes the Applicant(s) to enter into the agreement with the attorney. The fee taken upon settlement of the minor's injury claim must be consistent with the agreement.

Terre L. Vandervoort, Probate Judge

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

**ENTRY AUTHORIZING PAYMENT OF ADDITIONAL
EXECUTOR OR ADMINISTRATOR COMPENSATION**

[Local Rule 72.1]

The Court finds that the proposed additional Fiduciary compensation is reasonable under the facts and circumstances of this case. The Court authorizes the Fiduciary to pay compensation from the estate in the amount of \$_____ to the Fiduciary for services rendered in this case. The Fiduciary must credit payment of this compensation on the next accounting, subject to exceptions as provided by law.

Terre L. Vandervoort, Probate Judge

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

STATUTORY FIDUCIARY FEE COMPUTATION

[R.C. 2113.35]

The following computation shows the permissible statutory fiduciary fee for executors and administrators under R.C. §2113.35 based on the asset values in this estate.

4% of first \$100,000.00 (personalty, income from personalty, and sold real estate):	\$ _____
3% of next \$300,000.00 (personalty, income from personalty, and sold real estate):	\$ _____
2% of the balance (personalty, income from personalty, and sold real estate):	\$ _____
1% of real estate not sold:	\$ _____
1% of property not subject to administration, that would have been includable for purposes of computing Ohio estate tax (except joint and survivorship)	\$ _____
Total Permissible Fiduciary Commission:	\$ _____
Minus Voluntary Reduction:	\$ _____
Total Fiduciary Commission:	\$ _____

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

**CONSENT TO PAYMENT OF ADDITIONAL COMPENSATION TO
EXECUTOR OR ADMINISTRATOR**

[Local Rule 72.1]

I am an heir or beneficiary whose distribution from the estate would be affected by the payment of additional compensation to the Executor or Administrator of the estate. I have reviewed and understand the Application for Authority to Pay Additional Compensation, which this Consent accompanies. I consent to payment of \$_____ to the Executor or Administrator as fees for services rendered in this case.

Heir or Beneficiary

Typed or Printed Name

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION FOR AUTHORITY TO PAY GUARDIAN COMPENSATION
[Local Rule 73.1]

The Guardian provided services that were beneficial to the ward. Therefore, the Guardian requests the Court to authorize the Guardian to receive compensation from the ward's estate, as stated in this Application.

This Application covers the period from _____ to _____.

Guardian of Person

- A fee of \$ _____, computed on an hourly basis. An itemized hourly billing statement, complying with Local Rule 73.1(A) and reflecting services performed as Guardian of the Person, accompanies this Application.

Guardian of Estate

Select one of the following methods that reflects how the requested compensation as Guardian of the Estate is computed:

- A percentage fee of \$ _____, computed under Local Rule 73.1(B), as follows:
- | | |
|---|----------|
| \$ _____ income x 5%: | \$ _____ |
| \$ _____ expenses x 3%: | \$ _____ |
| \$ _____ gross rentals (Guardian-managed real estate) x 10%: | \$ _____ |
| \$ _____ value of all tangible and intangible personal property:
remaining in Guardian's hands x 1%: | \$ _____ |
| Minus Voluntary Reduction: | \$ _____ |
| Total: | \$ _____ |

- A fee of \$ _____, computed on an hourly basis. An itemized hourly billing statement, complying with Local Rule 73.1(D) and reflecting services performed as Guardian of the Estate, accompanies this Application.

A proposed Entry (FC Form 73.1-B) also accompanies this Application.

Guardian

Typed or Printed Name

Address

City State Zip

Telephone Number (include area code)

Email Address

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

ENTRY AUTHORIZING PAYMENT OF GUARDIAN COMPENSATION
[Local Rule 73.1]

The Court finds that the proposed Guardian compensation is reasonable under the facts and circumstances of this case. The Court authorizes the Guardian to pay compensation in the following amounts from the ward's estate to the Guardian for services rendered during the period of _____ to _____.

For services as Guardian of the Person: \$ _____

For services as Guardian of the Estate: \$ _____

The Guardian must credit payment of this compensation on the next accounting, subject to exceptions as provided by law.

