

IN THE COURT OF COMMON PLEAS, PROBATE DIVISION, GEauga COUNTY, OHIO
Judge Timothy J. Grendell

Information Sheet
Reopen Estate

WARNING

This Information Sheet is intended to provide you with an overview of the subject matter, effective as of the date noted in the upper left-hand corner. This Information Sheet is not intended to provide you with all legal information that may be necessary for you to decide upon a course of action, and the information provided may not be error-free, complete, or accurate. Moreover, this Information Sheet may not accurately describe the cited sections of the Ohio Revised Code or cited case law. Finally, this Information Sheet is not intended as a substitute for legal advice from a competent licensed attorney, who is familiar with all of the relevant facts of your case, and therefore the Help Center recommends that you seek legal advice from a competent licensed attorney that you select before taking any action. While the Help Center can provide you with a limited amount of general legal information, neither the Help Center staff nor any other Court employee can give you any legal advice.

Background

Sometimes after a probate estate is closed, in some cases many years later, the Estate Representative or another interested person will learn of a probate asset titled in the name of the Decedent that was not accounted for in the closed probate proceedings. Examples are stocks and bonds, a bank account, real property, a vehicle, etc. Persons that could have an interest in that newly discovered Probate Property are creditors (if the probate estate was insolvent), a surviving spouse, or other beneficiaries of the probate estate. While the Estate Representative of the closed probate proceeding has no duty to do so, if the Estate Representative, or any other interested person, wants to report the newly discovered Probate Property to the probate court, then the applicant should take the following action. Moreover, there may be additional reasons to reopen a close probate proceeding. One example is a survival claim or wrongful death claim that is discovered after a probate proceeding is closed.

- Initial Considerations.
 - Identify the Newly Discovered Probate Property. If the reason for reopening a probate proceeding is newly discovered probate property, then obtain a copy of evidence of title and a description of the property. For example, (1) for real estate, a copy of the deed and the most current county auditor's tax bill; provided that if the real property is in Geauga County, Ohio, then a copy of the "Tax Card," which is displayed <https://realestate.geauga.oh.gov>, after completing the search, (2) for a vehicle, the certificate of title (or registration of title), (3) for a financial account, a copy of the latest statement, (4) for stocks and bonds, a copy of the stock certificate or the bond;
 - Insolvent Estate - determine whether the probate estate was insolvent. Creditors may have a claim to any newly discovered Probate Property. If the probate estate was insolvent, you will likely need to obtain guidance from the Court as to how to distribute the newly discovered Probate Property;

- Appraisal - determine whether the newly discovered Probate Property must be appraised. If the newly discovered Probate Property is real property, then obtain a copy of auditor's valuation or appraisal (by court- approved appraiser), or if a vehicle, then a copy of Kelley's Blue Book valuation.
- Any Other Property. Make a reasonable effort to determine if there is any other Probate Property that was not accounted for in the prior closed probate proceeding. For example, consider checking for "unclaimed funds." The Decedent may be owed unclaimed funds for any variety of reasons, including a deposit refund, forgotten bank account, expense reimbursement, wages, etc. Consider contacting the Ohio Division of Unclaimed Funds. The website is <https://www.com.ohio.gov/unfd/>. The website has a useful tool to search for unclaimed funds. The phone number is 877-644-6823. The mailing address is Ohio Department of Commerce, Division of Unclaimed Funds, 77 South High Street, 20th Floor, Columbus, OH 43215-6133.
- Ohio Estate Tax. Effective January 1, 2022, the Ohio Department of Taxation no longer requires or accepts any Ohio Estate Tax returns regardless of the decedent's date of death.¹ If you have any questions or concerns, then contact the Ohio Department of Taxation at EstateTaxOH@tax.state.oh.US. The Clerk will not accept the filing of Ohio estate tax form ET-22.
- Federal Estate Tax. Consider retaining estate tax counsel (an attorney or accountant) to advise you on whether a federal estate tax return (or amended tax return) must be filed with the IRS. You should review information set forth at <https://www.irs.gov/businesses/small-businesses-self-employed/estate-tax>.
- Identify Surviving Spouse, Beneficiaries, and Next-of-Kin. Verify whether a surviving spouse is still living, and the names of all living beneficiaries of the probate estate and the next-of-kin. Obtain the current address of all such persons.
- Identify Who should file to Reopen. If the applicant is (1) the prior fiduciary, (2) Sole Beneficiary, (3) Sole Next-of-Kin, or (4) the applicant previously filed an Application for Summary Release from Administration, then the process to reopen requires less documents.
- Not Resulting from Newly Discovered Assets. If there is no newly discovered probate property, then gather all relevant documents or appropriate affidavits to support the need to reopen the probate proceeding. For example, if the reason is a new survival or wrongful death claim, then perhaps an explanation letter from the personal injury attorney handling the claim.
- Medicaid Recovery. Determine whether the Ohio Medicaid Estate Recovery Unit must be notified on the reopening of the probate proceeding.
- Bond Requirement. Determine whether a surety bond may be required or whether the Court may dispense with a surety bond. See probate local rule 78.17.
- Release from Administration. Determine whether the initial probate proceeding was a Release from Administration. Depending upon the value of the initial probate property and the value of the new probate property, the Court may require a full administration, including the filing of an inventory and a final and distributive account.

