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

Information Sheet
Ancillary Administration

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 a Decedent, who owns probate property, died in a State other than Ohio and the Estate Representative[1] commenced the probate proceeding in that State. In such cases, the probate court in that State (the "Domiciliary Court") would appoint the Estate Representative (the "Domiciliary Administrator) and issue Letters of Authority, which indicate that the Domiciliary Court appointed the Domiciliary Administrator. Additionally, if the Decedent died with a valid Will and that Will was presented to the Domiciliary Court, then the Domiciliary Court may admit that Will to probate. However, if that Decedent died owning property located in the State of Ohio, then the Domiciliary Court may not have authority to include Ohio property in the Domiciliary Court proceeding, especially if the Ohio property is real estate. In such cases, an "interested person" may apply to an Ohio probate court to commence an ancillary administration[2] to deal with the Ohio property, typically Ohio real property. Moreover, sometimes a Decedent, who was a nonresident of Ohio, dies in another state, but no probate proceeding is commenced in that state and the Decedent owns property that is located in Ohio.

Jurisdiction of Ohio Probate Court to permit an Ancillary Administration. Even if the Decedent is not an Ohio resident, if the Decedent owned probate property that is located in Ohio, then an Ohio probate court may permit an "ancillary administration" to determine who will receive that probate property. The key statute is R.C. 2129.04, which states:

[1] "Estate Representative" is the person appointed by the probate court to handle the probate estate, whether the probate process is a Full Administration (in which case the name of that person is the Executor, Administrator, or Administrator with Will Annexed), a Release from Administration, or Summary Release from Administration. Sometimes that person is called a "fiduciary."

[2] Ancillary administration means a probate proceeding under R.C. Chapter 2129.

> *When a nonresident decedent leaves property in Ohio, ancillary administration proceedings may be had upon application of any interested person in any county in Ohio in which is located property of the decedent, or in which a debtor of such decedent resides. Such applicant may or may not be a creditor of the estate. The ancillary administration first granted shall extend to all the estate of the deceased within the state, and shall exclude the jurisdiction of any other court.*

There are two keys issues.

1. Any interested person may file the application to commence an ancillary administration. An interested person could be a creditor, a spouse, next-of-kin, or beneficiary under a Will admitted to probate ("Beneficiary").

2. The application must be filed in an Ohio county where (i) the property is located, or (ii) a debtor of the Decedent resides.

Qualification of Ancillary Administrator.

Depending upon whether the nonresident Decedent had a Will that was admitted to probate in the Domiciliary Court, there are two types of qualifications for the Ancillary Administrator, which are explained in R.C. 2129.08.

1. Decedent had a Will Admitted to Probate in Another State.[3] If the nonresident Decedent has a Will and the Will was admitted to probate in a Domiciliary Court, then the person named in that Will shall be appointed by the Ohio probate court as the Executor of the Ohio ancillary administration; provided that if such person is not an Ohio resident, then:

   - that person must be related to the nonresident Decedent by consanguinity or affinity (blood or marriage), or if not so related, then

   - the State, where that person resides, permits unrelated nonresidents to serve as an Executor.[4]

   Before the applicant can file an application in an Ohio probate court to be appointed the Executor of an Ohio ancillary administration, if the applicant was appointed as the Executor by the Domiciliary Court, then the applicant must file with the Ohio probate court two documents.[5]

   - Authenticated Copy of Will. First, if the nonresident Decedent died with a Will and that Will was admitted to probate by the Domiciliary Court, then the applicant must obtain and file with the Ohio probate court an "authenticated" copy of: (1) that Will, (2) the application to probate that Will, and (3) the court order admitting that Will to probate. Upon request, the clerk of court of the Domiciliary Court will prepare the authenticated copies of that Will and related court documents, which will have a "court seal" of the Domiciliary Court and words indicating that the copy is authenticated.[6]

   - Exemplified Copy of Court Record. Second, the Applicant must obtain and file with the Ohio probate court an "exemplified" copy of the official court record of the Domiciliary Court that

[3] R.C. 2129.08(A)
[4] R.C. 2109.21(B)(2)
[5] R.C. 2129.08(A)
[6] R.C. 2129.08(A)

shows the grant of "Letters of Appointment," which appoints the applicant as Executor of the Domiciliary Court proceedings.[7]

