
E-FILING ESTATES IN FRANKLIN COUNTY PROBATE COURT

Administrative Magistrate Maureen Duffy

Sr. Magistrate Maureen Beaver Durant

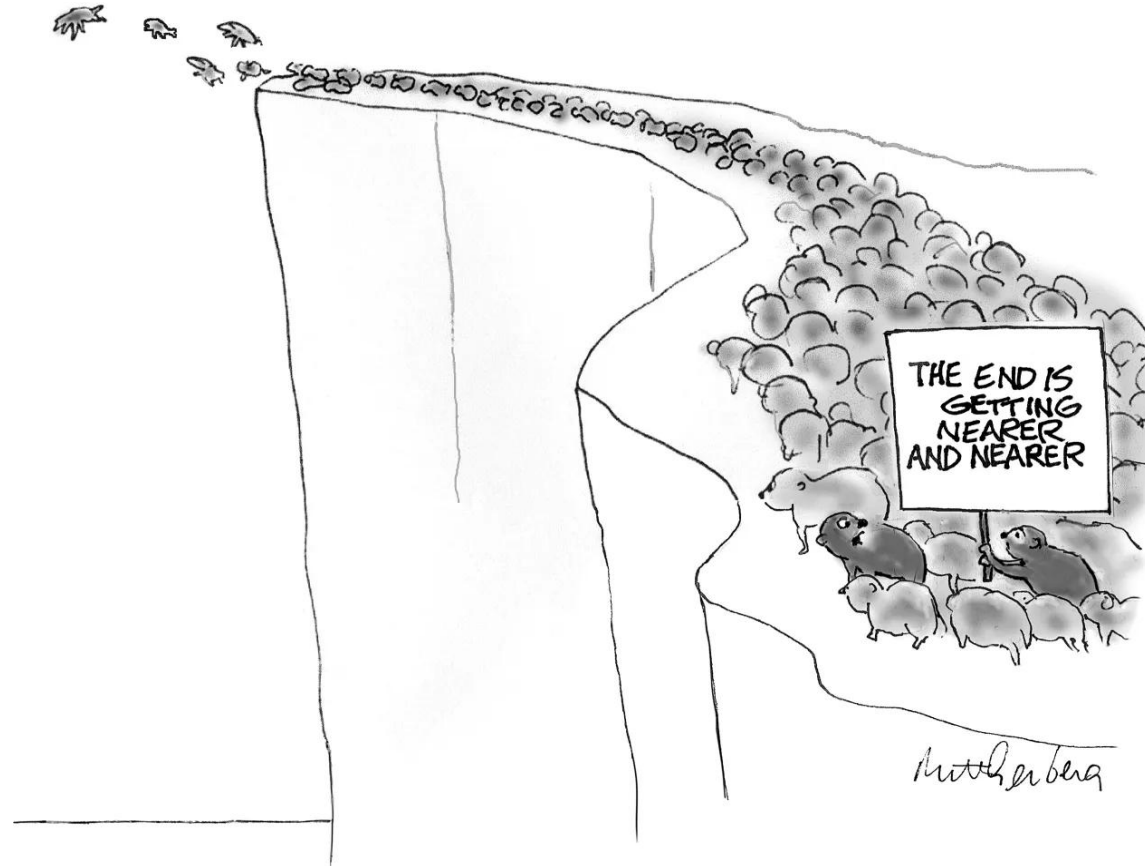
February 10, 2025

INTRODUCTION – FOR ALL TYPES OF ESTATES

January 2025

BUT FIRST...

A CAVEAT



INTRO TO THE PROCESS OF E-FILING AN ESTATE

- Certain filings are required at CASE INITIATION.
 - Minimum required forms differ by case type.
 - Not all minimum required forms for case initiation will be auto-required by the e-filing system, but all remain a requirement before the Clerks accept the filing.
 - Most additional filings will not be accepted at case initiation, and will be auto-rejected.
- Court feedback comes in one of 3 ways:
 - NOTICE OF DEFICIENCY – issued by Clerks, and again by Legal
 - NOTICE OF COMPLIANCE – issued by Clerks, and again by Legal
 - ENTRY SETTING HEARING

NEW FORMS!

Notice of Presentation
of Will

Limited Letters of
Authority

Notice to Reopen

NEW FORMS: NOTICE OF PRESENTATION (1) WILL

Sample Notice of Presentation of Will: for all testate estates- large AND small

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

ESTATE OF _____, DECEASED
CASE NO. _____

NOTICE OF PRESENTATION OF WILL

Now comes the undersigned and states that an ☐ Application to Probate Will ☐ Application to File Will for Record Only is being filed with this form.

[Check all that apply]

☐ The following unaltered document(s) shall be presented to the court for filing within fourteen days of the filing of this Notice. **Copies of these documents are attached to this notice.**

- ☐ Original last will and testament dated _____ and consisting of _____ pages.
- ☐ One or more original codicils dated _____ and consisting of _____ pages.
- ☐ One or more prior original wills dated _____ and consisting of _____ pages.
(attach additional pages if necessary)

☐ The decedent's last will and testament is believed to be on deposit with the court for safekeeping pursuant to R.C. 2107.07. I hereby request that the court file the deposited will in this case.

By signing this notice, I acknowledge that I understand the following:

- The court will review its index of deposited wills pursuant to R.C. 2107.08 upon the opening of this estate, which could result in the filing of a prior will or a will more recent than any I submit.
- If no original last will is on deposit with the court and none is submitted within fourteen days of this notice, this matter may be closed administratively for want of prosecution.
- If the court believes the decedent's purported last will to be a copy or a nonconforming will pursuant to R.C. 2107.24, this matter shall be set for hearing.

Attorney's Signature

Applicant's Signature

Typed or Printed Name

Typed or Printed Name

Street Address

Street Address

City, State, Zip Code

City, State, Zip Code

Telephone Number (include area code)

Telephone Number (include area code)

Email Address

Email Address

Attorney Registration No.