¹ See R.C. 5731.21(D)

- Certificate of Transfer (R.C. 2113.61(D)). If an Application for Certificate of Transfer was previously filed and the estate needs to be reopened to allow for the filing of a Summary Release from Administration, then the form titled Application to Reopen Estate (GC PF 4.521C) must be filed. See “Checklist – Certificate of Transfer.”
- Summary Release from Administration. Determine whether the initial probate proceeding was a Summary Release from Administration. Depending upon the value of the initial probate property and the value of the newly discovered probate property, the Court may require a full administration, including the filing of an inventory and a final and distributive account, or possibly a Release from Administration. If the value of the initial probate property and the value of the newly discovered probate property still permits a Summary Release from Administration, then the applicant could prepare and file the form titled “Application to Reopen Estate – Summary Release from Administration” (GCPF 5.0R).
- Preparation of Documents. Regarding the preparation and filing of documents, see the checklist titled “Checklist – Reopen Estate,” located on the Court’s website.

LEGAL PRACTICE IN THE PROBATE COURT IS RESTRICTED BY LAW TO ATTORNEYS WHO ARE LICENSED BY THE SUPREME COURT OF OHIO. IF AN INDIVIDUAL WISHES TO HANDLE HIS OR HER OWN CASE, THAT PERSON MAY ATTEMPT TO DO SO, HOWEVER DUE TO THE COMPLEXITY OF THE LAW AND DESIRE TO AVOID COSTLY ERRORS, MANY PERSONS WHO HAVE MATTERS BEFORE THE COURT ARE REPRESENTED BY AN ATTORNEY.

IF YOU CHOOSE TO REPRESENT YOURSELF AND USE THE COURT’S FORMS, PLEASE BE ADVISED THAT STATE LAW PROHIBITS THE JUDGE, MAGISTRATE, AND EMPLOYEES OF THE GEAUGA COUNTY PROBATE COURT, INCLUDING THE HELP CENTER STAFF, FROM PROVIDING YOU WITH LEGAL ADVICE OR ASSISTING YOU IN THE SELECTION OR PREPARATION OF LEGAL FORMS. IF YOU NEED ADDITIONAL ASSISTANCE YOU WILL NEED TO CONTACT AN ATTORNEY OF YOUR CHOOSING.

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

CHECKLIST – REOPEN ESTATE

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.

Filing Requirements – Applicant is Prior Executor or Administrator, Sole Beneficiary, or Next of Kin (if the applicant was the fiduciary of the estate when the estate was closed, or if applicant is the sole beneficiary under the Will or sole next of kin if decedent died intestate)

1. **Form GC PF 4.51 - Application to Reopen Estate and Appoint Fiduciary**
2. **Form GC PF 4.51A – Report of Newly Discovered Assets**
3. **Form 1.0 Surviving Spouse, Children, Next of Kin, Legatees and Devisees** (no need to insert information on the back page regarding beneficiaries if the Decedent died without a Will).
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 GC PF 4.30 - Criminal Background Check Authorization** - see Geauga Probate Local Rule 78.11.
6. **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)]
7. **Bond Requirement – file either (1) Form 4.2 – Fiduciary's Bond or (2) Form GC PF 4.40 - Application to Dispense Fiduciary's Bond** (and related documents as required – see Geauga Local Probate Rule 78.17 – Bond Requirement) – see Additional Notes below.
8. **Court Cost Deposit** - arrange for payment of court cost deposit. See the "Probate Court Costs" on the Court's website.

