

**PROBATE COURT OF CUYAHOGA COUNTY, OHIO**  
**ANTHONY J. RUSSO, PRESIDING JUDGE**  
**LAURA J. GALLAGHER, JUDGE**

**GUIDELINES TO E-FILE**  
**APPLICATION TO RELIEVE THE ESTATE FROM ADMINISTRATION**

(RELEASE OF ASSETS)

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**NEW CASE GUIDELINES – E-FILE  
APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION  
(R.C. 2113.03)**

## **Documents Required with Your E-Filing**

**All Forms MUST** be typed and completed including proper signatures.

- ☐ Application to Relieve Estate from Administration ([Form 5.0 and 5.1](#))
- ☐ Proposed Order - Entry Relieving Estate from Administration ([Form 5.6](#))
- ☐ Surviving Spouse, Children, Next of Kin, Legatees and Devisees ([Form 1.0](#))
  - Complete the front side of Form 1.0 with the names, addresses, and relationship to the decedent of all persons who would have been entitled to inherit from the decedent under R.C. Chapter 2105.06.
  - Complete the reverse side of Form 1.0 with the names and addresses of all beneficiaries named in the decedent's Will, if there is a Will. If the Decedent did not have a will, mark "N/A" on the reverse side of Form 1.0 and sign and date the bottom of the form.
- ☐ Copy of Decedent's Death Certificate
- ☐ Paid in Full Funeral Bill/Cemetery Receipt – must clearly identify total amount paid and who paid
- ☐ Proof of Assets - documents verifying personal property the decedent owned and values:
  - E.g., Bank books/statements showing the account numbers and date of death balances
  - Any other documents that identify ownership and support the value of the asset

## **Additional Documents Required with the Application, if applicable**

- ☐ Application to Probate Will ([Form 2.0](#))
- ☐ Documents verifying real property the decedent owned and County Auditor's value of property:
  - Copy of deed(s) for Ohio property to be transferred and auditor's printed valuation
- ☐ Certificate of Transfer ([Form 12.1](#) uploaded behind Form 5.6 in the same PDF as applicable)
  - Requires complete legal description, prior instrument number, and parcel number
- ☐ Certification of Notice to Administrator of Estate Recovery Program ([Form 7.0](#))
- ☐ Waiver of Notice of Application to Relieve Estate from Administration ([Form 5.2](#))

## Notice to Estate Recovery Program

Applicants may need to send notice to the State of Ohio Medicaid Estate Recovery Program. Failure to send notice, if required, may delay your estate proceedings. See Form 5.0 and check the appropriate box on the front side of the form indicating whether notice to Medicaid is required or not.

### Who Needs To Send Notice?

If the Decedent was fifty-five years of age or older at the time of death and was a recipient of medical assistance under chapter 5111 of the Revised Code – Applicant must send the *Notice to Administrator of Estate Recovery Program* ([Form 7.0A](#)) by certified mail to the address printed on the form and pursuant to R.C. 2117.061.

### How to File Proof of Notice or No Claim from the Estate Recovery Program

Upon return of the certified mail proof of delivery, or copy of letter from the Recovery Program Administrator stating no claim is to be made, the Applicant must attach a PDF copy of the certified mail 'green card' receipt proof of delivery or the letter to the *Certification of Notice* ([Form 7.0](#)) and file that certification and proof using the code provided in the document menu with your Application.

## **General Guidelines**

### **Release of Assets For Testate Estates (with Last Will and Testament)**

Applicants who possess a decedent's original Last Will MUST file to probate the Will BEFORE any assets will be distributed by relief from administration.

E-File users must follow the steps to submit the original Will to Probate Court outlined on page 7. Wills may also be presented in person at the Clerk's Office, Rm. 119 at Court.

E-Filed Applications to Probate Will (Form 2.0) will be set for hearing fourteen (14) calendar days from the date the Application is accepted. The original Will must be received by the fourteenth day or the Application to Probate Will and Application to Relieve the Estate from Administration may be dismissed without refund of costs.

Only AFTER the original Will is received, and admitted, will the Court proceed to review Applications to Relieve the Estate (Form 5.0, 5.1, 5.6) and issue an Order of relief.

### **What if there is no Will?**

If no Will is presented to the Court for admission, and no Will is found among the Court's records of Wills deposited for safekeeping, then the Application to Relieve the Estate from Administration may be filed "Intestate." All relevant checkboxes must be checked on the forms attesting there is no Will.

### **Release of Assets For Intestate Estates (no Last Will and Testament)**

Applicants E-Filing forms to relieve an estate from administration and release assets without a Will (intestate) may be required to attend hearings, submit additional documents, or make report of distributions to the Court.

The Probate Court will index its database of Wills on Deposit for all new filings. When a Will on deposit is found to match with a decedent, the applicant will be notified and may file an Application to Probate Will (Form 2.0) or withdraw the Application to Relieve the Estate from Administration to allow distribution of assets according to the Will and Ohio law.

## Searching Court Records for Wills on Deposit

**Search on the Web** – Before filing estate proceedings at Court, parties should search the Probate Court's online records to find possible Wills deposited by the decedent to be kept safe with the Court.

Anyone can search the Court's Will Safe records using the "Docket and Index" search fields on the Court's web pages and narrowing search results by the decedent's name and date-of-death.

Please note that Wills may have been deposited under surnames, alias names, abbreviated names and alternate spellings. Additionally, check names before marriages and after divorces and adoptions and name-change proceedings.