NEW FORMS: LIMITED LETTER OF AUTHORITY

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

ESTATE OF _____, DECEASED

CASE NO. _____

ENTRY APPOINTING FIDUCIARY; LIMITED LETTERS OF AUTHORITY

Name of Fiduciary: _____

Title of Fiduciary: [check one of the following]

☐ Administrator

☐ Special Administrator, whose appointment shall expire on _____, 20____

☐ Other: _____

On hearing the application of Applicant for authority to administer the decedent's estate, the court finds that:

Decedent died [check one of the following] ☐ testate ☐ intestate on _____, 20____, domiciled in _____.

Applicant is a suitable and competent person to execute the trust.

Bond is dispensed with by law. **No assets shall be released to the fiduciary without a specific court order.** Estate assets shall be held 100% custodial.

The court therefore appoints Applicant as such fiduciary:

☐ with the power conferred by law to fully administer decedent's estate.

☐ pursuant to R.C. 2113.15, specifically empowered to:

☐ receive presentment of a claim against the estate.

☐ collect and preserve assets of the estate. ☐ The fiduciary is only authorized to act with respect to the following specific assets: _____

☐ Other: _____

This entry of appointment constitutes the fiduciary's letters of authority.

Date

Signature Page Attached
Jeffrey D. Mackey
Probate Judge

NEW FORMS: NOTICE TO REOPEN

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

IN THE MATTER OF _____
CASE NO. _____

NOTICE TO REOPEN

Now comes the undersigned applicant and notifies the court that this case should be reopened to allow the applicant to submit the following document(s) for filing: _____

Applicant's Signature

Typed or Printed Name

Street Address

City, State, Zip Code

Telephone Number (include area code)

Email Address

Attorney Registration No. (if applicable)

ENTRY REOPENING CASE

Upon review, the court hereby **ORDERS** that this case be reopened solely to allow the applicant to submit documents for filing.

The court shall take no further action in this case unless the applicant proceeds to file documents as proposed above which require court action.

If this is an estate case being reopened to report newly discovered assets, the applicant remains responsible for separately filing Form 1.Y (Application to Reopen Estate to Report Newly Discovered Assets).

If nothing is filed in this case within sixty days of this entry, the case will be automatically closed without further notice.

Signature Page Attached
Jeffrey D. Mackey, Judge

OPENING AN ESTATE IN E-FILING

User interface is the same as in the Court's current e-filing system.

Each user who intends to sign pleadings in e-filing should have their own account.

To open a new case, click "New Case" button.

The screenshot displays the Franklin County e-Filing system interface. At the top, there is a header with the Franklin County e-Filing logo, a banner image of a building, and the text "Electronic Filing". Below the header is a navigation bar with links: Home, eFile, Cases, My Profile, and Log Out. A user profile indicator shows "user: MICHAEL L. MILLER".

Below the navigation bar, there is a sidebar with a "New Case" button circled in red. To the right of the sidebar, there is a section titled "File new case" with a yellow background. Below this, there are three sections: "Existing Cases" with the description "Perform case actions: eFile, Search, View History, Service List", "My Filings (21)" with the description "Check the status of my filings There are 21 filing(s) awaiting payment processing finalization that require your attention.", and "Draft Filings (181)" with the description "Finish filing an incomplete filing". At the bottom of the sidebar, there is a "Notifications" button with the description "Review your Notifications".

OPENING AN ESTATE IN E-FILING

On the next screen,
select the Probate Court.




The screenshot shows the Franklin County eFiling website interface. At the top, there is a header with the Franklin County eFiling logo, a banner image of a courthouse, and the text "Electronic Filing". Below the header is a navigation bar with links: Home, eFile, Cases, My Profile, and Log Out. The user is logged in as "user: MICHAEL L. MILLER". The main content area shows the breadcrumb "Home => New Case Filing: Court" and a section titled "Court". Below this is a table with a single column "Description". The table lists four court options: "DOMESTIC RELATIONS AND JUVENILE, COURT OF COMMON PLEAS", "GENERAL DIVISION, COURT OF COMMON PLEAS", "PROBATE COURT, COURT OF COMMON PLEAS" (which is highlighted in yellow), and "TENTH DISTRICT COURT OF APPEALS".

Description
DOMESTIC RELATIONS AND JUVENILE, COURT OF COMMON PLEAS
GENERAL DIVISION, COURT OF COMMON PLEAS
PROBATE COURT, COURT OF COMMON PLEAS
TENTH DISTRICT COURT OF APPEALS

OPENING AN ESTATE IN E-FILING

On the next screen,
select the case type.



The screenshot displays the Franklin County eFiling system interface. At the top, there is a header with the Franklin County eFiling logo on the left, a central image of a building, and the text "Electronic Filing" on the right. Below the header is a navigation bar with links: Home, eFile, Cases, My Profile, and Log Out. The user is logged in as "user: MICHAEL L. MILLER". The main content area shows the breadcrumb "Home ⇒ New Case Filing: Court ⇒ New Case Filing: Case Type" and a section titled "Case Type". Under this section, there is a list of case types: Adoption, Civil, Estates (highlighted in yellow), Guardianship Adult, Guardianship Minor, Mental Health, Miscellaneous, Name Change, Name Conformity - Adult, Name Conformity - Minor, Restricted Cases, and Trust.

Description
Adoption
Civil
Estates
Guardianship Adult
Guardianship Minor
Mental Health
Miscellaneous
Name Change
Name Conformity - Adult
Name Conformity - Minor
Restricted Cases
Trust

PART ONE: FULL ESTATES

- * FULL ADMINISTRATION WITH WILL
 - * FULL ADMINISTRATION WITHOUT WILL
 - * FULL ADMINISTRATION W/ ALLEGED WILL
 - * RIGHT OF ACTION ONLY
 - * RIGHT OF ACTION WITH WILL
 - * WRONGFUL DEATH ONLY
 - * WRONGFUL DEATH ONLY WITH WILL
 - * WRONGFUL DEATH W/WILL – PROBATE ASSETS
 - * WRONGFUL DEATH WITH PROBATE ASSETS
 - * ANCILLARY ADMINISTRATION
-

ADMINISTERING A FULL ESTATE: AN OVERVIEW

STEP 1: OPENING A CASE.