Note: When you file the exemplified record or an authenticated copy of the Will, you must prepare and file with the Court the forms titled (i) "Application to Admit to Record Authenticated Copy of Foreign Will" (GC PF 42.0) and (ii) "Application to Admit Foreign Records" (GC PF 42.1).[8]

2. No Will Admitted to Probate in State of Domicile. If the nonresident Decedent dies intestate (i.e., without a valid Will admitted to probate), or the Will fails to designate a person qualified to serve as Ancillary Administrator, then the Ohio probate court shall only appoint a suitable person, who is a resident of the Ohio county where the application for ancillary administration is filed. The applicant may be a creditor of the estate.[9]

Initial Considerations.

- Obtain Authenticated Documents. As noted above, if the applicant is a person who was appointed as Executor by a Domiciliary Court, then obtain the authenticated copy of the Will and related documents, and the exemplified copy of the court record regarding the "Letters of Authority."

- Death Certificate. Obtain a copy of the Death Certificate so that the applicant can attach a "letter-size" copy" to the Application for Authority to Administer Estate (Form 4.0). Typically, the funeral director can obtain a copy for you. Before filing with the Court, the applicant must redact the Decedent's social security number.

- Identify the Decedent's Creditors.

    - Create a list of all creditors, including the name (and the address and phone number if possible), a description of the claim, and the amount owed. If the Court appoints the applicant as the Ancillary Administrator to handle the ancillary administration, then the applicant may owe a duty to certain creditors.

    - Determine whether the Decedent owes any money to the applicant. An Ancillary Administrator may not pay any debt that the Decedent owed to the Ancillary Administrator from probate property without disclosing the debt to the Court and obtaining a court order permitting such payment. Furthermore, that debt is not entitled to preference over other creditors of the same class.[10] Please review the probate information sheet titled "Creditor Rights."

    - Consider whether to wait six months following the Decedent's date of death before filing the Application for Authority to Administration the Estate (Form 4.0). If the nonresident Decedent died with creditors, be sure to carefully read the probate information sheet titled "Creditor Rights" and R.C. 2129.12, and perhaps confer with an attorney for legal advice regarding the payment of creditor claims.

[7] R.C. 2129.08(A)
[8] See probate "Checklist - Ancillary Administration" on the Court's website
[9] R.C. 2129.08(B)
[10] R.C. 2117.01

- Obtain a copy of the funeral director's bill. If that funeral bill has been paid or prepaid, then obtain (i) a copy of the funeral bill showing paid in full, and (ii) proof of payment by the person who paid the funeral director's bill (e.g., cancelled check, receipt, etc.) or proof of prepayment. The funeral bill must be paid before any distribution to the beneficiaries and should be filed together with the filing of the first Account. If (i) there is no funeral expense, typically the result of the Decedent having donated the body, and the body was cremated by the donee institution, or (ii) the funeral bill was prepaid, then obtain a statement from that institution explaining the event and file a copy of that statement in lieu of the paid funeral director's bill.

- If the Ancillary Administrator decides to reject a creditor claim, then the Ancillary Administrator should read the probate information sheet titled "Creditor Rights," and act accordingly.

- Identify the Decedent's Probate Property.

  - An Applicant should make a detailed list of the nonresident Decedent's probate property that is located in Ohio, which is subject to the ancillary administration, including gathering copies of all documents that evidence title to property (e.g., deeds and the most recent auditor's tax bill for real property or vehicle certificate of title or registration of title).

  - A key legal question is whether the probate property is **located** in Ohio.

    - If the property is real property, then the location of the property is clear.

    - If the property is personal property and if that property is "tangible" personal property (e.g., a car, motor home, gun collection, household goods, jewelry), then location is fairly clear, but there could be some issues (e.g., when was that property located in Ohio?)

    - If the property is personal property and if that property is "intangible" personal property (e.g., bank account, brokerage account, life insurance death benefit), then the location of the property is problematic. The location of that property appears to be governed by the state law of the decedent's domicile on the date of death rather than Ohio law.[11] In that case the Help Center recommends that you seek legal advice from an attorney.

  - Decide whether any probate property must be appraised.[12] If so, determine who will be the appraiser, depending upon the nature of the probate property to be appraised. You can select more than one appraiser.[13] See the Court's website for a list of preapproved appraisers. You may pay the cost of the appraiser from the probate property after you are appointed as the Ancillary Administrator.

