

**PROBATE COURT OF FRANKLIN COUNTY, OHIO**

ESTATE OF \_\_\_\_\_, DECEASED  
CASE NO. \_\_\_\_\_

**RELEASE FROM ADMINISTRATION INFORMATION**

Please review the packet of documents you have received from the clerk. The clerk is not an attorney and cannot answer questions about the transfer of your property. The packet includes forms that are commonly used to handle most small estates. The estate with which you are involved may not need all of these forms. If you have questions as to what forms are to be used, whether there are other ways to handle the transfer of assets or whether a full administration is required, you should consult with your attorney.

It is also your responsibility to determine the extent and amount of the assets of the estate including real estate and personal property. The size of the estate is not the only factor in determining whether the estate may be relieved from administration. Certain complications, such as the need to sell real estate, may require a full administration. If you have any questions concerning how to transfer assets, you should consult with your attorney.

The papers you file must be typed or written in ink and must be legible. Illegible documents will be refused for filing. The names and addresses of the decedent's next of kin, the beneficiaries and the creditors must be complete. Complete descriptions of all assets must be provided. If the decedent had a will, the original will must be presented when you file your papers. If you have any questions as to the completion of the paperwork, you should consult with your attorney.

**PROBATE COURT OF FRANKLIN COUNTY, OHIO**  
**JEFFREY D. MACKEY, JUDGE**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**ATTENTION RELEASE FROM ADMINISTRATION APPLICANTS**

When filing the application for release from administration the applicant will need the following:

1. A completed packet of forms. All forms must be signed in ink.
2. If the decedent had a Will, send in the original Will with either the application to probate Will or the application to file Will for record only.
3. The death certificate.
4. A detailed funeral bill and proof of payment, if any.
5. A photocopy of the applicant's photo identification.
6. Verification of all assets to be released (examples: deed, bank statements, auto title, last paycheck, etc.).
7. In cases of over \$35,000 in assets, the surviving spouse shall provide a certified copy of the marriage abstract if the decedent did not have a Will.
8. The court cost for filing an application to release an estate from administration is \$113.00 if no publication is required, or \$123.00 if publication is required, payable via cashier's check, money order, or law firm check. No personal checks.
9. Should a hearing be scheduled, failure to appear at the scheduled hearing may result in the application being dismissed. Court costs are non-refundable.

Franklin County Probate Court  
Judge Jeffrey D. Mackey  
373 South High Street, 22nd Floor  
Columbus, Ohio 43215

Website: [franklincountyohio.gov/probate](http://franklincountyohio.gov/probate)  
Phone (614) 525-3894

# PROBATE COURT OF FRANKLIN COUNTY, OHIO

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

## APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION

[R.C. 2113.03]

Applicant states that decedent died on \_\_\_\_\_

Decedent's domicile was \_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, Village, or Township if unincorporated area County

\_\_\_\_\_  
Post Office State Zip Code

**[Check one of the following]**

- Decedent's will has been admitted to probate in this Court.
- Decedent's will has been filed for record only in this Court.
- To applicant's knowledge, decedent did not leave a will.

**[Check one of the following]**

- The assets are \$15,000 or less and decedent died on or after January 1, 1976.
- The assets are \$25,000 or less and decedent died on or after October 20, 1987.
- The assets are \$35,000 or less and decedent died on or after November 9, 1994.
- The assets are \$50,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after April 16, 1993.
- The assets are \$85,000 or less and the surviving spouse is entitled to all of the assets and the decedent died on or after September 14, 1993.
- The assets are \$100,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after March 18, 1999.

Applicant asks that the estate be relieved from administration because the assets do not exceed the statutory limits. A statement of the assets and liabilities of the estate is listed on the attached Form 5.1.

The decedent's surviving spouse, next of kin, legatees, and devisees known to applicant, are listed on the attached Form 1.0.

\_\_\_\_\_  
 Attorney for Applicant

\_\_\_\_\_  
 Typed or Printed Name

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City, State, Zip Code

\_\_\_\_\_  
 Telephone Number (include area code)

\_\_\_\_\_  
 Attorney Registration Number

\_\_\_\_\_  
 Applicant

\_\_\_\_\_  
 Typed or Printed Name

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City, State, Zip Code

\_\_\_\_\_  
 Telephone Number (include are code)

CASE NO. \_\_\_\_\_

## WAIVER OF NOTICE

The undersigned surviving spouse, heirs at law, legatees, devisees, and other persons entitled to notice of the filing of the application to relieve decedent's estate from administration, waive such notice.

_____	_____
_____	_____
_____	_____
_____	_____

## ENTRY SETTING HEARING AND ORDERING NOTICE

The Court sets \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., as the date and time for hearing the application to relieve decedent's estate from administration.