- At this stage, clerks are reviewing for bare minimum acceptability.
- There is no substantive review beyond confirming jurisdiction, that the decedent has actually passed, and that there is a signed Application for the court to take some action.

STEP 2: REVIEWING FIDUCIARY APPOINTMENT PAPERWORK.

- Clerks will review as many times as needed to ensure that the court has received the minimum paperwork necessary to appoint a fiduciary.
- Clerks will issue a Notice of Deficiency outlining any remaining problems; or a Clerk's Notice of Compliance, when the minimum paperwork is in order.
- Legal staff will automatically review the file when a Clerk's Notice of Compliance is issued and will (1) set the matter for a filing deadline or hearing or (2) issue a Legal Notice of Compliance.

STEP 3: ISSUING ENTRIES.

- The court may assist with some routine Entries, but will usually request the Filer to upload proposed Entries, including proposed Letters of Authority.
-

ADMINISTERING A FULL ESTATE: AN OVERVIEW

STEP 1: OPENING A CASE.

STEP 1: OPENING A FULL ESTATE

On the next screen, select the case sub-type.

For full estates, choose
“Full Administration with Will”
or
“Full Administration without Will.”

“Full Administration with Alleged Will” is for lost or nonconforming Wills.



The screenshot shows the Franklin County eFiling website interface. At the top, there is a navigation bar with links: Home, eFile, Cases, My Profile, and Log Out. Below the navigation bar, a breadcrumb trail reads: Home » New Case Filing: Court » New Case Filing: Case Type » Case Sub Types. The main heading is "Case Sub Types". Below this, there is a list of case sub-types under the heading "Description". The list includes: Ancillary Administration, Beneficiary Placeholder, Disclaimer, Foreign Record, Full Administration W/ Alleged Will, Full Administration With Will, Full Administration Without Will, Inventory Safe Deposit Box, Miscellaneous - Estate, No Administration Will FRO, No Administration With Will, No Administration Without Will, Probate Only, Real Estate Transfer Only, Release Decedent's Medical Records, Right of Action, Right of Action With Will, Summary Administration W/ Will, Summary Administration W/ Will FRO, Summary Administration W/O Will, Will Filed For Record Only, Wrongful Death Only, Wrongful Death Only With Will, Wrongful Death W/ Will - Probate Assets, and Wrongful Death With Probate Assets. The options "Full Administration With Will" and "Full Administration Without Will" are highlighted in yellow. At the bottom left, there is a "Back" button.

Description
Ancillary Administration
Beneficiary Placeholder
Disclaimer
Foreign Record
Full Administration W/ Alleged Will
Full Administration With Will
Full Administration Without Will
Inventory Safe Deposit Box
Miscellaneous - Estate
No Administration Will FRO
No Administration With Will
No Administration Without Will
Probate Only
Real Estate Transfer Only
Release Decedent's Medical Records
Right of Action
Right of Action With Will
Summary Administration W/ Will
Summary Administration W/ Will FRO
Summary Administration W/O Will
Will Filed For Record Only
Wrongful Death Only
Wrongful Death Only With Will
Wrongful Death W/ Will - Probate Assets
Wrongful Death With Probate Assets

[Back](#)

STEP 1: OPENING A FULL ESTATE

On the next screen,
select whether or not there
is a surviving spouse.

Add “case participants” from
this screen.

The screenshot shows the Franklin County eFiling system interface. At the top, there is a header with the Franklin County eFiling logo, a red vertical bar, a photograph of a building, and the text "Electronic Filing". Below the header is a navigation bar with links: Home, eFile, Cases, My Profile, and Log Out. The user is identified as "user: MICHAEL L. MILLER". A breadcrumb trail reads: Home ⇒ New Case Filing: Court ⇒ New Case Filing: Case Type ⇒ Case Sub Types ⇒ Case Initiation. The main heading is "Case Initiation: Full Administration Without Will". Below this, there is a section for "Surviving Spouse" with radio buttons for "Yes" (selected) and "No". To the right of this is a section for "Add Case Participants" with two buttons: "Add My Parties" and "Add Other Parties". A note states: "(Any party to be served must be added as a distinct party.)". Below these buttons is a table with the following structure:

Remove	Participant Name	Type	Attorney/Agent for Party
--------	------------------	------	--------------------------

At the bottom of the form are three buttons: "Back", "Save to Draft", and "Next".

STEP 1: OPENING A FULL ESTATE

On the next screen,
“Add My Parties” = Applicant

Franklin County eFiling

Electronic Filing

user: MICHAEL L. MILLER

Home eFile Cases My Profile Log Out

Home » New Case Filing: Court » New Case Filing: Case Type » Case Sub Types » Case Initiation » Add a Party

Add a Party: Full Administration With Will

Applicant

Organization ☐ Person ☒

Party Type: **Applicant**

First Name: * JOHN

Middle Name: Q.

Last Name: * (or Business Name) DOE

Name Suffix: (Jr, Sr, ...)

Phone: (000) 000-0000 ext.

Email: john.q.doe@aol.com

Main Address: ☒ US/Canada ☐ Other Country

Address Line 1: * 123 MAIN ST

Address Line 2:

Address Line 3:

City: * COLUMBUS

State: * OHIO

Country: * UNITED STATES

Zip / Postal Code: * 43215

Back Next

Add an Attorney for this Party

Last Name	Middle Name	First Name	Bar Number	Type
X MILLER	L.	MICHAEL	000025561	Attorney

Add

Add Additional Addresses

Type	Address
------	---------

Add

STEP 1: OPENING A FULL ESTATE

“Add Other Parties” =

- Decedent
- Surviving Spouse

For the decedent, please use information from the death certificate.

Franklin County eFiling

Electronic Filing

Home eFile Cases My Profile Log Out ? user: MICHAEL L. MILLER

Home » New Case Filing: Court » New Case Filing: Case Type » Case Sub Types » Case Initiation » Add a Party

Add a Party: Full Administration With Will

Organization ☐ Person ☒

Party Type: **Decedent**

First Name: * WILLIAM

Middle Name: HENRY

Last Name: * (or Business Name) HARRISON

Name Suffix: (Jr, Sr, ...)