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION FOR AUTHORITY TO RECEIVE GUARDIAN COMPENSATION
[Indigent Guardianship]

The Guardian provided services that were beneficial to the ward. Therefore, the Guardian requests the Court to authorize the Guardian to receive compensation from the County's Indigent Guardianship Fund, as stated in this Application. This Application covers the period from _____ to _____.

Guardian of Person

- A fee of \$ _____, computed on an hourly basis. An itemized hourly billing statement, complying with Local Rule 73.1(A) and reflecting services performed as Guardian of the Person, accompanies this Application.

Guardian of Estate

Select one of the following methods that reflects how the requested compensation as Guardian of the Estate is computed:

- A percentage fee of \$ _____, computed under Local Rule 73.1(B), as follows:
- | | |
|---|----------|
| \$ _____ income x 5%: | \$ _____ |
| \$ _____ expenses x 3%: | \$ _____ |
| \$ _____ gross rentals (Guardian-managed real estate) x 10%: | \$ _____ |
| \$ _____ value of all tangible and intangible personal property:
remaining in Guardian's hands x 1%: | \$ _____ |
| Minus Voluntary Reduction: | \$ _____ |
| Total: | \$ _____ |

- A fee of \$ _____, computed on an hourly basis. An itemized hourly billing statement, complying with Local Rule 73.1(D) and reflecting services performed as Guardian of the Estate, accompanies this Application.

A proposed Entry (FC Form 73.1-D) also accompanies this Application.

Guardian

Typed or Printed Name

Address

City State Zip

Telephone Number (include area code)

Email Address

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

ENTRY AUTHORIZING PAYMENT OF GUARDIAN COMPENSATION
[Indigent Guardianship]

The Court finds that the proposed Guardian compensation is reasonable under the facts and circumstances of this case. The Court authorizes the Guardian to receive compensation in the following amounts from the Fairfield County Indigent Guardian Fund during the period of _____ to _____.

For services as Guardian of the Person: \$ _____

For services as Guardian of the Estate: \$ _____

The Auditor of Fairfield County, Ohio is hereby directed to disburse funds in the amount listed above from the Probate Court Indigent Guardianship Fund, pursuant to R.C. 2111.51.

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE TRUST OF _____
FOR THE BENEFIT OF _____
CASE NO. _____

APPLICATION FOR AUTHORITY TO PAY TRUSTEE COMPENSATION
(Local Rule 74.1)

The Trustee provided services that were beneficial to the trust and its beneficiary. Therefore, the Trustee requests the Court to authorize the Trustee to receive compensation from the trust estate, as stated in this Application.

This Application covers the period from _____ to _____.

Select one of the following methods that reflects how the requested Trustee compensation is computed:

- A percentage fee of \$_____, computed under Local Rule 74.1(A), as follows:

\$_____ income x 5%:	\$_____
\$_____ expenses x 3%:	\$_____
\$_____ gross rentals (Trustee-managed real estate) x 10%:	\$_____
\$_____ value of all tangible and intangible personal property remaining in Trustee's hands x 1%:	\$_____
Minus Voluntary Reduction:	\$_____
Total:	\$_____

- A fee of \$_____, computed on an hourly basis. An itemized hourly billing statement, complying with Local Rule 74.1(B) and reflecting services performed as Trustee, accompanies this Application.

- A corporate Trustee fee of \$_____, computed under the corporate Trustee's standard fee schedule on file with this Court.

A proposed Entry (GC Form 74.1-B) also accompanies this Application.

Trustee

Typed or Printed Name

Street Address

City, State, Zip

Telephone Number (Include Area Code)

Email Address

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE TRUST OF _____
FOR THE BENEFIT OF _____
CASE NO. _____

ENTRY AUTHORIZING PAYMENT OF TRUSTEE COMPENSATION
[Local Rule 74.1]

The Court finds that the proposed Trustee compensation is reasonable under the facts and circumstances of this case. The Court authorizes the Trustee to pay compensation from the trust estate in the amount of \$_____ to the Trustee for services rendered in this case during the period of_____ to_____. The Trustee must credit payment of this compensation on the next accounting, subject to exceptions as provided by law.

