

Checklist
Release of Estate from Administration

Filing Fee

Court Costs: \$169 – No Will
\$189 – With Will

Requirements

This proceeding may only be used if the following apply:

1. There is a surviving spouse entitled to the entire estate (under the Will, or by law if no Will); and the assets do not exceed \$100,000.00

OR

2. There is no surviving spouse and the assets do not exceed \$35,000.00

For more detail on these requirements, see Ohio Revised Code 2113.03.

**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

- Self-Representation Acknowledgment (FC Form 75.1) *If applicable*
 - o This form **must** be filed if applicant is not represented by an attorney.
- Contact Information Form (FC Form 75.3-A)
- Application to Relieve Estate from Administration (Form 5.0)
- Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)
 - o If there is Surviving Spouse, make sure a box at the bottom of the form is marked
- Assets and Liabilities of Estate to be Relieved from Administration (Form 5.1)
 - o If there are no cash assets listed to pay the listed debts, there must be evidence provided that all debts are secured to be paid. Proof of Valuation for Assets must be included
- Entry Relieving Estate from Administration (Form 5.6)
- Copy of funeral bill showing paid in full
 - o If the body was donated, evidence of the donation must be provided.
- Photocopy of the death certificate – with the social security number marked out
- Waiver of Notice of Application to Relieve Estate from Administration (Form 5.2) *If applicable*
- Notice of Application to Relieve Estate from Administration (Form 5.3) *If applicable*
 - o Applicant will fill out the names and addresses of every person that has not waived notice of hearing and the Clerk's office will attempt service.
- Publication of Notice (Form 5.4) *If applicable*

If there is a Will, you must file:

- Application to Probate Will (Form 2.0)
- The **original** Last and Will and Testament of decedent
- Entry Admitting Will to Probate (Form 2.3)
- Waiver of Notice of Probate of Will (Form 2.1) *If applicable*
 - o If people on front and back of form 1.0 all waive notice, then these can be filed at initial filing.
- Certificate of Service of Notice of Probate of Will (Form 2.4) *If applicable*
 - o This can be filed with the initial filing if everyone on the front and back of the form 1.0 waives notice. If they are to be served notice, then you must wait until you have proof of service before filing this. Green Card service required.

If Automobiles are being transferred pursuant to the Release of Administration:

- Application for Transfer of Motor Vehicle (FC Form 100.1-A) with proof of valuation
- Application for Transfer of RV, Boat, Trailer (FC Form 100.1-B) with proof of valuation

If Real Estate is being transferred pursuant to the Release of Administration:

- Application for Certificate of Transfer (Form 12.0)
- Certificate of Transfer (Form 12.1)
 - If property is located in Fairfield County, this must have the Auditor's approval stamp on the legal description before being filed in Probate Court.
- Proof of Valuation:
 - You can use (1) a print out of tax value from the County Auditor's Website or (2) a formal Appraisal. If you file the appraisal you must first file Appointment of Appraiser (Form 3.0).
- For dates of death prior to January 1, 2013, a form ET 22 is required

Later Filing:

- Report of Distribution (FC Form 101.1-D)
 - This is due 30 days from the date the final distribution is made, yet no longer than 90 days from the filing date of the Entry Relieving Estate from Administration.