Date of Death: 04-04-2024

Phone: (000) 000-0000 ext

Email:

Main Address: ☒ US/Canada ☐ Other Country

Address Line 1: * 100 TIPPECANOE CT

Address Line 2:

Address Line 3:

City: * COLUMBUS

State: * OHIO

Country: * UNITED STATES

Zip / Postal Code: * 43210

Back Next

Add an Attorney for this Party

Last Name Middle Name First Name Bar Number Type

Add

Add Aliases (AKA)

First Name Middle Name Last/Business Name

Add

Add Additional Addresses

Type Address

Add

STEP 1: OPENING A FULL ESTATE

From the next screen, upload your proposed opening pleadings.

Choose the document from the drop-down.

The documents marked with an asterisk are many (but not all) of the **required minimum pleadings** – your case will not be opened without all of these documents being submitted.

Franklin County eFiling

Electronic Filing

user: MICHAEL L. MILLER

Home eFile Cases My Profile Log Out ?

Home » New Case Filing: Court » New Case Filing: Case Type » Case Sub Types » Case Initiation » Add a Document

Case Sub Types : Full Administration With Will

Document Category: [v]

Document Type *: Application for Authority to Administer Estate *

Additional Text: [v]

Page Count: [v]

Document Location: [v]

Add to Submission: [v]

Case Data: [v]

Back Move to Draft

Document	Edit Data	Size	Pg Count	Remove
[icon] ✓		0.01 MB		
Total Size: 0.0 MB				

ra Development Group, Inc.

Application for Authority to Administer Estate *

Application to Probate Will *

Fiduciary's Acceptance - Estates *

Notice of Presentation of Will *

Surviving Spouse, Next of Kin, Legatee-Devisee *

Acceptance of Assignment

Account Vouchers and/or Bank Statements

Additional Deposit

Affidavit

Affidavit for Service by Publication

Affidavit of Service

Affidavit of Service of Notice of Hearing on Inventory

Affidavit of Supplemental Contact Information

Agreement

Amended Entry

Amended Letters of Authority

Application

Application for Attorney Fees

Application for Certificate of Transfer

STEP 1: OPENING A FULL ESTATE

If you miss certain **required minimum pleadings** – the system will not let you move forward.

Not all required minimum pleadings are set up this way. Please be sure to review the complete list and include all, or the clerks must reject your pleadings back to you.

Franklin County eFile

Home Cases My Profile Log Out ?

Home » New Case Filing: Court » New Case Filing: Case Type » Case Sub Types » Case Initiation » Add a Document

Case Sub Types : Full Administration With Will

Document Category: ALL

Document Type *: Application for Authority to Administer Estate *

Additional Text:

Page Count:

Acceptable File Format Type(s) (*.doc;*.docx;*.pdf)

Document Location: Choose File No file chosen

Add to Submission: Add

Document Name	View Document	Edit Data	Size	Pg Count	Remove
Case Data		✓	0.01 MB		
Application for Authority to Administer Estate	One-page example.docx		0.02 MB	1	
Fiduciary's Acceptance - Estates	One-page example.docx		0.02 MB	1	
Surviving Spouse, Next of Kin, Legatee-Devisee	One-page example.docx		0.02 MB	1	
Application to Probate Will	One-page example.docx		0.02 MB	1	

Total Size: 0.08 MB

Back Move to Draft Next

franklintest.tyberacloud.net says

You have not provided a Notice of Presentation of Will for this filing. Please add a document of this type before proceeding

OK

STEP 1: OPENING A **FULL ESTATE** – MINIMUM REQUIRED FORMS

- Proof of Death (death certificate or Form 1.Z, Notice of Opening Estate Without Death Certificate)
- Form 1.0, Surviving Spouse, Next of Kin, Legatees, and Devisees
- Form 4.0, Application for Authority to Administer Estate
- Form 4.0A, Fiduciary's Acceptance - Estates

If these forms are not present, the case will not be opened.

If these forms are not complete or correct, the case will be opened, and a Clerk's Notice of Deficiency will issue.

STEP 1A:

ADDITIONAL MINIMUM REQUIRED FORMS – TESTATE ESTATES

- Notice of Presentation of Will, with a copy of the proposed Will attached
- Form 2.0, Application to Probate Will OR Form 2.0LW, Application to Admit Lost Will to Probate

If these forms are not present, the case will not be opened.

If these forms are not complete or correct, the case will be opened, and a Clerk's Notice of Deficiency will issue.

The filer must deliver to the court an original Will (that matches the copy presented to the court at case opening) no later than 14 days from the opening of the case, or the matter may be dismissed.

STEP 1: OPENING A FULL ESTATE

For each separate pleading, you must include:

- Page count
- Document location (from your computer)
- Add to submission

A document will show up in the list at the bottom of the page as it is successfully added.

Franklin County eFiling

Electronic Filing

Home eFile Cases My Profile Log Out ? user: MICHAEL L. MILLER

Home » New Case Filing: Court » New Case Filing: Case Type » Case Sub Types » Case Initiation » Add a Document

Case Sub Types : Full Administration Without Will

Document Category

Document Type *

Additional Text

Page Count

Acceptable File Format Type(s) (*.doc,*.docx,*.pdf)

Document Location No file chosen

Add to Submission

Document Name	View Document	Edit Data	Size	Pg Count	Remove
Case Data		<input checked="" type="checkbox"/>	0.01 MB		
Application for Authority to Administer Estate	One-page example.docx		0.02 MB	1	<input type="button" value="X"/>
Total Size:			0.02 MB		

STEP 1: OPENING A FULL ESTATE

You will have a final opportunity to review the complete package before filing.

This screen is also where you pay.