Filing Requirements – Applicant is not the Prior Executor of Administrator, Sole Beneficiary, or Next of Kin (if the applicant was not the fiduciary of the estate when the estate was closed, or if applicant is not the sole beneficiary under the Will or is not sole next of kin if decedent died intestate).

1. **Form GC PF 4.51 - Application to Reopen Estate and Appoint Fiduciary**
2. **Form GC PF 4.51A – Report of Newly Discovered Assets**

3. **Form 4.0 Application for Authority to Administer Estate**

4. **Waiver or Declination of Right to Administer**

- **Form 4.3 Waiver of Right to Administer**. If the decedent died without a will and if another person has a superior or equal right to be appointed as Administrator, then prepare, obtain the signature of that person, and file with the Court Form 4.3 - Waiver of Right to Administer.
- **GC PF 4.9 - Declination**. If the decedent died with a will, which was admitted to probate, and if another person has a superior or equal right to be appointed as Executor, then prepare, obtain the signature of that person, and file with the Court Form GC PF 4.9 - Declination. If any such person refuses to sign a Declination, then the Court will set the Application for Application to Administer the Estate for hearing and the Court will notify the pertinent parties.

5. **Form GC PF 4.9A – Executor Listing** If the applicant seeking appointment as Executor is not the Person who is first in priority as executor in the Will that was admitted to probate, then prepare and file this form.

6. **Form GC PF 4.8 Fiduciary’s Acceptance**

7. **Form 1.0 Surviving Spouse, Children, Next of Kin, Legatees and Devisees** (no need to insert information on the back page regarding beneficiaries if the Decedent died without a Will).

8. **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).

9. **Form GC PF 4.30 - Criminal Background Check Authorization** - see Geauga Probate Local Rule 78.11.

10. **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)]

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

12. **Bond Requirement – file either (1) Form 4.2 – Fiduciary’s Bond or (2) Form GC PF 4.40 - Application to Dispense Fiduciary’s Bond** (and related documents as required – see Geauga Local Probate Rule 78.17 – Bond Requirement)

Additional Notes

- **Bond Requirement**. Decide whether to obtain a Bond or whether to file Application to Dispense with Bond. If Bond is required, then prepare and present Form 4.2 – Fiduciary’s Bond. If you seek to dispense with the Bond, then prepare and file Form GC PF 4.40 – Application to Dispense with Bond. If the basis is consent of heirs and beneficiaries, then also prepare and file (1) Form GC PF 4.37 – Consent to Dispense with Bond and (ii) Form GC PF 4.38 – Fiduciary’s Acknowledgment of Personal Liability

- Preparation of Form 1.0. If there is a surviving spouse or surviving lineal descendants, then include (i) the name of each predeceased child, and (ii) under the name of a predeceased child insert the name and address of that child's lineal descendants. Moreover, you must correctly check one of the boxes toward the bottom of the front page of Form 1.0. Carefully review Geauga Probate Local Rule 78.5(A)(2).
- Personal Identifiers - see Geauga Probate Local Rule 57.2(C). Do not insert protected personal identifiers into a court document. Report such personal identifiers by preparing and filing form SC Form 45(D) - Confidential Disclosure of Personal Identifiers.
- Evidence of Assets and Value - present to the deputy clerks evidence of assets and current value
 - If a vehicle, then (i) a copy of certificate of title, and if the applicant elects to value the vehicle as provided in Geauga Probate Local Rule 78.5(D)(1)(a)(2), then a copy of evidence of value that conforms to Geauga Probate Local Rule 78.5(D)(1)(a)(2) (e.g., Kelley Blue Book).
 - If real estate, then the most current county auditor's tax bill; provided that if the real property is in Geauga County, Ohio, then a copy of the "Tax Card," which is displayed <https://realestate.geauga.oh.gov/>, after completing the search, and which also may be used to establish value for the real estate rather than appraisal. Additionally, prepare and file an application for a certificate of transfer (i.e. forms 12.0, 12.1, and 12.2), all as described in R.C. §2113.61.
 - if financial accounts (including brokerage accounts for stocks and bonds), then a copy of financial statement nearest date of filing the Application for Relief from Administration, which reflects Current value.
 - If stocks or bonds (not listed on a financial/brokerage account), then the total number of the shares and bonds and their total current value and, for each share or bond, its serial number, the name of its issuer, its current value, and, if any, the name and address of its transfer agent.
 - If death benefit (e.g., life insurance, annuity, retirement), then copy of evidence of value.
 - If past due wages, the evidence of value (in writing from employer of possible).
- Appraisal – determine whether any newly discovered assets must be appraised. For such assets that do not have a readily ascertainable value, then an appraisal may be required, provided however that real estate may be valued using the current county auditor's tax bill and vehicles (including motorcycles, RVs, trailers, watercraft, etc.) by a copy of a recognized valuation resource for motor vehicles as the fair market value of the motor vehicle (e.g., Kelley Blue Book). Consider preparing and filing (i) Court form GC PF 3.2 - Application to Dispense with Appraisal and (ii) to the extent possible, Court form GC PF 3.2A – Consent to Dispense with Appraisal, which contains the signatures of Interested Persons (see form 1.0), and provide a copy of any evidence of value noted above, or otherwise.
- 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, within 30 days after appointment, 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. Generally, the Ohio Medicaid Estate Recovery Unit must be notified of the decedent's death if the decedent received or indirectly benefited from [e.g., payments to a nursing home] Medicaid payments AND the decedent was older than 54 or was permanently institutionalized.)
- Surviving Spouse Rights. If decedent had a surviving spouse, then determine whether the surviving spouse has any remaining spousal rights (e.g., Allowance for Support). Consider reviewing the probate information sheet titled "Rights of Surviving Spouse."