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____

CASE NO. _____

SELF-REPRESENTATION ACKNOWLEDGMENT

[Local Rule 75.1]

I acknowledge that I have read, understand and agree with all of the following statements:

1. The Court strongly recommended that I hire an attorney to represent me in this case. Contrary to the Court's recommendation, I have chosen to proceed with this case on my own without the assistance of an attorney.
2. I have the time, knowledge and ability to handle all aspects of this case correctly without assistance from the Court or any other person.
3. The Court and its Deputy Clerks are prohibited by law from assisting me with any aspect of this case, including without limitation determining what forms I am required to file and how to complete those forms.
4. The Court and its Deputy Clerks cannot provide me with any information regarding how to properly handle this case beyond the information on the Court's website, www.fairfieldcountyprobate.com.
5. I am responsible for understanding and correctly applying those portions of the Ohio Revised Code, Rules of Superintendence for the Courts of Ohio, Fairfield County Probate Court Local Rules of Practice, and all other rules, regulations, policies and case law that relate to this case.
6. The Court will hold me to the same standards that apply to attorneys and persons represented by attorneys in similar probate proceedings.
7. If I do not fulfill my responsibilities in this case properly and in a timely manner, I will be subject to the compliance policies in Fairfield County Probate Court Local Rules 77.1 through 77.4, including financial sanctions.
8. I have a duty to act fairly, honestly, impartially and in the mutual best interest of all persons or entities that may have an interest in this case. I also have a duty to not do anything in my self-interest that is detrimental or harmful to others.
9. I may be personally liable to any person or entity that suffers financial damages as a result of anything I do in this case that does not comply with the legal requirements that apply to this case.
10. If I violate anything in this Self-Representation Acknowledgement, the Court may terminate my authority to proceed further with this case, or may require that I must be represented by an attorney to continue with this case.

Fiduciary/Applicant/Guardian

Typed or Printed Name

Address

City

State

Zip

Telephone Number (include area code)

Email Address

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

APPLICATION TO DISPENSE WITH FIDUCIARY'S BOND
[Local Rule 75.2(G)]

The Applicant requests that the Court dispense with the requirement of a fiduciary's bond under R.C. §2109.04 in this case for the following reason (check only one):

- Bond is not required under Local Rule 75.2(G)(1) because the controlling instrument nominating the Applicant for appointment as Fiduciary expressly dispenses with bond and the Applicant resides in Ohio.
- Bond is not required under Local Rule 75.2(G)(2) because the estate is solvent and the Applicant has attached to this Application a Consent to Dispense with Fiduciary's Bond signed by all heirs or beneficiaries (FC Form 75.2-G) and a Fiduciary's Acknowledgement of Personal Liability (FC Form 75.2-H).
- Bond is not required under Local Rule 75.2(G)(3) because the total value of personal property, annual income and annual real property rentals is less than \$10,000.00.
- Promptly upon appointment, the Applicant will deposit all of the ward's assets into a restricted account at a financial institution in compliance with R.C. §2109.13. The Applicant will promptly file a written verification of deposit restrictions with the Court (SC Form 22.3). (Local Rule 75.2(G)(5))
- The following other special circumstances exist that make bond clearly unnecessary and the absence of bond will not prejudice any person or entity having a financial interest in this case. (Local Rule 75.2(G)(6)):

Attorney

Applicant

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

ENTRY REGARDING FIDUCIARY'S BOND

[Local Rule 75.2(G)]

- The Court grants the Application and dispenses with the requirement of bond in this case for the following reason:
 - Bond is not required under Local Rule 75.2(G)(1) because the controlling instrument nominating the Applicant for appointment as Fiduciary expressly dispenses with bond and the Applicant resides in Ohio.
 - Bond is not required under Local Rule 75.2(G)(2) because the estate is solvent and the Applicant has filed with the Court a Consent to Dispense with Fiduciary's Bond signed by all heirs or beneficiaries (FC Form 75.2-G) and a Fiduciary's Acknowledgement of Personal Liability (FC Form 75.2-H).
 - Bond is not required under Local Rule 75.2(G)(3) because the total value of personal property, annual income and annual real property rentals is less than \$10,000.00.
 - Bond is not required under Local Rule 75.2(G)(5) because the Applicant has agreed to promptly deposit all assets into a restricted account at a financial institution in compliance with R.C. §2109.13. Once appointed by this Court, the Applicant must promptly file a written verification of deposit restrictions with the Court (SC Form 22.3).
 - Under Local Rule 75.2(G)(6), the Court finds that special circumstances exist in this case, as described in the Application, which establish that bond is clearly unnecessary and the absence of bond will not prejudice any person or entity having a financial interest in this case.