### [Check one of the following]

- All notice is dispensed with as unnecessary.
- Notice by publication to interested parties is dispensed with as unnecessary. Written notice shall be given, as provided by law and the Rules of Civil Procedure, to those persons entitled to notice, who have not waived notice.
- Written notice is dispensed with as unnecessary. Notice by publication shall be given to interested parties as provided by law and the Rules of Civil Procedure.
- Written notice shall be given to those persons entitled to notice, who have not waived notice, and notice by publication shall be given to interested parties, as provided by law and the Rules of Civil Procedure.

\_\_\_\_\_

Date

\_\_\_\_\_

PROBATE COURT OF FRANKLIN COUNTY, OHIO

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

SURVIVING SPOUSE, CHILDREN, NEXT OF KIN, LEGATEES AND DEVISEES

[R.C. 2105.06, 2106.13 and 2107.19]

[Use with those applications or filings requiring some or all of the information in this form, for notice or other purposes. Update as required.]

The following are decedent's known surviving spouse, children, and the lineal descendants of deceased children. If none, the following are decedent's next of kin who are or would be entitled to inherit under the statutes of descent and distribution.

Table with 4 columns: Name, Residence Address, Relationship to Decedent, Birthdate of Minor. The first row has 'Surviving Spouse' in the Relationship column.

[Check whichever of the following is applicable]

- Four checkboxes with corresponding text: 1. The surviving spouse is the natural or adoptive parent of all of decedent's children. 2. The surviving spouse is the natural or adoptive parent of at least one, but not all, of decedent's children. 3. The surviving spouse is not the natural or adoptive parent of any of decedent's children. 4. There are minor children of the decedent who are not the children of the surviving spouse. 5. There are minor children of the decedent and no surviving spouse.

CASE NO. \_\_\_\_\_

The following are the vested beneficiaries named in the decedent's will:

<b>Name</b>	<b>Residence Address</b>	<b>Birthdate of Minor</b>

**[Check whichever of the following is applicable]**

- The will contains a charitable trust or a bequest or devise to a charitable trust, subject to R.C. 109.23 to 109.41.
- The will is not subject to R.C. 109.23 to 109.41 relating to charitable trusts.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant (or give other title)  
\_\_\_\_\_

**PROBATE COURT OF FRANKLIN COUNTY, OHIO  
ROBERT G. MONTGOMERY, JUDGE**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**ASSETS AND LIABILITIES OF ESTATE TO BE  
RELIEVED FROM ADMINISTRATION**

Following is a summary statement of the character and value of the assets in decedent's estate.  
**[Insert a check in the "Appraised" column opposite an item if it was valued by the appraiser. Leave blank if the readily ascertainable value of the item was determined by applicant. Use extra sheets if necessary]**

**Automobiles distributed to surviving spouse by affidavit.**

Automobile values transferred to surviving spouse under R.C. 2106.18:

1. \$ \_\_\_\_\_ 2. \$ \_\_\_\_\_ 3. \$ \_\_\_\_\_ 4. \$ \_\_\_\_\_

**Total value not to exceed \$65,000 [or \$40,000 for dates of death before April 6, 2017] \$ \_\_\_\_\_**

Character of Asset	Appraised	Value
Real Estate described in accompanying certificate of transfer No. _____	..... <input type="checkbox"/>	..... \$ _____
Other assets [List the institution, the last four digits only of each account number and the type of account.]		
_____	..... <input type="checkbox"/>	..... \$ _____
_____	..... <input type="checkbox"/>	..... \$ _____
_____	..... <input type="checkbox"/>	..... \$ _____
_____	..... <input type="checkbox"/>	..... \$ _____
_____	..... <input type="checkbox"/>	..... \$ _____
_____	..... <input type="checkbox"/>	..... \$ _____
_____	..... <input type="checkbox"/>	..... \$ _____
<b>Total Assets</b> .....		<b>\$ _____</b>





**PROBATE COURT OF FRANKLIN COUNTY, OHIO**  
**ROBERT G. MONTGOMERY, JUDGE**

IN THE MATTER OF \_\_\_\_\_

CASE NO. \_\_\_\_\_

**CONFIDENTIAL DISCLOSURE OR PERSONAL IDENTIFIERS**

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

	<b>Complete Personal Identifiers</b>	<b>Institution</b>	<b>Abbreviation</b>	<b>Form No.</b>	<b>Filing Date</b>
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

\_\_\_\_\_  
Typed or Printed Name

This is page \_\_\_\_\_ of \_\_\_\_\_ pages.

Date: \_\_\_\_\_

# PROBATE COURT OF FRANKLIN COUNTY, OHIO

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

## WAIVER OF NOTICE OF APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION

The undersigned, being persons entitled to notice of the filing of the application to relieve decedent's estate from administration, including the surviving spouse, next of kin, legatees, devisees and creditors of decedent, hereby waive such notice and consent to the estate being relieved from administration.