    However, if probate property includes an ownership interest in real property, then the Court may accept as the value of real property set forth on the latest assessment by the county auditor for determining real property taxes or the letter of valuation from the County Auditor's Office on REALink). If you intend to establish value in that manner, then you must prepare and file with the Court the form titled "Application for Order Dispensing

[11] *Howard v. Reynolds*, 39 Ohio St.2d 214 (1972); *In re Estate of Luoma*, 2011-Ohio-4701

[12] See probate information sheet "Probate Process Overview" and Probate Local Rules 61 and 78.5(D)(1)(a).

[13] R.C. 2115.06

with Appraisement" (GC PF 3.1). Additionally, make a photocopy of the auditor's letter of valuation and file it with the Court when you file the Inventory.

- Identify Beneficiaries.

    - An applicant should create a list of the name and current address of each person and entity that is named in the Will, and who has survived the nonresident Decedent, including as to each Beneficiary, the address, the relationship to the nonresident Decedent, and the birthdate of any minor.

    - Sometimes the Will may not describe Beneficiaries by name, but rather by describing a class of persons. For example, the Will might say – "I leave the remaining assets to my lineal descendants, per stirpes." In that example, the beneficiaries of the Will are defined by the "Statute of Descent and Distribution," which is R.C. 2105.06.[14]

- Identify Next-of-Kin.

    - In addition to a list of the Beneficiaries, the applicant should create a list of the name of each person who is next-of-kin to the nonresident Decedent and has survived the nonresident Decedent, including, as to each such person, the address, the relationship to the nonresident Decedent, and the birthdate of any minor. Again, the identity of the next-of-kin is defined by the Statute of Descent and Distribution in R.C. Chapter 2105, and particularly R.C. 2105.06.

    - If Ohio probate property of a nonresident Decedent passes under the laws of intestate succession rather than a Will admitted to probate, then the applicant should obtain legal counsel and consider filing a petition to determine heirship as provided in R.C. Chapter 2123 and follow the notice requirements in R.C. 2129.18.[15]

- Determine Whether a Surety Bond is Required.[16] A surety bond provides "insurance" for creditors and beneficiaries of the ancillary administration if the Ancillary Administrator acts in an unlawful manner and causes a loss to those persons and entities.[17] The Ancillary Administrator owes those persons and entities a high degree of loyalty.[18] In some cases, the Ancillary Administrator need not obtain a surety bond unless otherwise ordered by the Court. If a surety bond is required by the Court, then the Ancillary Administrator must arrange and pay for the surety bond and file it with the Court.[19] The Ancillary Administrator may be reimbursed for the cost of the surety bond from the Ohio probate property. After the ancillary administration is concluded, the Ancillary Administrator must obtain from the Court a judgment entry terminating the surety bond requirement. The Ancillary Administrator must present the judgment entry to the surety bond company to terminate the continuing cost of the surety bond.

[14] See probate information sheet "Probate Process Overview."
[15] See R.C. 2129.18.
[16] See Geauga Probate Local Rule 78.17.
[17] See R.C. 2109.04 for details about the surety bond.
[18] See R.C. 2113.31, 2113.32, and 2113.34.
[19] The surety bond must conform to the form titled "Fiduciary Bond" (Form 4.2).

- If the Decedent died with a Will admitted to probate, and if the Will waives the bond, then a surety bond may not be required;[20] provided, however that if the applicant is not an Ohio resident, then the Court may require a surety bond.[21]

- Determine whether the Court will dispense with a surety bond. See Probate Local Rule 78.17.

- Delivery of Personal Property. To the extent that the Ohio probate property consists of personal property (not real property), including money owed to the Decedent, any person who possesses such personal property may deliver it to the Domiciliary Administrator, provided such person has no knowledge of a pending Ohio ancillary administration.[22]

No Domiciliary Administration. If no probate proceeding for a nonresident Decedent is commenced in another state, then the applicant may proceed with the Ohio probate proceeding as though the Decedent was an Ohio resident;[23] provided however, that the applicant must prepare and file with the Court an affidavit that certifies that no probate proceeding for a nonresident Decedent is commenced in another state. The Will of a nonresident Decedent may be admitted to probate in any county in Ohio where probate property is located so long as a Will has not been admitted to probate in the state of the Decedent's domicile (i.e., permanent residence).[24] If the Decedent has a Will, then review the probate information sheet titled "The Decedent's Will" and the checklist titled "Probating Decedent's Will."