- The Court denies the Application, but modifies the requirement of bond. In place of bond, the Court orders that promptly upon appointment the Applicant must do the following to preserve the assets of the estate:

- The Court denies the Application. The Court orders the Applicant to post bond in the amount of \$_____.

Date

Terre L. Vandervoort, Probate Judge

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION TO DISPENSE WITH GUARDIAN'S BOND

[Local Rule 75.2(G)]

The Applicant requests that the Court dispense with the requirement of a guardian's bond under R.C. §2109.04 in this case for the following reason (check only one):

- Bond is not required under Local Rule 75.2(G)(1) because the controlling instrument nominating the Applicant for appointment as Guardian expressly dispenses with bond.
- Bond is not required under Local Rule 75.2(G)(3) because the total value of the ward's personal property, annual income and annual real property rentals is less than \$10,000.00.
- Bond is not required under Local Rule 75.2(G)(4) because the ward does not own any personal property and the Applicant has provided proof that all income is paid directly to a lawful representative payee or to a health care facility providing for the long-term care of the ward.
- Promptly upon appointment, the Applicant will deposit all of the ward's assets into a restricted account at a financial institution in compliance with R.C. §2109.13. The Applicant will promptly file a written verification of deposit restrictions with the Court (SC Form 22.3). (Local Rule 75.2(G)(5))
- The following other special circumstances exist that make bond clearly unnecessary and the absence of bond will not prejudice any person or entity having a financial interest in this case. (Local Rule 75.2(G)(6)):

Attorney

Applicant

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

ENTRY REGARDING GUARDIAN'S BOND
[Local Rule 75.2(G)]

- The Court grants the Application and dispenses with the requirement of bond in this case for the following reason:
 - Bond is not required under Local Rule 75.2(G)(1) because the controlling instrument nominating the Applicant for appointment as Guardian expressly dispenses with bond.
 - Bond is not required under Local Rule 75.2(G)(3) because the total value of personal property, annual income and annual real property rentals is less than \$10,000.00.
 - Bond is not required under Local Rule 75.2(G)(4) because there is no personal property and the Applicant has provided proof that all income is paid directly to a lawful representative payee or to a health care facility providing for the long-term care of the ward.
 - Bond is not required under Local Rule 75.2(G)(5) because the Applicant has agreed to deposit all assets into a restricted account at a financial institution in compliance with R.C. §2109.13. Once appointed by this Court, the Applicant must promptly file a written verification of deposit restrictions to the Court (SC Form 22.3).
 - Under Local Rule 75.2(G)(6), the Court finds that special circumstances exist in this case, as described in the Application, which establish that bond is clearly unnecessary and the absence of bond will not prejudice any person or entity having a financial interest in this case.
- The Court denies the application, but modifies the requirement of bond. In place of bond, the Court orders that promptly upon appointment the Applicant must do the following to preserve the ward's assets:

- The Court denies the application. The Court orders the Applicant to post bond in the amount of \$_____.

Date Terre L. Vandervoort, Probate Judge

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE**

IN THE TRUST OF _____
FOR THE BENEFIT OF _____
CASE NO. _____

APPLICATION TO DISPENSE WITH TRUSTEE’S BOND
[Local Rule 75.2(G)]

The Applicant requests that the Court dispense with the requirement of a trustee’s bond under R.C. §2109.04 in this case for the following reason (check only one):