- Report of Distribution. Unless the Court otherwise orders the filing of a final and distributive account, after the newly discovered assets have been distributed, the fiduciary shall prepare and file the form GC PF 4.15B – Report of Distribution.

Additional Notes If the applicant was not the Executor or Administrator of the estate when the estate was closed, or sole beneficiary under the Will, or sole next of kin if decedent died intestate

- Notice of Hearing on Appointment of Fiduciary.
 - Appointment of Executor. If a person has a superior or equal right to serve as executor and does not sign form GC PF 4.9 - Declination, then the Court may set the matter for hearing and the applicant shall serve notice of the hearing upon those persons using form GC PF 4.18 - Notice of Hearing, in accordance with Civ.R. 73(E), served no less than 10 Calendar Days before the hearing. The administrator 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 the probate information sheet titled “Service of Notice,” and Probate Local Rules 78.13. Determine whether service of notice must be by publication. See Geauga Probate Local Rule 78.14.
 - Appointment of Administrator. If a person has a superior or equal right to serve as administrator and does not sign form 4.3 - Waiver of Right to Administer, then the Court may set the matter for hearing and the applicant shall serve notice of the hearing upon those persons using form 4.4 - Notice and Citation of Hearing on Appointment of Fiduciary, in accordance with Civ.R. 73(E), served no less than 10 Calendar Days before the hearing. The administrator 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 the probate information sheet titled “Service of Notice,” and Probate Local Rules 78.13. Determine whether service of notice must be by publication. See Geauga Probate Local Rule 78.14.
- Notice of Appointment. As required by Sup. R. 60(B), the administrator shall give notice of the appointment, in accordance with Civ.R. 73(E), within seven days after the appointment to all persons entitled to inherit, including persons entitled to an allowance for support, unless those persons have been provided notice of the hearing on the appointment (i.e., Form 4.4 – Notice and Citation of Hearing on Appointment of Fiduciary”) or have waived such notice. The administrator shall use the form titled “Notice of Appointment of Administrator” (GC PF 4.4A). The administrator 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 the probate information sheet titled “Service of Notice,” and Probate Local Rules 78.13. Determine whether service of notice must be by publication. See Geauga Probate Local Rule 78.14.

Filing Requirements - Reopen Release from Administration

- Reopen Release from Administration. If the initial proceeding was a Release from Administration, and if the value of the newly discovered asset(s), when combined with the value of the assets released from administration, would require a full administration, then follow the process outlined above as if the applicant was not the fiduciary of the estate when the estate was closed, or if applicant is not the

sole beneficiary under the Will or is not sole next of kin if decedent died intestate). The Court may require the filing of an inventory and a final account.