Application for Authority to Administer Estate. First, read the probate checklist titled "Checklist - Ancillary Administration" on the Court's website. Second, understand that an Ancillary Administration, in most respects, is handled as a Full Administration. Accordingly, you should read and follow the probate information sheet "Full Administration."

- As a reminder, if the applicant is a person who was appointed as Executor by the Domiciliary Court, then obtain the authenticated copy of the Will and related documents, and the exemplified copy of the court record regarding the "Letters of Authority" issued by the Domiciliary Court and file those documents with the Court.

- Prepare and file with the Court the form titled "Application for Authority to Administer Estate" (Form 4.0).[25]

  - You must indicate whether the nonresident Decedent died with a valid Will

  - Insert the estimated values for the Ohio probate property.

  - Indicate the appropriate response regarding the need for a surety bond.

    - If a surety bond is required, then arrange for the surety bond, and prepare and file with the Court the form titled "Fiduciary's Bond" (Form 4.2).

    - Consider whether the Court may dispense with a surety bond, and if so, prepare and file the form titled "Application to Dispense with Fiduciary's Bond (GC PF

[20] R.C. 2129.08(A)
[21] R.C. 2109.04
[22] R.C. 2129.03
[23] R.C. 2129.11
[24] R.C. 2107(A)(2)
[25] See R.C. 2113.07 for a description of the Application for Authority to Administer Estate.

4.40), together with the form titled "Fiduciary's Acknowledgment of Personal Liability" (GC PF 4.38).

- If required, have the appropriate persons sign the Waiver of Right to Administer (Form 4.3) if the right of those persons to administer the estate are superior or equal to that of the applicant. You may also use the form titled "Waiver of Right to Administer" (Form 4.3) if you need to mail the waiver to those persons.

- Together with the Application for Authority to Administer Estate, prepare and file:
  - Supplemental Application for Ancillary Administration (Form 4.1).
  - The form titled "Surviving Spouse, Children, Next of Kin, Legatees and Devisee" (Form 1.0).
  - If required, Waiver of Right to Administer (Form 4.3). This form is not required if the applicant was appointed as Executor by the Domiciliary Court.
  - If required, Notice of Appointment of Fiduciary (Form 4.4). This form is not required if the applicant was appointed as Executor by the Domiciliary Court, but is required if the nonresident Decedent has a surviving spouse or next-of-kin who reside in Ohio.
  - The form titled "Fiduciary's Acceptance" (Form 4.8).
  - If Will was admitted to probate by the Domiciliary court, then
    - the form titled "Application to Admit to Record Authenticated Copy of Foreign Will" (GC PF 42.0), and
    - the form titled "Application to Admit to Record Authenticated Copy of Foreign Will (GC PF 42.0)
  - A letter-size copy of the death certificate, with the Decedent's social security number redacted.
  - A copy of the paid funeral bill (funeral and burial cost) with the Court and proof of payment by the payee. If the funeral bill has not been paid, then file a written waiver of payment or a copy of the funeral bill and a written agreement for payment.
  - If you are not represented by an Ohio Attorney, then prepare and file with the Court:
    - 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);[26] and
    - the form titled "Medicaid Recovery Acknowledgement" (GC PF 4.29).[27]

[26] See Geauga Probate Local Rule 78.10.
[27] See Geauga Probate Local Rule 78.5(D)(4).

- Prepare and file with the Court the form titled "Background Certification and Records Check" (GC PF 4.30).[28]

- Be prepared to pay the probate Clerk of Courts the deposit for the court costs. The deposit for the court costs are listed on the Court's website. If the actual court costs are more than the deposit, the Ancillary Administrator shall pay the additional court costs. Likewise, if the actual court costs are less than the deposit, the Court may reimburse the Ancillary Administrator for that excess amount.

Letters of Authority.

Following the filing of the Application for Authority to Administer Estate (Form 4.0), the Court will set a hearing date to determine whether to appoint the applicant as the Ancillary Administrator and the Clerk will deliver a "Notice of Hearing on Appointment of Fiduciary" (Form 4.4) to all persons interested in that appointment.[29]

If the Court grants the application, then the Court will deliver to the applicant Letters of Authority that evidences the appointment and the authority as the Ancillary Administrator. The Ancillary Administrator will need the Letters of Authority to transfer or sell probate property, establish an estate checking account, handle financial accounts, etc.