- Bond is not required under Local Rule 75.2(G)(1) because the controlling instrument nominating the Applicant for appointment as Trustee expressly dispenses with bond and the Applicant resides in Ohio.
- Bond is not required under Local Rule 75.2(G)(3) because the total value of the trust personal property, annual income and annual real property rentals is less than \$10,000.00.
- Promptly upon appointment, the Applicant will deposit all of the trust assets into a restricted account at a financial institution in compliance with R.C. §2109.13. The Applicant will promptly file a written verification of deposit restrictions with the Court (SC Form 22.3). (Local Rule 75.2(G)(5))
- The following other special circumstances exist that make bond clearly unnecessary and the absence of bond will not prejudice any person or entity having a financial interest in this case. (Local Rule 75.2(G)(6)):

Attorney

Applicant

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE TRUST OF _____
FOR THE BENEFIT OF _____
CASE NO. _____

ENTRY REGARDING TRUSTEE'S BOND
[Local Rule 75.2(G)]

- The Court grants the Application and dispenses with the requirement of bond in this case for the following reason:
 - Bond is not required under Local Rule 75.2(G)(1) because the controlling instrument nominating the Applicant for appointment as Trustee expressly dispenses with bond and the Applicant resides in Ohio.
 - Bond is not required under Local Rule 75.2(G)(3) because the total value of personal property, annual income and annual real property rentals is less than \$10,000.00.
 - Bond is not required under Local Rule 75.2(G)(5) because the Applicant has agreed to deposit all assets into a restricted account at a financial institution in compliance with R.C. §2109.13. Once appointed by this Court, the Applicant must promptly file a written verification of deposit restrictions to the Court (SC Form 22.3).
 - Under Local Rule 75.2(G)(6), the Court finds that special circumstances exist in this case, as described in the Application, which establish that bond is clearly unnecessary and the absence of bond will not prejudice any person or entity having a financial interest in this case.

The Court denies the application, but modifies the requirement of bond. In place of bond, the Court orders that promptly upon appointment the Applicant must do the following to preserve the trust assets:

The Court denies the application. The Court orders the Applicant to post bond in the amount of \$_____.

Date

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____

CASE NO. _____

CONSENT TO DISPENSE WITH FIDUCIARY'S BOND
[Local Rule 75.2(G)]

The undersigned, being heirs and beneficiaries, next of kin, or interested parties in the above case consent to the Court dispensing with bond for _____ that would otherwise be required under R.C. §2109.04.

**IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION**

TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____

CASE NO. _____

FIDUCIARY'S ACKNOWLEDGMENT OF PERSONAL LIABILITY
[Local Rule 75.2(G)]

As a condition of the Court dispensing with the requirement of posting bond in this case, I acknowledge that I have read, understand and agree with all of the following statements:

1. A bond is similar to insurance, and covers the loss of assets in the case that may occur because of an act or omission on my part as fiduciary for this case.
2. Dispensing with the requirement that I post bond in this case does not relieve me of my obligation to faithfully fulfill all of the fiduciary duties that the law imposes on me.
3. Without bond, I may be personally liable for any damages that any heir, beneficiary, ward, interested party and/or creditor of this case may incur because of an act or omission on my part as fiduciary.
4. This means that I may have to satisfy any damages from my own personal financial assets.
5. I am fully aware of the consequences of serving as fiduciary without bond, and I voluntarily accept the risk of personal liability for my actions in this case.
6. I understand that the Court has the authority to impose a bond requirement at any time the case is open if the Court later deems bond to be necessary.

Date

Fiduciary

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____

CASE NO. _____

CONTACT INFORMATION FORM
[Local Rule 75.3]

Please check the applicable box:

- This is the original contact information for this case.
- This is amended contact information for this case. Only the information that has changed is shown on this form. All other information remains the same as shown on the original contact information form.

Attorney for Applicant(s) _____

Attorney's Street Address _____

City, State and Zip Code _____

Attorney's Telephone Number _____

Fax Number _____

Attorney's Email Address _____

Attorney's Registration Number _____

Applicant's Name _____

Applicant's Street Address _____

City State and Zip Code _____

Applicant's Telephone Number _____

Applicant's Email Address _____

Co-Applicant's Name _____

Co-Applicant's Street Address _____

City, State and Zip Code _____

Co-Applicant's Telephone Number _____

Co-Applicant's Email Address _____

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present Name)
TO _____
(Requested Name)
CASE NO. _____

JUDGMENT ENTRY
GRANTING CONFIDENTIAL CHANGE OF NAME

Upon application and for good cause shown, the Court orders that the publication requirement set forth in R.C. 2717.01(A)(2) is waived and that the file and all records in this matter be sealed for the applicant's personal safety. This file may only be opened by order of the Court, or at the applicant's request.