The screenshot shows the 'Review and Submit Filing' page in the Franklin County eFiling system. The user is MICHAEL L. MILLER. The breadcrumb trail is: Home ⇒ New Case Filing: Court ⇒ New Case Filing: Case Type ⇒ Case Sub Types ⇒ Case Initiation ⇒ Review and Submit Filing. The case title is HARRISON WILLIAM HENRY, and the case sub types are Full Administration Without Will. The client number is empty. Estimated fees are \$125.00, with 'Pay by Credit Card' selected. There are buttons for 'Change Case Data' and 'Add/Remove Documents'. A table lists documents to be submitted: 'Application for Authority to Administer Estate' (One-page example.docx), 'Fiduciary's Acceptance - Estates' (One-page example.docx), and 'Surviving Spouse, Next of Kin, Legatee-Devisee' (One-page example.docx). A text area for 'Special Filing Instructions for the Clerk' is empty. At the bottom are buttons for 'Back', 'Cancel (Delete)', 'Move to Draft', and 'Submit the Filing'.

Franklin County eFiling

Electronic Filing

Home eFile Cases My Profile Log Out ? user: MICHAEL L. MILLER

Home ⇒ New Case Filing: Court ⇒ New Case Filing: Case Type ⇒ Case Sub Types ⇒ Case Initiation ⇒ Review and Submit Filing

Review and Submit Filing

Case Title : HARRISON WILLIAM HENRY

Case Sub Types : Full Administration Without Will

Client #

Estimated Fees: \$125.00

☒ Pay by Credit Card

☐ Special Waiver

☐ Government Agency

Generated Case Data: [Change Case Data](#)

Document(s) to be Submitted: [Add/Remove Documents](#)

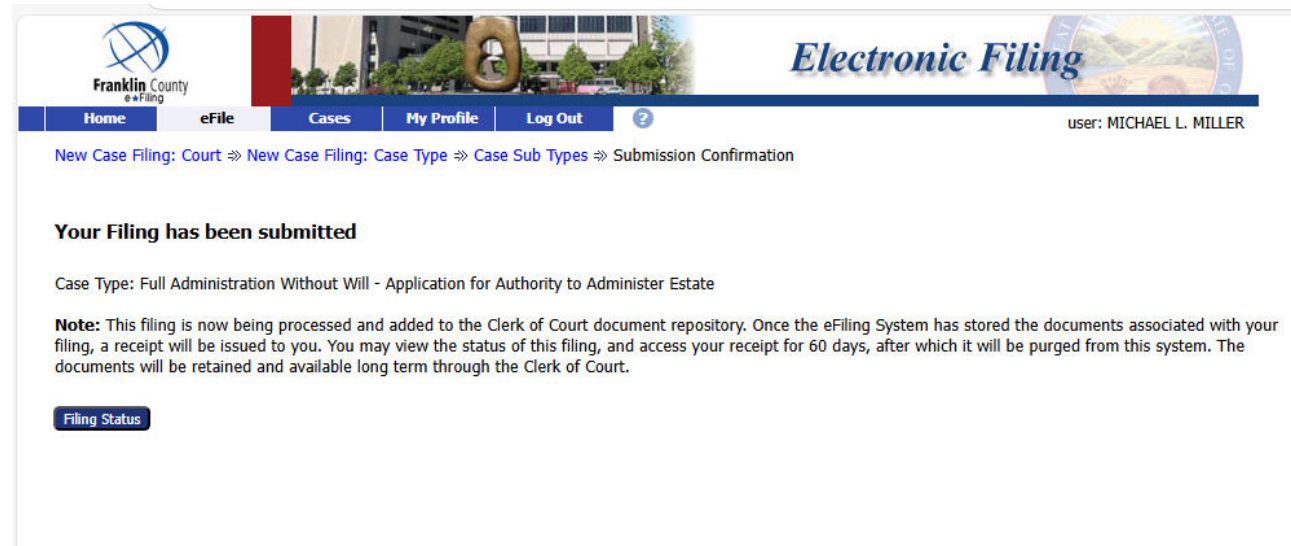
Document Name	View Document
Application for Authority to Administer Estate	One-page example.docx
Fiduciary's Acceptance - Estates	One-page example.docx
Surviving Spouse, Next of Kin, Legatee-Devisee	One-page example.docx

Special Filing Instructions for the Clerk:

[Back](#) [Cancel \(Delete\)](#) [Move to Draft](#) [Submit the Filing](#)

STEP 1: OPENING A FULL ESTATE

System acceptance
does not indicate
Court acceptance
or
Court approval.



ADMINISTERING A FULL ESTATE: AN OVERVIEW

STEP 2: REVIEWING FIDUCIARY APPOINTMENT PAPERWORK.

STEP 2:

FIDUCIARY APPOINTMENT PAPERWORK – CLERK

REVIEW Clerks will review proposed paperwork to ensure that it is signed, complete, and comports with the court's filing standards.

The following paperwork must be acceptably filed before the legal staff reviews a case:

- Proof of death
 - Form 1.0, Next of Kin
 - Form 4.0, Application for Authority to Administer Estate
 - Form 4.0A, Fiduciary's Acceptance
 - For intestate estates:
 - Form 4.2, Fiduciary's Bond + related paperwork
 - Waivers of Right to Administer (unless set for hearing)
 - For testate estates:
 - Notice of Presentation of Will, with a copy of the Will
 - Form 2.0, Application to Probate Will OR Form 2.0LW, Application to Admit Lost Will to Probate
-

STEP 2:

FIDUCIARY APPOINTMENT PAPERWORK – CLERK

RE

[Sample Notice of Deficiency for all fiduciary appointments: Testate & Intestate Estates](#)

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

ESTATE OF _____, DECEASED

CASE NO. _____

NOTICE OF DEFICIENCY – APPOINTMENT OF ESTATE FIDUCIARY

After the court has received the original Will, the following must still be satisfactorily addressed before Letters of Authority can be issued.

☐ Not all necessary forms have yet been properly signed (or authenticated, if signed electronically) or submitted, as follows: ☐ 1.0 (Next of Kin) ☐ 2.0 (Appl to Probate Will) ☐ 4.2 (Bond)
☐ E-4.0B (Application to Administer without an Attorney)

☐ There is a problem with one or more required forms, as follows:

☐ **Form 1.0 (Next of Kin)** is incorrect, incomplete, unsigned, and/or unclear. An example of a [properly-completed](#) form is available on the court's website for reference.

☐ The court requires clarification about the individuals listed on the current Form 1.0 (legal status of relationships, dates of decease, parentage of children).

