

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