Probate Procedure. Again, except as otherwise provided in R.C. Chapter 2129, the Ohio ancillary administration is the same as a Full Administration.[30] Please review the probate information sheet titled "Full Administration." In summary, the Ancillary Administrator must prepare and file an Inventory and Appraisal (see the checklist titled "Inventory") and at the conclusion of the ancillary proceeding, a Final and Distribution Account (see the checklist titled "Accounting"):

- Appraisal. As noted above, you need to decide which probate property must be appraised. As noted above, you may not need to appraise vehicles or real property.

    - If an appraisal is required, then prepare and file with the Court, before filing the Inventory and Appraisal (Form 6.0), the form titled Appointment of Appraiser (Form 3.0), leaving sufficient time to determine the appraised values before preparing the Inventory. Depending on the nature of the probate property to be appraised, you may need to obtain more than one appraiser.

    - If an appraisal is not needed, then prepare and file the form titled "Application for Order Dispensing with Appraisement" (GF PF 4.7) before you file the Inventory, leaving sufficient time to obtain an appraiser if the Court declines that application.

    - In all events, you must file either the form titled Appointment of Appraiser (Form 3.0) or the form titled Application for Order Dispensing with Appraisement (GF PF 3.1) before the filing of the Inventory. Even if all probate property has a readily ascertainable value – e.g., bank accounts, stocks and bonds, the Estate Administrator must prepare and file with the Court the Application for Order Dispensing with Appraisement (GC PF 4.7),

[28] See Geauga Probate Local Rule 78.11.
[29] R.C. 2113.06 lists those persons who have priority to serve as an ancillary administrator.
[30] R.C. 2129.10

- Inventory and Appraisal.[31] The Ancillary Administrator must file the form titled "Inventory and Appraisal" (Form 6.0) and "Schedule of Assets" (Form 6.1) within three months after his or her appointment unless the Court grants an extension.[32] The form titled "Schedule of Assets" (Form 6.1) will describe the probate property that is subject to the ancillary administration (typically real property located in Ohio). Again, see the checklist titled "Inventory."

    - Regarding any real property that is probate property, the Ancillary Administrator must attach to the Inventory and Appraisal a copy of the deed and the auditor's tax bill (nearest date of death) showing the nonresident Decedent as the owner. Please note that the mere fact that the Decedent's name is on the deed (which could be 20 years old) does not necessarily mean that the Decedent owned the real property at the time of death. The Ancillary Administrator should confirm that Decedent is the owner of the real estate at date of death by performing a property search on the Geauga County Auditor's website (https://realestate.geauga.oh.gov/). A preliminary title report (prepared by a title company or attorney) will confirm that the Decedent owned the real property at time of death).

- Creditor Matters. The Ancillary Administrator has a duty to pay the claims of the nonresident Decedent's creditors who have properly presented their claim in accordance with Ohio law and certain other claims (e.g., Medicaid, federal and state taxes). Please review probate information sheet titled "Creditor Rights."[33]

- Filing Certified Copy of Records.[34] If the nonresident Decedent had an interest in real property located in more than one county in Ohio, then the Ancillary Administrator shall file in the probate court of every county in Ohio in which real property of the nonresident Decedent is located a certified copy of the records in this Court that affect the title to that real property.

- Certificate of Assets and Liabilities.[35] Within five months after appointment, the Ancillary Administrator of a nonresident Decedent shall forward to the Domiciliary Administrator, if any, a certificate showing all assets of the Ohio probate estate and all debts and liabilities including estimated expenses of administration. If the name and address of the Domiciliary Administrator are not known, or there is no Domiciliary Administrator, then the certificate shall be forwarded to the next of kin of the nonresident Decedent whose names and addresses are known and to the court having jurisdiction in estate matters in the county in which the nonresident Decedent resided at the time of death. The Ancillary Administrator should file with the Court "proof of service" of the Certificate of Assets and Liabilities.[36]

    Note: Prepare and file the form titled "Certificate of Assets and Liabilities" (GC PF 42.3A). Additionally, after serving the Certificate of Assets and Liabilities, prepare and file with the Court the form titled "Proof of Service of Certificate of Assets and Liabilities" (CG PF 42.3B).