☐ **Form 4.0A (Fiduciary's Acceptance)** must use Franklin County's specific and current form, which is available on the court's website.

☐ **Form 4.2 (Fiduciary's Bond)** is required and has not yet been submitted; or the forms are not acceptable for finalization as currently submitted.

☐ Form 4.2 must be signed by both the fiduciary and the surety.

☐ Form 4.2 must have the surety's power of attorney attached.

☐ There appears to be a problem with the proposed fiduciary and/or the right to administer is unclear.

☐ The proposed administrator lives out of state, and so is statutorily ineligible for appointment.

☐ Please provide all necessary Waivers of Right to Administer or Declinations to serve as executor, as applicable (or evidence of death/incompetence), as necessary for the proposed appointment, or set this matter for hearing.

☐ There is a problem with bond as currently proposed and/or the need for bond is unclear, as follows:

☐ The proposed executor lives out of state. See [Loc.R. 60.2](#) for additional requirements.

☐ No motion to dispense with bond was presented.

☐ **A hearing is required on this appointment.** Please reserve an available ESTATE APPT HEARING date/time from the e-Hearing Locator and submit a proposed Entry Setting Hearing with the reserved time; then serve notice, and file proof of service before the hearing. Counsel is required to appear; the matter will be continued if contested. The hearing may be canceled and letters issued if the required documents are filed in advance of the hearing. Pro se applicants should plan to attend the hearing.

Please direct any questions to the court's legal staff by email to probate.legal@franklincountyohio.gov or schedule an appointment via the e-Meeting Locator on the court's website.

[Sample Clerk's Notice of Compliance for all fiduciary appointments: Testate & Intestate Estates](#)

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

ESTATE OF _____, DECEASED

CASE NO. _____

**CLERK'S NOTICE OF COMPLIANCE –
APPOINTMENT OF ESTATE FIDUCIARY**

Upon review by the probate court clerks, it appears that all documents necessary for the appointment of a fiduciary in the above-captioned estate have been accepted for filing.

The legal staff will review the pleadings and determine whether Letters of Authority may be issued or if further documents and/or a hearing will be required.

If a proposed Will is being offered for probate, the pleadings will not be finally reviewed until the original Will is received by the court.

Please direct any questions to the court's legal staff by email to probate.legal@franklincountyohio.gov or schedule an appointment via the e-Meeting Locator on the court's website.

STEP 2:

FIDUCIARY APPOINTMENT PAPERWORK – LEGAL REVIEW

Legal staff will review proposed paperwork to ensure that it is complete, comports with the law, and to determine whether Letters of Authority may be issued or if the Application(s) should be set for hearing.

Feedback from the legal staff will come in one of two forms:

- Entry/Order setting remote hearing, explaining why the Letters cannot yet be issued; or
- Notice of Compliance

STEP 2: FIDUCIARY APPOINTMENT PAPERWORK – LEGAL REVIEW

Sample Notice of Compliance- LEGAL for all fiduciary appointments; Testate & Intestate Estates

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

ESTATE OF _____, DECEASED

CASE NO. _____

NOTICE OF COMPLIANCE

The court has determined that Letters of Authority should now issue. Please upload the following documents:

☐ Form 4.5, proposed **Letter of Authority**, naming _____ as
☐ Executor ☐ Administrator ☐ Administrator W.W.A.
With bond:
☐ Dispensed by Will ☐ Dispensed by law ☐ Filed and [approved](#)

☐ Form 4.5L, proposed **LIMITED Letter of Authority**, naming _____ as
☐ Executor ☐ Administrator ☐ Administrator W.W.A.
☐ Special [Administrator](#), appointment to expire on: _____
With bond:
☐ Dispensed by Will ☐ Dispensed by law ☐ Filed and [approved](#)

☐ Form ~~4.0a~~, Request for Certified Letters of Authority

☐ Form e2.3, proposed Entry Admitting Will to Probate

☐ Form 2.B, proposed Bond Approval Entry

☐ Other: _____

Please direct any questions to the court's legal staff by email to probate.legal@franklincountyohio.gov
or schedule an appointment via the e-Meeting Locator on the court's website.

STEP 2A: IF A HEARING IS REQUIRED...

- If the Applicant knows that a hearing is required: the Applicant should select and reserve an ESTATE APPT HEARING date/time from the e-Hearing Locator, then upload a proposed Entry Setting Hearing.
 - Initially, times will be available on Wednesday mornings, Thursday afternoons, and Friday mornings.
 - These are very short hearings for establishing notice; the matter will be continued if contested.
 - If the Court determines that a hearing is necessary: a hearing will be set at one of the above times.
 - The Applicant must serve notice and file proof of service before the hearing.
 - Counsel is required to appear.
 - The hearing may be canceled and Letters of Authority issued if all required documents are filed in advance of the hearing.
-

ADMINISTERING A FULL ESTATE: AN OVERVIEW

STEP 3: ISSUING ENTRIES.

STEP 3: ISSUING ENTRIES

- Sometimes, the court will prepare its own Entries; frequently, the court will request that the Applicant upload proposed Entries.
 - The Notice of Compliance issued by legal staff includes a specific request to upload a proposed Letter of Authority, among other Entries.
 - The Notice of Compliance will include what the court expects to see on a proposed Letter of Authority.
 - A new Limited Letter of Authority will be available for convenience, when appropriate.
 - **Court staff will not prepare proposed Letters of Authority.**
 - The Applicant should also upload a Request for Certified Copies form indicating how many Letters of Authority they would like to receive.
-

STEP 3:

ISSUING ENTRIES

PROBATE COURT OF FRANKLIN COUNTY, OHIO

JEFFREY D. MACKEY, JUDGE

IN THE MATTER OF _____

CASE NO. _____

REQUEST FOR CERTIFIED COPIES

I, the undersigned, hereby request that the court issue certified copies of the following documents:

Document Title: _____Date Filed: _____

Number of Copies Requested: _____

Document Title: _____Date Filed: _____

Number of Copies Requested: _____

Document Title: _____Date Filed: _____

Number of Copies Requested: _____

I acknowledge that the present cost of certified copies is \$1.00. Once certified copies have been produced:

[Choose one]

- ☐ Please ☐ call or ☐ email me using the contact information below, and I will arrange to pick up the certified copies in person.
- ☐ Please mail the certified copies to me using the contact information below, at my expense.

