

## **Checklist: Initial Filing** **Full Estate Administration – Testate (with Will)**

### Filing Fee

\$210 with Will – no real estate + \$2.00 for each certified Letter of Authority

\$218 with Will – with real estate + \$2.00 for each certified Letter of Authority

If Surviving Spouse:

\*Add \$11 if citation to elect is issued

\*Add \$5 if waiver of citation to elect is filed

### Requirements

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

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

### Initial Filing

- Self-Representation Acknowledgment (GC Form 75.1) *If applicable*
  - This form **must** be filed if applicant is not represented by an attorney.
- Contact Information Form (GC Form 75.3-A)
- The **original** Last Will and Testament of decedent
- Application to Probate Will (Form 2.0)
- Entry Admitting Will to Probate (Form 2.3)
- Waiver of Notice of Probate of Will (Form 2.1) *If applicable*
  - If people on front and back of form 1.0 all waive notice, then these can be filed with the initial filing.
- Certificate of Service of Notice of Probate of Will (Form 2.4) *If applicable*
  - 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.
- Application for Authority to Administer Estate (Form 4.0)
- Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)
  - If there is Surviving Spouse, make sure a box at the bottom of the form is marked
- Entry Appointing Fiduciary; Letters of Authority (Form 4.5)
- Fiduciary Acceptance (GC Form 60.2-B)
- Photocopy of the death certificate – with the social security number marked out
- Waiver of Right to Administer (Form 4.3) *If applicable*
  - If fiduciaries named in the Will cannot act as fiduciary.
  - Must be an Ohio resident to serve as Administrator with will annexed. No waivers needed from anyone out of state.
  - If there is more than one person on the front page of Form 1.0, then they must waive: Example: no spouse and 5 children in Ohio – one is Administrator and the other 4 waive.
  - If the spouse is the parent of all of the children, then we do not need waivers from the children.
- Notice of Citation of Hearing on Appointment of Fiduciary (Form 4.4) *If applicable*
  - If fiduciaries named in the Will cannot act as fiduciary, and
  - If someone won't sign Waiver of Right to Administer then they must receive notice (Ohio residents only)
- Fiduciary's Bond (Form 4.2) *If applicable*

*If there is a Surviving Spouse:*

One of the following actions **must** be filed regarding surviving spouse's elective rights;

If spouse waives notice of service of citation to elect:

- Waiver of Service to Surviving Spouse of the Citation to Elect (Form 8.6)

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)