

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

CHECKLIST – CERTIFICATE OF TERMINATION

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 the filing of 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. If you decide to proceed without assistance from your attorney or from the Court's Help Center, then you should read the following Probate Information Sheet, statute, and Geauga Probate Local Rule before taking any action:

- Full Administration
- R.C. 2109.301
- Geauga County Probate Local Rules 64.2 and 71.1(G)

General Requirements

1. The filing of a Certificate of Termination may be filed in lieu of a Final and Distributive Account, within 30 days after completion of the probate estate.
2. Sole Fiduciary – there must be a sole fiduciary (e.g., Executor or Administrator).
3. Sole Next-of-Kin or Sole Beneficiary – the sole fiduciary must also be the sole next-of-kin (if no will admitted to probate) or sole vested beneficiary (if a will was admitted to probate); provided, however, that the court will permit a Certificate of Termination if (i) a trust is the sole beneficiary and (ii) the estate fiduciary and the trustee are the same person.
4. Inventory Approval - Certificate of Termination is not permitted if the Inventory has not been approved
5. Form 1.0 – must reflect that the sole fiduciary is the sole next-of-kin (if no will admitted to probate) or sole beneficiary (if will admitted to probate). Moreover, if the surviving spouse is the sole next-of-kin, then Form 1.0 must reflect that the surviving spouse is the natural or adoptive parent of all of the Decedent's lineal descendants listed on page one of Form 1.0
6. Funeral Director Invoice – file the funeral director invoice showing that it has been paid in full and evidence of payment by the person paying that invoice. If a person other than the fiduciary paid the bill, then the fiduciary shall file evidence that such person either (i) acknowledges receipt of reimbursement of (ii) waives reimbursement.

Filing Requirements

1. Form 13.6 Certificate of Termination
2. Funeral director invoice indicating paid in full and if a person other than the fiduciary paid the bill, then evidence that such person either (i) acknowledges receipt of reimbursement of (ii) waives reimbursement.

Additional Notes

- If Will Admitted to Probate. Form 2.4 Certificate of Service of Notice of Probate of the Will must be filed AND either (i) three months have elapsed after the filing (will contest period has expired) or (ii) all next-of-kin have waived the right to file a will contest.
- Attorney Fees. The fiduciary need not obtain a court order to pay attorney fees. See Geauga County Probate Local Rules 71.1(G). If the attorney waives the attorney fees, then consider obtaining and filing a waiver of attorney fees signed by the attorney.