Signature

Typed or Printed Name

Street Address

City, State, Zip Code

Telephone Number (include area code)

Email Address

PART 2: SMALL ESTATES

- * NO ADMINISTRATION WITH WILL**
 - * NO ADMINISTRATION WITHOUT WILL**
 - * SUMMARY ADMINISTRATION W/ WILL**
 - * SUMMARY ADMINISTRATION W/ WILL FRO**
 - * SUMMARY ADMINISTRATION W/O WILL**
-

ADMINISTERING A SMALL ESTATE: AN OVERVIEW

STEP 1A: CHOOSING A CASE TYPE.

- Filers need to ensure that they are eligible to file the paperwork and that certain minimum standards are met.

STEP 1: OPENING A CASE.

- At this stage, clerks will verify that the Applicant is eligible to file the paperwork and that certain minimum standards are met.

STEP 2: REVIEWING RELEASE FROM ADMINISTRATION PAPERWORK.

- Clerks will review as many times as needed to ensure that the court has received the minimum paperwork necessary.
- Clerks will issue a Notice of Deficiency outlining any remaining problems; or a Clerk's Notice of Compliance, when the minimum paperwork is in order.
- Legal staff will automatically review the file when a Clerk's Notice of Compliance is issued and will (1) set the matter for a filing deadline or hearing or (2) issue a Notice of Compliance.

STEP 3: ISSUING ENTRIES.

- The court may assist with some routine Entries but generally will request the Applicant (especially if represented by counsel) to upload proposed Entries.
-

ADMINISTERING A SMALL ESTATE: AN OVERVIEW

SUMMARY RELEASES

STEP 1: OPENING A **SUMMARY RELEASE**– MINIMUM REQUIRED FORMS

- Application for Summary Release from Administration – Form 5.10A
- Surviving Spouse, Next of Kin, Legatee-Devisee – Form 1.0
- Death Certificate (or Form 1.Z, Notice of Opening Estate Without Death Certificate, can be uploaded instead of a death certificate)
- Funeral bill
- For testate estates:
 - Notice of Presentation of Will, with a copy of the Will
 - Form 2.0, Application to Probate Will OR Form 2.0A, Application to File Will for Record Only

If these forms are not present, complete, or correct, the case will not be opened.

STEP 1: OPENING A SUMMARY RELEASE

Select the case sub-type.

- Summary Administration with Will
- Summary Administration without Will
- Summary Administration with Will for Record



STEP 1A:

ADDITIONAL MINIMUM REQUIRED FORMS – IF THERE IS A WILL

- Notice of Presentation of Will, with a copy of the proposed Will attached
- Application to Probate Will (Form 2.0) OR Application to Admit Lost Will to Probate (Form 2.0LW)
 - IN SUMMARY RELEASES ONLY – Application to File Will FRO (“for record only”)(Form 2.0A)

If these forms are not present, the case will not be opened.

If these forms are not complete or correct, the case will be opened and a Clerk’s Notice of Deficiency will issue.

The filer must deliver to the court an original Will (that matches the copy presented to the court at case opening) no later than 14 days from the opening of the case, or the matter may be dismissed.

Note: this is the same “additional” paperwork as is required for full estates and no administration cases, and is required any time there is a Will.

STEP 2:

SUMMARY RELEASE PAPERWORK – CLERK REVIEW

Clerks will review proposed paperwork to ensure that it is signed, complete, and comports with the court's filing standards.

A Summary Release will likely not be accepted for filing if there are deficiencies.

If proposed Summary Release paperwork shows that the estate and/or Applicant is ineligible, the case will not be opened.

If a Summary Release is accepted for filing and the Will (if any) has been admitted to probate a **NOTICE OF COMPLIANCE** will be issued. The Notice of Compliance will direct the filer to upload the appropriate entries.

STEP 3:

ISSUING ENTRIES – SUMMARY RELEASE

The Notice of Compliance will prompt the filer to upload the appropriate entries which may include:

- Proposed Entry Granting Summary Administration
- Proposed Entry Granting Transfer of Motor Vehicle

If there is a Will, **the court** will prepare the Entry Admitting the Will to Probate or the Entry Admitting the Will for Record.

ADMINISTERING A SMALL ESTATE: AN OVERVIEW

“FULL” NO ADMINISTRATIONS

STEP 1: OPENING A FULL NO ADMIN – MINIMUM REQUIRED FORMS

- Application to Relieve Estate from Administration – Form 5.0
- Surviving Spouse, Next of Kin, Legatee-Devisee – Form 1.0
- Death Certificate (or Form 1.Z, Notice of Opening Estate Without Death Certificate, can be uploaded instead of a death certificate)
- Release from Administration Statement of Knowledge – Form 5.0F
- For testate estates:
 - Notice of Presentation of Will, with a copy of the Will
 - Form 2.0, Application to Probate Will

If these forms are not present, the case will not be opened.

If these forms are not complete or correct, the case will be opened and a Clerk's Notice of Deficiency will issue

STEP 1A:

ADDITIONAL MINIMUM REQUIRED FORMS – IF THERE IS A WILL

- Notice of Presentation of Will, with a copy of the proposed Will attached
- Application to Probate Will (Form 2.0) OR Application to Admit Lost Will to Probate (Form 2.0LW)

If these forms are not present, the case will not be opened.

If these forms are not complete or correct, the case will be opened and a Clerk's Notice of Deficiency will issue.

The filer must deliver to the court an original Will (that matches the copy presented to the court at case opening) no later than 14 days from the opening of the case, or the matter may be dismissed.

Note: this is the same “additional” paperwork as is required for full estates and summary releases and is required any time there is a Will.

STEP 2:

FULL RELEASE PAPERWORK – CLERK REVIEW

Clerks will review proposed paperwork to ensure that it is signed, complete, and comports with the court's filing standards.