However, if the value of the newly discovered probate asset(s), when combined with the value of the probate assets disclosed in the initial Application to Relieve Estate from Administration (form 5.0) and the Assets and Liabilities of Estate to be Relieved from Administration (form 5.1) does qualify the probate proceeding under R.C. 2113.03, then the applicant may proceed to reopen the probate proceeding by filing:

- **Form GC PF 4.51 - Application to Reopen Estate and Appoint Fiduciary**
- **Form GC PF 4.51A – Report of Newly Discovered Assets**
- **Form 1.0 Surviving Spouse, Children, Next of Kin, Legatees and Devisees** (no need to insert information on the back page regarding beneficiaries if the Decedent died without a Will).
- **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).
- **Form GC PF 4.30 - Criminal Background Check Authorization** - see Geauga Probate Local Rule 78.11.
- **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)]
- **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 deputy clerks evidence of assets and current value
 - If a vehicle, then (i) a copy of certificate of title, and if the applicant elects to value the vehicle as provided in Geauga Probate Local Rule 78.5(D)(1)(a)(2), then a copy of evidence of value that conforms to Geauga Probate Local Rule 78.5(D)(1)(a)(2) (e.g., Kelley Blue Book).
 - If real estate, then the most current county auditor's tax bill; provided that if the real property is in Geauga County, Ohio, then a copy of the "Tax Card," which is displayed <https://realestate.geauga.oh.gov/>, after completing the search, and which may be used to establish value for the real estate rather than appraisal. Additionally, prepare and file an application for a certificate of transfer (i.e. forms 12.0, 12.1, and 12.2), all as described in R.C. §2113.61.
 - if financial accounts (including brokerage accounts for stocks and bonds), then a copy of financial statement nearest date of filing the Application for Relief from Administration, which reflects Current value.
 - If stocks or bonds (not listed on a financial/brokerage account), then the total number of the shares and bonds and their total current value and, for each share or bond, its serial number, the name of its issuer, its current 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.
 - If death benefit (e.g., life insurance, annuity, retirement), then copy of evidence of value.
 - If past due wages, the evidence of value (in writing from employer of possible).

- Appraisal – The applicant need only obtain an appraisal by an appraiser approved by the Court if any of the probate property (i) has a value that is not readily ascertainable or (ii) applicant does not elect to value probate property as permitted by Geauga Probate Local Rule 78.5(D)(1)(a)(2) (e.g., real property, vehicles). Moreover, as to such probate property that requires an appraisal, the applicant may obtain an order dispensing with an appraisal by preparing and filing (i) Court form GC PF 4.7 - Application to Dispense with Appraisal. Obtain the signed consent of all interested persons to the extent possible.
- Personal Identifiers - see Sup.R. 45(D) and Geauga Probate Local Rule 57.2(C). Do not insert protected personal identifiers into a court document, except for not more than the last four digits. For example, regarding financial accounts that have a unique account number, you could include the last four digits in the description of each such account on Form GC PF 4.51A – Report of Newly Discovered Assets - see Geauga Probate Local Rule 78.1(F). Prepare and file with the Court SC Form 45(D) - Confidential Disclosure of Personal Identifiers.

1. New Commissioner. If the applicant was not the initial Commissioner of the estate, then

- a. Waiver of Notice of Application to Relieve Estate from Administration - have Interested Persons (See Form 1.0) sign and file Form 5.2 - Waiver of Notice of Application to Relieve Estate from Administration – OR
- b. Notice of Application to Relieve Estate from Administration - notify those Interested Persons using the form titled “Notice of Application to Relieve Estate from Administration” (Form 5.3). That notice must be delivered no less than two weeks before the hearing date. The Estate Representative shall deliver a copy of that notice to each such person in accordance with Civ.R. 73(E). Before the hearing, the Estate Representative 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.

Filing Requirements –Reopen Summary Release from Administration

Reopen Summary Release from Administration. If the initial proceeding was a Summary Release from Administration, and if the value of the newly discovered probate asset(s), when combined with the value of the probate assets disclosed in the initial Application for Summary Release from Administration does not qualify the probate proceeding under R.C. 2113.031, then the applicant must proceed as if the initial filing was an Application to Relieve Estate from Administration or a Full Administration, depending upon the value of the newly discovered asset(s), when combined with the value of the assets reported in the initial proceeding. However, if the value of the newly discovered probate asset(s), when combined with the value of the probate assets disclosed in the initial Application for Summary Release from Administration does qualify the probate proceeding under R.C. 2113.031, then the applicant may proceed to reopen the probate proceeding by filing the form titled “Application to Reopen Estate – Summary Release from Administration” (GC PF 5.05R).

