

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

CHECKLIST – APPLICATION FOR APPOINTMENT OF TRUST

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 or legibly handwritten, 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 440-226-7339.

Preparation

1. Current Beneficiaries. Determine the name and address of all current beneficiaries of the Trust. Current Beneficiary is defined in R.C. 5801.01(F) as - "Current beneficiary" means a beneficiary that, on the date the beneficiary's qualification is determined, is a distributee or permissible distributee of trust income or principal. Also, determine whether any current beneficiaries are a minor, have a guardian, are confined to a penal institution, or are committed by court order resulting from mental illness. There may be special requirements for service or waiver of notices.
2. Bond Requirement. Determine whether to apply to dispense with Bond or obtain Bond.
3. Trust Assets. Determine the estimated value of the trust property.

Filing Requirements

1. **Form GCPF 25.0 - Application for Appointment of Trustee**
2. **Form GCPF 25A.0 – List of Current Beneficiaries**
3. **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).
4. **Criminal Background Check Authorization** - prepare and file with the Court form "GC PF 4.30 - Background Certification and Records Check."
5. **Form GCPF 25.5 - Fiduciary's Acceptance-Trustee**
6. **Form GCPF 25.1 – Entry Appointing Trustee**
7. **Form GCPF 25.2 – Letters of Authority of Trustee**
8. **Copy of Trust Agreement** – unless a copy of the trust agreement has been filed with the court, provide the court with a copy of the trust agreement.

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

Additional Notes

- Jurisdiction and Venue. Confirm that this Court has jurisdiction to appoint you as a Trustee and that the proper venue is Geauga County. See the probate information sheet titled “Jurisdiction of Ohio Probate Courts.”
 - Bond Requirement. Decide whether to obtain a Bond or whether to file an Application to Dispense with Bond. If you seek to dispense with the Bond, then prepare and file Form GC PF 25.6 – Application to Dispense with Trustee’s Bond.
 - 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 SC Form 45(D) - Confidential Disclosure of Personal Identifiers.
10. Notice of Hearing on Appointment of Trustee. Consider having the current beneficiaries sign a waiver of notice of hearing using form GCPF 25B.0 – Waiver of Notice of Hearing to Appoint Trustee. If a notice of hearing is required, complete form GCPF 25C.0 – Notice of Hearing on Appointment of Trustee. The applicant shall deliver a copy of that notice to each such person, who has not signed a waiver of notice, in accordance with Civ.R. 73(E). Before the Hearing, the applicant shall provide the Court with proof of service of that notice by preparing and filing with the Court the form titled “Affidavit Evidencing Service of Notice” (GC PF 41.6) together with a copy of each such notice and evidence of service (e.g., the “green card”) for each notice. See Geauga Probate Local Rule 78.13. Determine whether service of notice must be by publication. See Geauga Probate Local Rule 78.14. Again, consider special requirements if a current beneficiary is a minor, has a guardian, is confined to a penal institution, or is committed by court order resulting from mental illness