

**GEAUGA COUNTY PROBATE COURT  
JUDGE TIMOTHY J. GRENDALL**

**CHECKLIST - RELEASE FROM ADMINISTRATION**

These instructions are provided as a public service of the Geauga County Probate Court, are intended as a guideline only, and are not legal advice. Depending on the circumstances of each case, additional steps may be required that are not listed below. The clerks are not attorneys and therefore cannot answer legal questions or assist you in completing the forms or deciding which forms apply to your situation. The documents that you file must be typewritten, legible, and completed in their entirety. The clerks may refuse for filing illegible or incomplete documents. The Court recommends that you obtain legal advice from your attorney or obtain assistance from the Court's Help Center before preparing and filing any forms. You may make an appointment with the Help Center by calling 440-279-1834. If you decide to proceed without assistance from your attorney or from the Court's Help Center, then you should read the following Probate Information Sheets before taking any action:

- Probate Process Overview
- Release from Administration
- The Decedent's Will
- Rights of Surviving Spouse
- Creditor's Rights
- Digital Assets

**Filing Requirements**

1. **Probating Decedent's Will** - if the Decedent has a Will, then you must file an application to probate that Will - see "Checklist - Probate Decedent's Will."
2. **Copy of Death Certificate** - (1) must redact the social security number and (2) must be shrunk to letter-size.
  - **Form GC PF 4.52 - Residency Affidavit** - if the Decedent's address on the Death Certificate is not in Geauga County.
3. **Funeral Bill** - (1) must provide evidence (a) that the funeral bill was paid in full and (b) of who paid that bill (e.g. cancelled check, receipt), or (2) if funeral bill is not due and owing (e.g. the funeral director was prepaid or the decedent's body was donated and cremation costs were paid by a third party), then provide satisfactory evidence establishing that fact.
4. **Identification** - [if applicant is not represented by an attorney - see Geauga Probate Local Rule 78.10] (1) a government-issued photographic identification (e.g. a current driver's license or passport), and (2) evidence of current mailing address (e.g. recent utility bill, bank statement account, property tax bill, voter registration card).
5. **Form 1.0 - Surviving Spouse, Children, Next of Kin, Legatees and Devisees** (no need to insert information on page 2 regarding beneficiaries if Decedent dies with a valid Will)
6. **Form 5.0 - Application to Relieve Estate from Administration**
7. **Form 5.1 - Assets and Liabilities of Estate to be Relieved from Administration**

## 8. **Notice of Application to Relieve Estate from Administration**

- Waiver of Notice of Application to Relieve Estate from Administration - have Interested Persons (See Form 1.0) sign either (1) Waiver of Notice on Form 5.0, or (2) sign and file Form 5.2 - Waiver of Notice of Application to Relieve Estate from Administration
- Notice of Application to Relieve Estate from Administration - (1) deliver to those Interested Persons, who do not sign the Waiver of Notice of Application to Relieve Estate from Administration, Form 5.3 - Notice of Application to Relieve Estate from Administration and (2) prepare and file with the Court Proof of Service (See Geauga Probate Local Rule 78.13), and consider whether Notice by Publication is required (See Geauga Probate Local Rule 78.14).

## 9. **Form GC PF 6.5 - Digital Asset Certification**

## 10. **Form GC PF 6.6 - Tangible Personal Property Certification**

## 11. **Form GC PF 4.29 - Medicaid Recovery Acknowledgment** [if applicant is not represented by an attorney - see Geauga Probate Local Rule 78.5(D)(4)]

## 12. **Form 5.6 - Entry Relieving Estate from Administration**

## 13. If probate property includes real property, then **Forms 12.0 Application for Certificate of Transfer, 12.1 Certificate of Transfer, and 12.2 Order Issuing Certificate of Transfer.**

## 14. **Court Cost Deposit** - arrange for payment of court cost deposit. See the “Probate Court Costs” on the Court’s website.

## **Additional Notes**

- Evidence of Assets and Value - present to the clerks evidence of assets and date of death value
  - If a vehicle, then (i) a copy of certificate of title and (ii) if not appraised, then a copy of evidence of value that conforms to Geauga Probate Local Rule 78.5(C)(9)(e.g. Kelley Blue Book).
  - If real estate, then (i) copy of the street address and legal description, including the permanent parcel number, and (ii) if not appraised, then a copy of evidence of value that conforms to Geauga Probate Local Rule 78.5(C)(9)(e.g. County Auditor’s most recent tax value).
  - If financial accounts, then copy of financial statement nearest date of death (redact account number except for the last four digits.)
  - If stocks or bonds (not listed on a financial/brokerage account), then the total number of the shares and bonds and their total date of death value and, for each share or bond, its serial number, the name of its issuer, its date of death value, and, if any, the name and address of its transfer agent.
  - If real estate, then an application for a certificate of transfer as described in R.C. §2113.61.
  - Copy of uncashed checks
  - Evidence of past due wages (in writing from employer of possible)

- Personal Identifiers See Geauga Probate Local Rule 57.2(C). Do not insert protected personal identifiers into a court document. If ordered by the Court, prepare and file form GC PF - 45.0 Confidential Disclosure of Personal Identifiers. However, with respect to financial accounts that have a unique account number, you should include the last four digits in the description of each such account on Form 5.1 - Assets and Liabilities of Estate to be Relieved from Administration - see Geauga Probate Local Rule 78.1(F).
- Determine Probate Assets - determine all of Decedent's probate property (see Probate Information Sheet-Probate Process Overview), including whether Decedent has (i) any right to unclaimed funds (see Ohio Division of Unclaimed Funds), (ii) a safe deposit box, (iii) tax refunds, (iv) unpaid wages, and (v) security deposit.
- Describing and Transfer of Vehicles - when describing a vehicle on Form 5.1 Assets and Liabilities of Estate to be Relieved From Administration and on Form 5.6 Entry Relieving Estate From Administration, you must include (1) Year, (2) Make, (3) Model, (4) Body Type, (5) Mfr. Vehicle ID Number, and (6) Certificate of Title Number. Additionally, you may prepare and file GC Form "GC PF 10.3 - Application and Entry Transfer Motor Vehicles."
- Insolvency - determine is the probate estate is insolvent. If so, then the applicant must file for a Full Administration (see Geauga Probate Local Rule 78.5(C)(4)).
- Decedent's Name - insert the decedent's name first, as shown on the death certificate, in all court documents, and insert next any other name as shown on the probate assets (e.g. certificate of title or financial account statement) - see Geauga Probate Local Rule 78.5(A)(8).
- Will Index - search the Court's Will Index (See Geauga Probate Local Rule 59.1(C)).
- Attorneys' Fees - If attorneys fees are to be paid from the probate assets, then the attorney must prepare and file a motion to approve such fees, providing detail required by Geauga Probate Local Rule 71.1 and obtain a court order approving the fees.
- Medicaid Recovery - - if the applicant is not represented by an attorney, then prepare and file with the Court Form GC PF 4.29 - Medicaid Recovery Acknowledgment, (and if required prepare and file the appropriate forms with the Ohio Medicaid Estate Recovery Unit and then file with the Court the Form 7.0 Certification of Notice to Administrator of Medicaid Estate Recovery Program.
- Appraisal - If probate property must be appraised and the applicant desires a court order waiving appraisal, then prepare and file with the Court form GC PF 3.2 - Application to Dispense with Appraisement.