

## **Checklist** **Insolvency Proceeding**

### Filing Fee

Court Costs: \$20.00

### Requirements

When the assets of a decedent's estate are less than the known debts, an insolvency proceeding must be filed to properly administer the decedent's estate. An insolvency may be commenced in a full administration estate no sooner than six (6) months following the date of death of the decedent, and after the Inventory and Appraisal has been filed and approved in this Court.

**Note: All paperwork must be typed or neatly written in blue ink.  
All filings must be single-sided. We will not accept double-sided originals.  
Please do not staple original paperwork. We cannot accept filings with staples.**

### Initial filing

- Representation of Insolvency (Form 24.0)
- Copy of funeral bill
  - o If the body was donated, evidence of the donation must be provided.
- Judgment Entry Setting Hearing and Ordering Notice (Form 24.1)
- Notice of Hearing on Representation of Insolvency and Schedule of Claims (Form 24.2)
  - o Note: This form will not get filed with the court initially, it will be submitted to the court and the court will fill in the hearing date and provide the original notice(s) back to the fiduciary. The fiduciary then serves to interested parties by certified mail. Fiduciary should only file a copy of this form with proof of service when filing (Form 24.3).
- Schedule of Claims (Form 24.4)
  - o Note: Multiple forms may be necessary.
- Proposed Judgment Entry of Insolvency (Form 24.6)
- Application for Authority to Pay Attorney Fees (FC Form 71.2-A) *See Local Rule 71.2*
- Entry Authorizing Payment of Attorney Fees (FC Form 71.2-B) *See Local Rule 71.2*
- Attorney Fee Guideline (FC Form 71.2-C) *See Local Rule 71.2*
- Statutory Fiduciary Fee Computation (FC Form 72.1-C)
  - o This form is necessary if Fiduciary Fees are being requested.

**Note:** The following will not be filed with the initial filing. However, this must be filed prior to, or at the insolvency hearing:

- Verification of Service Notice of Hearing on Representation of Insolvency and Schedule of Claims (Form 24.3)