Filing Requirements –Filing of Application for Summary Release from Administration AFTER filing of Application for Certificate of Transfer. If the applicant intends to file an Application for Summary Release from Administration after the probate proceeding was initiated by the filing of an Application for Certificate of Transfer and subsequently closed, then the applicant shall also file:

1. **Form GC PF 4.51C – Application to Reopen Estate – Application for Summary Release from Administration.**
2. **Court Cost Deposit** - arrange for payment of court cost deposit. See the “Probate Court Costs” on the Court’s website.

PROBATE COURT OF GEAUGA COUNTY, OHIO
JUDGE TIMOTHY J. GRENDALL

ESTATE OF _____, DECEASED

Case No. _____

**SURVIVING SPOUSE, CHILDREN, NEXT OF KIN,
 LEGATEES AND DEVISEES**

[R.C. 2105.06, 2106.13 and 2107.19]

**[Use with those applications or filings requiring some or all of the
 information in this form, for notice or other purposes. Update as required]**

The following are decedent's known surviving spouse, children, and the lineal descendants of deceased children, if none, the following are decedent's next of kin who are or would be entitled to inherit under the statutes of descent and distribution.

Name	Residence Address	Relationship to Decedent	Birth date of Minor
_____	_____	Surviving Spouse	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

NOTICE - The Clerk will not accept for filing this Form 1.0 if (i) a surviving spouse and at least one lineal descendant or a minor child of decedent is listed above and (ii) one of the following boxes is NOT checked.

[Check whichever of the following is applicable]

- The surviving spouse is the natural or adoptive parent of all of the decedent's children.
- The surviving spouse is the natural or adoptive parent of at least one, but not all, of the decedent's children.
- The surviving spouse is not the natural or adoptive parent of any of the decedent's children.
- There are minor children of the decedent who are not the children of the surviving spouse.
- There are minor children of the decedent and no surviving spouse.

CASE NO. _____

The following are the vested beneficiaries named in the decedent's will:

Name	Residence Address	Relationship to Decedent	Birth date of Minor
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[Check whichever of the following is applicable]

- The will contains a charitable trust or a bequest or devise to a charitable trust, subject to R.C. 109.23 TO 109.41.
- The will is not subject to R.C. 109.23 to 109.41 relating to charitable trusts.

Date

Applicant (or give other title)

PROBATE COURT OF GEAUGA COUNTY, OHIO
JUDGE TIMOTHY J. GREDELL

Estate of _____, Deceased Case No. _____

APPLICATION TO REOPEN ESTATE

Applicant states that the decedent died on _____, the estate was administered as full administration, Relief from Administration, Other _____, in this county, and the probate proceeding was closed on _____.

Applicant requests that the estate be reopened and the applicant be reinstated or appointed as:
 Executor Administrator Commissioner for the following reasons:

1. Applicant is: the prior fiduciary of the estate the sole beneficiary under Will or sole heir at law
 a next of kin an alternate fiduciary named in Will Other _____.

2. The basis for reopening this estate is

Newly Discovered Assets

Wrongful Death or Survival Claim - (Describe claim below [including court, case no., trial date])

Other – (Describe below)

3. There are no claims against the estate

There is one or more claims against the estate, described as follows:

Signature - Attorney for Applicant

Signature - Applicant

Print Name

Print Name

Street Address

Street Address

City, State, Zip Code

City, State, Zip Code

Telephone

Telephone

Attorney Reg. No. _____

JUDGMENT ENTRY MAGISTRATE'S ORDER

Upon Application to Reopen Estate, the court approves that application and orders the estate reopened.

The court further orders

1. The applicant, being the prior Executor or Administrator of this estate, is reinstated as such and Letters of Authority shall be reissued to the applicant.

 The applicant, not being the prior Executor or Administrator of this estate, is appointed as such and Letters of Authority shall be issued to the applicant.

 The applicant, being the prior Commissioner of this estate, is reinstated as such.

 The applicant, not being the prior Commissioner of this estate, is appointed as such.
2. After approval of the Report of Newly Discovered Assets (or inventory if ordered by the Court) the fiduciary shall distribute the newly discovered assets as follows:

 The sum of \$_____ to _____, as a claimant of the estate as noted above

 payment to surviving spouse (or estate) to satisfy spousal rights in the amount of \$_____

 pursuant to decedent's Will

 pursuant to R.C. Chapter 2015 "Descent and Distribution"

 Other
3. No more than 30 days after distribution of the newly discovered assets, the fiduciary shall prepare and file form GC PF 4.51B "Report of Distribution."

