

## **Checklist: Initial Filing** **Full Estate Administration – Intestate (No Will)**

### Filing Fee

#### **\$165.00 (Includes 2 Certified Letters of Authority)**

\*Add \$5.00 if filing a Fiduciary's Bond or Application to Dispense with Fiduciary's Bond

\*Add \$5.00 if a Citation to Surviving Spouse to Exercise Elective Rights is being issued

\*Add \$5.00 if filing any Motion or Application not otherwise specified

\*\*Service Fees for FedEx Commercial Carrier Service will be due at the time of hearing or appointment of fiduciary *if applicable*

### Requirements

The decedent must have been a resident of Greene County, Ohio at the time of death, or a non-Ohio resident who owned real estate in Greene County.

**Note: All paperwork must be typed. We will not accept handwritten documents.  
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

- Application for Authority to Administer Estate (Form 4.0)
- 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
  - o If a next of kin or beneficiary's whereabouts are unknown and cannot be found with due diligence, you may file an Affidavit of Whereabouts Unknown (GC Form 100.2-C)
- Contact Information Form (GC Form 75.3-A)
- Self-Representation Acknowledgment (GC Form 75.1) *if applicable*
  - o This form **must** be filed if applicant is not represented by an attorney.
- Waiver of Right to Administer (Form 4.3) *if applicable*
  - o Only Ohio residents can serve as Administrator. We do not need waivers from anyone out of state.
  - o If the surviving spouse is the applicant, then we do not need waivers from anyone.
  - o If there is no surviving spouse, or the surviving spouse is not the applicant, and there is more than one person on the front page of Form 1.0, then everyone other than the applicant needs to waive: Example: no spouse and 5 children in Ohio – one is applicant and the other 4 waive.
- Notice of Citation of Hearing on Appointment of Fiduciary (Form 4.4) *if applicable*
  - o If an individual with an equal priority to serve as Administrator does not waive right to administer, then they must receive notice (Ohio residents only).
  - o This includes any minor children who may have a priority to serve, but cannot because of their age.
  - o A minor cannot waive his or her right to administer. In the alternative, a Motion and Entry may be filed with the Court proposing a waiver of service by the minor's parent or legal guardian.  
(There is no form Motion in this instance; it must be custom drafted by applicant's legal counsel.)
- Fiduciary's Bond (Form 4.2) *if applicable*
  - o See Local Rule 75.2 on bond requirements
- Fiduciary Acceptance (GC Form 60.3-B)
- Entry Appointing Fiduciary; Letters of Authority (Form 4.5)
- Photocopy of the death certificate – with the social security number marked out

*If there is a Surviving Spouse:*

One of the following **must** be filed regarding surviving spouse's elective rights, even if the decedent died without a will:

If spouse waives notice of service of citation to elect:

- Waiver of Service to Surviving Spouse of the Citation to Elect (Form 8.6)
  - o A Waiver of Service is not a waiver of any elective rights, a waiver of the right to a family allowance, or an election to exercise any elective rights. It merely waives service of the Form 8.2 that outlines the elective rights of a Surviving Spouse pursuant to Chapter 2106 of the Ohio Revised Code.

OR

If spouse is to be served with notice:

- Citation to Surviving Spouse to Exercise Elective Rights (Form 8.0)
- Summary of General Rights of Surviving Spouse (Form 8.3)
- Certificate of Service and Notice of Citation to Surviving Spouse to Exercise Elective Rights (Form 8.4)
- Return for Certificate of Service of Citation to Surviving Spouse to Exercise Elective Rights (Form 8.5)