[31] See the probate checklist titled "Checklist – Inventory"
[32] R.C. 2115.02
[33] See R.C. 2129.12, which requires creditors to file their claims with the ancillary administrator within the time and manner provided by R.C. 2117.06 and 2117.07.
[34] R.C. 2129.17
[35] R.C. 2129.15
[36] See Geauga Probate Local Rule 78.13.

- Sale of Property.

    - Typically, the primary reason for selling any of the Ohio probate property is to pay the valid claims of creditors and the administrative expenses. If the Will grants power to the Executor to sell real or personal property, then the Ancillary Administrator may sell any Ohio probate property without a Court order; provided, however, that the Ancillary Administrator may not sell any Ohio probate property until 30 days after the delivery of the Certificate of Assets and Liabilities as noted above. The Ancillary Administrator is cautioned against selling any of the Ohio probate property without first consulting with the Domiciliary Administrator or other interested persons because of the rights of the Domiciliary Administrator or other interested persons to prevent the sale – see next paragraph.

    - The Domiciliary Administrator or any other interested person may prevent the sale of Ohio probate property by paying to the Ancillary Administrator funds sufficient to pay all creditors and administrative expenses or the appraised value of the Ohio probate property.[37]

    - Regarding real property, if the nonresident Decedent's Will does not grant the power required to sell real property without a court order, and if the other probate property is not sufficient to pay the valid creditor claims or administrative expenses, then the Ancillary Administrator shall proceed to obtain a court order and sell the real property in the same manner as described in the probate information sheet "Full Administration."[38]

- Order of Distribution.[39] After the valid creditor claims and administration expenses are paid or provided for, the Ancillary Administrator may distribute the personal property, including the proceeds of any sale of real property to the Domiciliary Administrator only with the approval of the Court or to such other interested persons in accordance with a court order. In order to distribute real property, before filing the Final and Distributive Account, the Ancillary Administrator shall file an Application for Certificate of Transfer for the real property in the same manner as provided for in R.C. 2113.61.[40] Please review the probate information sheet "Full Administration" regarding the transfer of real property and the "Checklist – Certificate of Transfer."

- Duty to file an Accounting. The Ancillary Administrator must file one or more accountings with the Court, including a Final and Distributive Account, all as more fully explained in the probate information sheet titled "Full Administration."

- Medicaid Estate Recovery Program. Again, please review the probate information sheet titled "Creditor Rights." You may have a duty to prepare and deliver a notice, by certified mail, to the Administrator of the Medicaid Estate Recovery Program not later than 30 days after the filing of the Application for Authority to Administer Estate.[41]

    Note: You must use the form titled "Notice to Administrator of Estate Recovery Program" (Form 7.0(A)). Moreover you must file with the Court the form titled "Certification of Notice to Administrator of Estate Recovery Program" (form 7.0)

[37] R.C. 2129.16

[38] R.C. 2129.13. The procedure for the sale of real property is set forth in R.C. 2127.01 through 2127.43.

[39] R.C. 2129.23

[40] R.C. 2129.19

[41] R.C. 2117.061(B)(2).

- 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.

- Estate Checking Account. To better account for any payments received by the probate estate (e.g., uncashed checks, last wages, deposit refunds, tax refunds, death benefits, proceeds of sale of probate property, etc.), and any payments made by the probate estate to pay costs and expenses, creditors (including tax authorities), distributions to the Domiciliary Administrator, surviving spouse or minor children, or distributions to beneficiaries, the Court requires that the Estate Representative establish an estate checking account. You should use the estate checking account solely for receiving and making payments related to the probate estate. Consider hiring an accountant or an attorney to advise you as to the best use of an estate checking account and to account for receipts and disbursements. The proper use of an estate checking account will assist you when you prepare and file the Accountings with the Court.

LEGAL PRACTICE IN THE PROBATE COURT IS RESTRICTED BY LAW TO ATTORNEYS WHO ARE LICENSED BY THE SUPREME COURT OF OHIO AND INDIVIDUALS WHO ARE HANDLING THEIR OWN LEGAL MATTERS. 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 THE 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, BE AWARE 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. IF YOU NEED LEGAL ADVICE, THEN YOU SHOULD CONTACT AN ATTORNEY OF YOUR CHOOSING.