Dated: _____

Judge / Magistrate

**PROBATE COURT OF GEAUGA COUNTY, OHIO
JUDGE TIMOTHY J. GRENDALL**

ESTATE OF _____, DECEASED

CASE NO. _____

REPORT OF NEWLY DISCOVERED ASSETS

The applicant states that newly discovered assets have been found since this estate has been closed, which are as follows:

Item	Value
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____
6. _____	\$ _____
7. _____	\$ _____

Type Name of Attorney for Fiduciary

Type Name of Fiduciary

Attorney Registration No. _____

JUDGMENT ENTRY MAGISTRATE'S ORDER

The court finds that this Report of Newly Discovered Assets is in all respects correct, and

IT IS ORDERED that the fiduciary distribute the assets disclosed in this Report of Newly Discovered Assets in the manner previously ordered upon the filing of the Application to Reopen Estate and Appoint Fiduciary, and file a Report of Distribution no later than 30 days after this order.

Dated: _____

Judge / Magistrate

**PROBATE COURT OF GEAUGA COUNTY, OHIO
JUDGE TIMOTHY J. GRENDALL**

IN RE _____ [] Estate
CASE NO. _____ [] Conservatorship
[] Trust
[] Other _____

**BACKGROUND CERTIFICATION
AND
RECORD CHECK AUTHORIZATION**

(Select one)

- I certify that I have not been convicted of or plead guilty to a felony offense.
- I have been convicted of or plead guilty to a felony offense, which is explained below:
[Provide the court, court number, date of conviction or plea, and description of each offense]:

I *authorize and consent to* the Probate Court of Geauga County, Ohio (“the Court”) obtaining all criminal history and background information pertaining to me and appearing in the files of The Ohio Courts Network. This search is referred to as a “Records Check.” Upon request I will supply the Court with any personal information (e.g. social security number) to facilitate the Records Check.

By signing this document, I *authorize* the release of my criminal history and background information to the Court for a period that is the lesser of (1) a two-year period after the date I file this document with the Court, or (2) the date that my duties as a fiduciary in this matter terminate.

I understand that the Court will file this document and the background information received as a result of a Records Check, in the confidential portion of the Court’s case record for this matter as provided for under Sup. R. 44 and Sup. R. 45, and that this document and such information is not deemed to be a part of the case documents or the case administrative documents pertaining to this file. **This document and such information is not a public record.**

Date: _____

Print Full Name

PROBATE COURT OF GEAUGA COUNTY, OHIO
JUDGE TIMOTHY J. GRENDALL

ESTATE OF _____, DECEASED

CASE NO. _____

MEDICAID RECOVERY ACKNOWLEDGMENT

[R.C. § 2117.061]

As the person responsible for this estate (executor, administrator, commissioner, or the person who filed for a Release or Summary Release), I acknowledge that it is my duty to ascertain within 30 days after filing the initial application of appointment whether the decedent was:

- (1) 55 years of age or over on the date of death; and
- (2) recipient of medical assistance (Medicaid) benefits under R.C Chapter 5162.

I further acknowledge that *if the answer to both of those determinations is "yes"*, then I have a further duty to determine whether I must prepare SC Form 7.0(A) - "Notice of Administrator of Medicaid Estate Recovery Program," and timely mail that notice to the Medicaid Recovery Administrator at:

Administrator, Medicaid Estate Recovery
150 E. Gay St., 21st Floor
Columbus, OH 43215

After mailing that Notice of Administrator of Medicaid Estate Recovery Program, I will promptly file with the Court SC Form 7.0 - "Certification of Notice to Administrator of Medicaid Estate Recovery Program.

Print Full Name

PROBATE COURT OF GEAUGA COUNTY, OHIO
JUDGE TIMOTHY J. GRENDALL

ESTATE OF _____, DECEASED

Case No. _____

REPORT OF DISTRIBUTION

Now comes your duly appointed fiduciary and submits this Report of Distribution in this matter. Distribution of the assets has been made in accordance with the previous order of this Court in the following manner:

Date of Distribution	To Whom Distributed	Description	Proceeds or Value
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

Print Name of Fiduciary

JUDGMENT ENTRY MAGISTRATE'S ORDER

The Report of Distribution having been made according to law and the former order of the Court, it is ordered that the report and distribution is approved, the fiduciary is discharged, and the surety bond (if any) is terminated.

Judge / Magistrate