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION

TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

REPORT OF ABUSE, NEGLECT OR EXPLOITATION
OF WARD

[Sup. R. 66.08(C)]

The Guardian alleges that the ward is or was being subjected to abuse, neglect or exploitation that is detrimental to the ward's personal or financial well-being, as described below.

The Guardian alleges that the following act or acts of abuse, neglect or exploitation against the ward occurred or continue to occur: [Make your statement short, to the point and clear.] _____

[Continued on separate sheet attached to this request]

The events in the preceding allegation took place:

- On a specific date: _____
- Over a period from _____ to _____
- Beginning on _____ and continuing to this day

The events were reported to the following agency or agencies [check all that apply]:

- None
- Police/Sheriff
- Adult Protective Services
- Board of Developmental Disabilities
- Other: _____

Attached to this Report are copies of any reports or other information provided by the above agencies.

- The Guardian does not have any agency reports or other information to provide.

Attached to this Report are other written documents, pictures and other supporting documentation substantiating my allegations.

- The Guardian does not have any other supporting documentation to provide.

The following witnesses have direct knowledge of the events in the preceding allegation: There are no witnesses

Name: _____

Relationship to Ward: _____

Name: _____

Relationship to Ward: _____

Name: _____

Relationship to Ward: _____

Continued on separate sheet attached to this Report]

The Guardian certifies that the information in this Report is true, accurate and complete to the best of the Guardian's knowledge and belief.

The Guardian requests that the Court investigate these allegations and take appropriate action as it deems necessary to protect the ward's best interests.

Date

Guardian

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION TO LIMIT OR TERMINATE GUARDIANSHIP
[Sup. R. 66.08(D)(1)]

The Guardian applies to the Court for an order limiting or terminating this guardianship as follows: (Check the applicable statement or statements)

GUARDIANSHIP OF PERSON

- The Guardian submits that guardianship of the person is no longer necessary because the ward has regained sufficient capacity and ability to make decisions and to function independently. Attached to this Application is a Statement of Expert Evaluation addressing the ward's current condition and recommending termination of the guardianship of the person. The Guardian requests that the Court terminate the guardianship of the person.
- The Guardian requests that the guardianship of the person remain in effect, but that the Court limit the authority or responsibility of the Guardian as follows:

GUARDIANSHIP OF ESTATE

- The Guardian submits that guardianship of the estate is no longer necessary because the ward has regained sufficient capacity and ability to make decisions and to manage financial affairs independently. Attached to this Application is a Statement of Expert Evaluation addressing the ward's current condition and recommending termination of the guardianship of the estate. The Guardian requests that the Court terminate the guardianship of the estate.
- The Guardian submits that guardianship of the estate is no longer necessary because the ward does not have any remaining assets or income for the Guardian to manage for the ward. Attached to this Application is written proof that a representative payee directly handles the ward's only sources of income. The Guardian requests that the Court terminate the guardianship of the estate.
- The Guardian requests that the guardianship of the estate remain in effect, but that Court limit the authority or responsibility of the Guardian as follows:

Date

Guardian

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

**ENTRY REGARDING LIMITATION OR TERMINATION OF
GUARDIANSHIP**

[Sup. R. 66.08(D)(1)]

Upon the Guardian's Application to Limit or Terminate Guardianship, and for good cause shown, the Court orders as follows:

GUARDIANSHIP OF PERSON:

- The Court approves the Guardian's Application and terminates the guardianship of the person.
- The Court approves the Guardian's Application and limits the authority or responsibility of the Guardian of the person as follows: _____

- The Court denies the Guardian's Application to limit or terminate the guardianship of the person.