The following paperwork must be acceptably filed or the clerk will issue a Notice of Deficiency:

- Death certificate / Proof of death
- Photo ID of the Applicant
- Paid funeral bill
- Application to Relieve Estate from Administration (Form 5.2)
- Assets and Liabilities (Form 5.1)
- Waiver of Notice of Application to Relieve Estate from Administration Form or
Notice of Application to Relieve Estate from Administration (Form 5.3) + proof of mailing
- Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)

For testate estates:

- Notice of Presentation of Will, with a copy of the Will
 - Form 2.0, Application to Probate Will OR Form 2.0LW, Application to Admit Lost Will to Probate
-

STEP 2:

FULL RELEASE PAPERWORK – CLERK REVIEW

In determining whether filings meet court standards, clerks will also be checking for the following:

- Jurisdiction (whether decedent is a Franklin County Resident)
- Acceptable signatures on all documents
- Valuation documentation to support the 5.1 (i.e. bank statements, blue book value)
- Notice to Medicaid, if applicable

If any required document is missing or incomplete, the clerks will issue a **Notice of Deficiency** setting forth which items will be necessary to bring the filer into compliance.

Until the required documents are filed, the case will not go forward. After a period of time (yet to be determined), the court will review all cases where a Notice of Deficiency was issued and either:

- Issue an order setting a filing deadline or
 - Issue an order setting the matter for hearing
-

STEP 2A:

FULL RELEASE – NOTICE OF DEFICIENCY

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

ESTATE OF _____, DECEASED

CASE NO. _____

NOTICE OF DEFICIENCY – NO ADMINISTRATION

After the court has received the original Will (if applicable), the following must still be satisfactorily addressed

- ☐ Not all necessary forms have yet been properly signed or submitted, as follows:
- ☐ 1.0 (Next of Kin) ☐ 2.0 (Appl to Probate Will) ☐ 5.0 (Application for release from admin)
 - ☐ 5.1 (Assets & Liabilities) ☐ 5.3 (Notice of Application to Relieve Estate from Administratic
- ☐ There is a problem with one or more required forms, as follows:
- ☐ **Form 1.0 (Next of Kin)** is incorrect, incomplete, unsigned, and/or unclear. An example of a properly completed form is available on the court's website for reference. It must be signed on page 2.
 - ☐ The court requires clarification about the individuals listed on the current Form 1.0 (legal status of relationships, dates of death, parentage of children).
 - ☐ There is a minor beneficiary. Please upload a birth certificate and proof of custody; and send Form 5.3 to any person who has custody of the minor.
 - ☐ **Form 5.1 (Assets and Liabilities)** must ☐ list all estate assets, with proof of value for each; ☐ be signed at the end of page 2; ☐ list any vehicle with year/ make/ model and value.
 - ☐ **Form 5.3 (Notice of Application to Relieve Estate from Administration)** must be sent to each person on the Next of Kin Form (1.0) by certified mail, and you must file proof of delivery. NOTE: This is not needed for anyone listed on the Next of Kin form who has signed a Form 5.2 (Waiver of Notice)
- ☐ **The Court needs to see proof that Medicaid has no interest in this estate.** Please contact the following by email, or phone if necessary, and file any written response.
- Robert J. Byrne, Assistant Ohio Attorney General – Medicaid Estate Recovery
Robert.Byrne@OhioAGO.gov
(614) 466-8360 / (614) 752-8085
- ☐ **The Court needs to see proof that the funeral bill has been paid in full and** must be able to tell w paid it. If you don't have a copy, request it from the funeral home and upload.
If the person who paid the funeral bill does not wish to be reimbursed, please file a notarized statem from them to that effect. A form is available on the court's website.
- ☐ There are multiple beneficiaries and assets that cannot be easily divided. If all beneficiaries agree on who should receive what, then please file a Proposed Distribution and Consent Form, available on the court's website. Otherwise, assets will need to be sold and a commissioner will need to be appointed.
- ☐ **The court needs to appoint a Commissioner** to gather/sell and distribute the assets of the estate. Please upload a proposed Magistrate's Order Appointing Commissioner (Form 5.6B) listing the name of a willing individual, who must be an Ohio resident.
- ☐ **A hearing is required on this appointment.** Please send Form 5.3 to every person listed on the Form 5.3 before the hearing by certified mail & file proof that you did so; or have them attend the hearing.
-

STEP 2A:

FULL RELEASE – NOTICE OF DEFICIENCY

When a case is on hold because of a Notice of Deficiency, two things may happen:

1. The filer provides the missing documents:

In this case, the court will issue a **Notice of Compliance** directing the filer to upload the appropriate entries.

2. The filer **does not** provide the missing documents:

After a period of time (yet to be determined), the court will review these cases and either:

- Issue an order setting a filing deadline; or
 - Issue an order setting the matter for hearing
-

STEP 3:

FULL RELEASE – ISSUING ENTRIES

The Notice of Compliance will prompt the filer to upload the appropriate entries which may include:

- Proposed Entry Relieving Estate from Administration
- Proposed Entry Granting Transfer of Motor Vehicle

If there is a Will, **the court** will prepare the Entry Admitting the Will to Probate

FULL RELEASE – APPOINTMENT OF COMMISSIONER

- If the filer wishes the court to appoint a Commissioner, they should upload a Proposed Magistrate's Order Appointing Commissioner with the initial filings (see Step 1).
- If the court believes that a Commissioner is necessary, a magistrate may appoint a Commissioner after a **Notice of Compliance** has been issued.

OTHER ESTATES CASE TYPES

- * PROBATE ONLY
 - * REAL ESTATE TRANSFER ONLY
 - * WILL FILED FOR RECORD ONLY
 - * INVENTORY SAFE DEPOSIT BOX
 - * RELEASE DECEDENT'S MEDICAL RECORDS
 - * BENEFICIARY PLACEHOLDER (FOR NOTICE OF WRONGFUL DEATH CLAIM)
-

Please report any problems to our IT department at:

Efiling-probate@franklincountyohio.gov

(or reach out to one of us directly)

THANK YOU FOR YOUR PATIENCE!