_____	_____
_____	_____
_____	_____
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**PROBATE COURT OF FRANKLIN COUNTY, OHIO**  
**ROBERT G. MONTGOMERY, JUDGE**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

## RELEASE FROM ADMINISTRATION STATEMENT OF KNOWLEDGE

All of the following items must be initialed by the applicant prior to filing the Application to Release the Estate from Administration:

- [    ]        1. Do not expect legal advice from Court personnel. Court personnel are not permitted by Ohio law to practice law. If you need assistance you will need to contact an attorney.
- [    ]        2. The Applicant must appear at any scheduled hearing unless prior to the hearing the Judge/Magistrate has waived the Applicant's appearance. **NOTE:** The Court prefers a family member as the Applicant.
- [    ]        3. Written notice of any scheduled hearing must be given by certified mail to all heirs/next of kin regardless of their residence. Waivers may be filed in lieu of notice. **NOTE:** If a Will is admitted to probate the Applicant must give notice of the admission of the Will to probate (Form 2.2) or the Applicant may obtain waivers in lieu of notice of the admission of the Will to probate (Form 2.1). The applicant must file a certificate of service on the Admission of Will to Probate (Form 2.4) within 60 days of filing.
- [    ]        4. If the Estate is insolvent the Applicant is required to notify **all creditors** by certified mail of the date and time of the hearing. The Applicant shall bring to the hearing the certified mail return receipts (green cards).
- [    ]        5. When a **Commissioner** is appointed, the Applicant will testify as to the facts and the Commissioner will file findings at the first hearing. After the hearing, the Court will issue an Order of Distribution authorizing the Commissioner to pay debts and make distributions. At a subsequent hearing the Commissioner will file the Report of Distribution with receipts verifying distribution.
- [    ]        6. **Ohio Estate Tax Forms:** A return is required if the Ohio taxable estate equals or exceeds: \$338,000.00 for dates of death after 12/31/01; and before January 1, 2013. There is no Ohio Estate Tax for dates of death after December 31, 2012. **NOTE:** Ohio Estate Tax Forms are required in any case where there is real estate and the decedent died before January 1, 2013.
- [    ]        7. **Certificate(s) of Transfer:** This document must include the legal description, street address, parcel number, prior instrument reference, and percentage of the interest owned by the decedent.
- [    ]        8. **Check in prior to hearing:** It is requested that the Applicant report to the Release From Administration Department prior to the time of the Court hearing. All paperwork must be completed **prior** to the hearing.

\_\_\_\_\_  
 Attorney

\_\_\_\_\_  
 Applicant

\_\_\_\_\_  
 Attorney Registration Number

**PROBATE COURT OF FRANKLIN COUNTY, OHIO**  
**JEFFREY D. MACKEY, JUDGE**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**CERTIFICATION OF NOTICE TO ADMINISTRATOR OF  
MEDICAID ESTATE RECOVERY PROGRAM**

[R.C. 2117.061 and 5162.21]

**THIS FORM SHALL BE FILED IN THE PROBATE COURT UPON COMPLETION OF  
NOTICE TO ADMINISTRATOR**

The undersigned certifies that a Notice in compliance with Ohio Revised Code 2117.061 and 5162.21 was served upon the following by a method authorized by Civ.R 73 on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Medicaid Estate Recovery  
30 E. Broad Street, 14th Floor  
Columbus, Ohio 43215

\_\_\_\_\_  
Attorney for Applicant

\_\_\_\_\_  
Person Responsible for the Estate Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number (include area code)

\_\_\_\_\_  
Telephone Number (include area code)

\_\_\_\_\_  
Attorney's Registration No.

# PROBATE COURT OF FRANKLIN COUNTY, OHIO

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

## ENTRY RELIEVING ESTATE FROM ADMINISTRATION

[R.C. 2113.03]

Upon hearing the application to relieve decedent's estate from administration, the Court finds that:

Decedent died **[check one of the following]**:  testate -  intestate. The date of death and domicile are as stated in the application, and the Court has jurisdiction over the estate;

Notice to the surviving spouse, next of kin, legatees and devisees, and other interested parties was duly effected or dispensed with by the Court as unnecessary;

The values of the several assets in the estate, given in the application, appear reasonable. Such assets do not exceed the statutory limits and decedent's creditors will not be prejudiced by relieving the estate from administration.

The Court therefore relieves the estate from administration, and orders **[check and complete whichever of the following are applicable]**:

That the following personal property be sold **[describe]**:

\_\_\_\_\_  
\_\_\_\_\_

That the financial institutions holding accounts in decedent's name, identified in the application, pay the same upon proper tax release **[check one of the following]**:

to the appointed commissioner -  to \_\_\_\_\_ ;

That the following debts of decedent shall be paid to the extent of assets:

\_\_\_\_\_  
\_\_\_\_\_

That the statutory family allowance be paid to the **[check one or more of the following]**:

surviving spouse -  minor children of the decedent -  apportioned between the surviving spouse and minor children of the decedent who are not the children of the surviving spouse. Attach Form 7.2 if necessary.

That certificate of transfer No. \_\_\_\_\_, attached to the application and describing decedent's real estate, issue and be preserved in the records of the Court with the application and this entry, and that authenticated copies of the certificate be delivered as required to the persons entitled to them;