GUARDIANSHIP OF ESTATE:

- The Court approves the Guardian's Application and terminates the guardianship of the estate.
 - The Guardian must file a final Guardian's Account within _____ days after the date of this Entry.
- The Court approves the Guardian's Application and limits the authority or responsibility of the Guardian of the estate as follows: _____

- The Court denies the Guardian's Application to limit or terminate the guardianship of the estate.

The Court will issue amended Letters of Guardianship, as necessary, to reflect the Court's orders in this Entry.

Date

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION TO COMMENCE LEGAL PROCEEDINGS FOR WARD
[Supp. R. 66.08(F)]

The Guardian applies to the Court for authority to file a lawsuit on behalf of the ward.

The lawsuit will be filed in the following court: _____

The type of case is:

Personal injury Malpractice Breach of contract

Other: _____

The following is a brief summary of the facts giving rise to the lawsuit:

The name and contact information of the attorney who will represent the Guardian and ward in the lawsuit is:

Name: _____

Address: _____

Telephone: _____

Email: _____

Do you have a written fee agreement with the attorney? Yes No

The attorney's compensation is based on the following fee arrangement:

Hourly (Rate per hour: \$_____) Contingent (Percentage: _____%)

The Guardian states that filing this lawsuit is reasonable and necessary to protect the ward's interests.

Guardian

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

**ENTRY REGARDING APPLICATION TO COMMENCE LEGAL
PROCEEDINGS FOR WARD**
[Supp. R. 66.08(F)]

Upon review of the Application to Commence Legal Proceedings for Ward, the Court finds as follows:

- The Court grants the Application. The Guardian may commence the legal proceeding as proposed.
- The Court denies the Application. The Guardian is not authorized to commence the legal proceeding as proposed.
- The Court denies the Application as proposed, but grants the Guardian the authority to do the following in relation to this issue: _____

Date

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____
CASE NO. _____

PRAECIPE FOR SUBPOENA

To the Clerk of the Probate Court:

Please cause a Subpoena to be issued upon the following individual(s) and served pursuant to Civ R. 45(B) by:

- U.S. Certified Mail, Return Receipt Requested
- Personal Service by Sheriff
- Personal Service by Process Server
- Other (Describe): _____

Person(s) to be served:

Name

Address

City, State, Zip

Name

Address

City, State, Zip

Name

Address

City, State, Zip

Name

Address

City, State, Zip

Date

Attorney/Applicant

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____
CASE NO. _____

SUBPOENA
[Civ.R. 45]

TO:

Name

Address

City, State, Zip

You are commanded to attend and give testimony at a hearing on _____

at the Fairfield County Probate Court, 224 E. Main St. Lancaster, OH 43130, on the ___ day of _____, 20___
at ___:___ o'clock ___M. Personal appearance is required. Refer to Ohio Civil Rules of Procedure, Rule 45 subsections
(C) and (D) located on the back of this subpoena.

Terre L. Vandervoort, Probate Judge

Deputy Clerk

Attorney

Typed or printed name

Address

City State Zip

Telephone Number (include area code)

Attorney Registration No. _____

CASE NO. _____

RETURN OF SERVICE

I received this subpoena on _____, and served the above party
by _____ on _____

I was unable to complete service for the following reason: _____

Signature of Serving Party

Civil Rule 45(C) Protection of persons subject to subpoenas.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)(a) A person commanded to produce under divisions (A)(1)(b), (iii), (iv), (v), or (vi) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
- (b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b), (iii), (iv), (v), or (vi) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
- (a) Fails to allow reasonable time to comply;
- (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
- (c) requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R. 26(B)(5), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
- (d) Subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

Civil Rule 45(D) Duties in responding to subpoena.

- (1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing documents or electronically stored information pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.
- (2) If a request does not specify the form or forms for producing electronically stored information, a person responding to a subpoena may produce the information in a form or forms in which the information is ordinarily maintained if that form is reasonably useable, or in any form that is reasonably useable. Unless ordered by the court or agreed to by the person subpoenaed, a person responding to a subpoena need not produce the same electronically stored information in more than one form.
- (3) A person need not provide discovery of electronically stored information when the production imposes undue burden or expense. On motion to compel discovery or for a protective order, the person from whom electronically stored information is sought must show that the information is not reasonably accessible because of undue burden or expense. If a showing of undue burden or expense is made, the court may nonetheless order production of electronically stored information if the requesting party shows good cause. The court shall consider the factors in Civ. R. 26(B)(4) when determining if good cause exists. In ordering production of electronically stored information, the court may specify the format, extent, timing, allocation of expenses and other conditions for the discovery of the electronically stored information.
- (4) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.
- (5) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a receiving party must promptly return, sequester, or destroy the specified information and any copies within the party's possession, custody or control. A party may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim of privilege or of protection as trial-preparation material. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

Civil Rule 45(E) Sanctions.

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____
CASE NO. _____

SUBPOENA DUCES TECUM
[Civ.R. 45]

TO:

Name

Address

City, State, Zip

You are commanded to appear at _____,
on the ____ day of _____, 20__ at ____: ____ o'clock ____ M., and produce the following documents or
tangible items in your possession for inspection and copying. Refer to Ohio Civil Rules of Procedure, Rule 45 subsections
(C) and (D) located on the back of this subpoena.

Items to be produced pursuant to this Subpoena:

Terre L. Vandervoort, Probate Judge

Deputy Clerk

Attorney

Typed or printed name

Address

City State Zip

Telephone Number (include area code)

Attorney Registration No.

CASE NO. _____

RETURN OF SERVICE

I received this subpoena on _____, and served the above party

by _____ on _____

I was unable to complete service for the following reason: _____

Signature of Serving Party

Civil Rule 45(C) Protection of persons subject to subpoenas.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)(a) A person commanded to produce under divisions (A)(1)(b), (iii), (iv), (v), or (vi) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
- (b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b), (iii), (iv), (v), or (vi) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
- (a) Fails to allow reasonable time to comply;
- (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
- (c) requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R. 26(B)(5), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
- (d) Subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

Civil Rule 45(D) Duties in responding to subpoena.

- (1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing documents or electronically stored information pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.
- (2) If a request does not specify the form or forms for producing electronically stored information, a person responding to a subpoena may produce the information in a form or forms in which the information is ordinarily maintained if that form is reasonably useable, or in any form that is reasonably useable. Unless ordered by the court or agreed to by the person subpoenaed, a person responding to a subpoena need not produce the same electronically stored information in more than one form.
- (3) A person need not provide discovery of electronically stored information when the production imposes undue burden or expense. On motion to compel discovery or for a protective order, the person from whom electronically stored information is sought must show that the information is not reasonably accessible because of undue burden or expense. If a showing of undue burden or expense is made, the court may nonetheless order production of electronically stored information if the requesting party shows good cause. The court shall consider the factors in Civ. R. 26(B)(4) when determining if good cause exists. In ordering production of electronically stored information, the court may specify the format, extent, timing, allocation of expenses and other conditions for the discovery of the electronically stored information.
- (4) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.
- (5) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a receiving party must promptly return, sequester, or destroy the specified information and any copies within the party's possession, custody or control. A party may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim of privilege or of protection as trial-preparation material. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

Civil Rule 45(E) Sanctions.

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____
CASE NO. _____

ORDER REGARDING SERVICE BY PUBLICATION

Upon review of the Motion for Service by Publication, the Court orders the following:

- Service by publication shall be made upon all individuals listed.
- Service by publication shall be made upon the following individuals only

- Service by publication shall not be made upon the individuals listed in the application. Further diligence must be utilized to locate the person or persons prior to the Court ordering service by publication.
- Other

Terre L. Vandervoort, Probate Judge

IN THE COURT OF COMMON PLEAS OF FAIRFIELD COUNTY, OHIO
PROBATE DIVISION
TERRE L. VANDERVOORT, JUDGE

IN THE MATTER OF _____

CASE NO. _____

MOTION FOR SERVICE BY PUBLICATION

The undersigned Applicant or Fiduciary moves the Court for an order permitting service by publication pursuant to Civ. R. 73(E)(6) upon the following individuals:

Item to be served: _____

An affidavit is attached setting forth all the reasonable efforts that have been made to find the name, usual place of residence or existence of the person or persons listed above.

Applicant/Fiduciary

Type or Printed Name