**Clerk Search** – Probate Court staff will also index its database of Wills on Deposit for all new filings, prior to any order. When a later-dated Will on deposit is found to match with a decedent, the Court will notify the applicant of the following additional proceedings:

- If the applicant intends to continue to pursue the admission of a latest-dated Will located at the Court, they may be required to file an amended Application to Probate Will (Form 2.0) for the latest-dated Will, including an updated Form 1.0 as details of the Will require.
- Court staff are NOT permitted to disclose the detailed contents of any Will on deposit.
- Wills deposited with the Court for safekeeping are private records until the Will has been reviewed by a magistrate or judge and admitted as the Will of record.
- In the interest of matching decedents to possible Wills on record, staff may ask inquiring parties to verify family names or other names of parties who are *likely* to have appeared in the decedent's Will. Staff will use these cross-references to match or exclude the documents at Court from proceedings.

The Court may require additional waivers, hearings, and notice of hearing to interested parties for Wills presented for probate and Applications to Relieve the Estate from Administration.

## Who Can File and When?

A release of estate from administration may be filed for decedents for dates of death on or after March 19, 1999, when:

1. The value of the decedent's probate assets does not exceed \$35,000.00 AND when there is no surviving spouse, or
2. The value of the decedent's probate assets does not exceed \$100,000.00, AND the applicant is the decedent's surviving spouse. The surviving spouse must be entitled to receive the entire estate under Section 2105.06 and/or Section 2106.13 of the Revised Code.

Additionally, any party may file the Application. However, the filing party may not necessarily be the recipient of all or any part of the decedent's assets merely because they filed the Application.

Applications are reviewed by hearing officers and distribution is by law, regardless of the filing party.

## Submitting an Original Last Will and Testament by Mail

1. Include a [Notice of Presentation of Will \(Form 2.0P\)](#) listing the existing Probate Court Estate case number, the date the Application to Probate Will (Form 2.0) was filed, and the Decedent's and sender's names.

The notice also requires information indicating the date the Will was signed by the testator, and the number of pages of the Will (and any Codicils).

**DO NOT STAPLE THE NOTICE OR MARK THE WILL IN ANY WAY**

2. Send the Will by US Certified Mail (or by a commercial mail carrier that requires signature) within fourteen (14) calendar days from the date of your E-Filed receipt of your accepted Application to Probate Will.

**Mail to:** Cuyahoga County Probate Court Clerk's Office, Room 119  
1 Lakeside Avenue West, Cleveland, Ohio 44113

**DO**

**Keep a copy of the Will for your records**

**DO NOT**

**Send Wills without the [Notice of Presentation of Will](#) form**

**E-File Copies of Wills**

**Send Wills using Regular U. S. Mail**

The Original Will remains the property of the Probate Court after it is admitted  
Copies of admitted Wills may be purchased by calling 216.443.8792

The Court may require you to present a copy of the Will at any time while the case is active.

**Note: If an Estate case number is issued, original Wills of E-Filed cases may also be brought in person to the Clerk's Office, Room 119 with a completed Notice of Presentation of Will (Form 2.0P).**

## Document Preparation and Signatures

Forms downloaded from the Court's web pages are fillable PDFs and **MUST be typed** complete with signatures. Handwritten forms will not be accepted.

**Signatures** on Applications and pleadings may be submitted in the following ways:

- 1) As an ink signature, the signed document then converted to a scanned PDF copy, or
- 2) As an **E-Signature**, formatted by typing **/S/** in front of the typed name on signature lines, or
- 3) As an electronically signed or captured signature using software with audit tracking capability (e.g., DocuSign, RightSignature, Adobe Sign).

Note: The audit track is not required with submission for forms or pleadings but must be presented if requested by a hearing officer reviewing the document.

Exception: Waivers may NOT be submitted using the E-Signature format (e.g. /S/John Doe).

## Preparation and Submission of Waivers

Signed waivers for Estate pleadings may be submitted to E-File using the following methods:

- 1) As scanned PDF copies with original ink signatures, or
- 2) As electronically signed PDF copies, using signature capture software which includes audit tracking capability (e.g., DocuSign, RightSignature, Adobe Sign).

Attach to each electronically signed waiver its audit track in the same PDF file, behind the waiver form.

Waivers submitted without an audit track will be rejected. Electronically signed waivers may be subject to further review by hearing officers.

## Notification of Filing Status

You will receive an email from the Court indicating your filing has been **Accepted** or **Rejected**.

If the filing is **Rejected**, you will receive notification of the reason for rejection by email.

Corrected filings may be resubmitted within 72 hours. If you do not correct the rejected filing within 72 hours, you must start the filing again with a new confirmation number.



## Filings with Payment and Refunds

Filing parties are encouraged to consult with a probate attorney prior to filing at Probate Court and paying for filings at Court. Parties who file at Probate Court without legal representation understand that completed forms accepted with payment may not be the correct legal proceeding for their circumstances, and, in fact, may result in legal decisions that are contrary to their expected result or that impact them negatively.

There is no refund for incorrect filings.

Funds deposited and not already spent on case proceedings will be issued as a refund.

## Next of Kin Form 1.0

Complete the front side of *Form 1.0* with the names, addresses, and relationship to the decedent of all persons who would have been entitled to inherit from the decedent under R.C. Chapter 2105.06.

Complete the reverse side of Form 1.0 with the names and addresses of all beneficiaries named in the decedent's Will, if there is a Will. **If the Decedent did not have a will, mark "N/A" on the reverse side of Form 1.0 and sign and date the bottom of the form.**

Pursuant to Local Rule 57, the E-File Department may reject any filing deemed 'incomplete' including estate pleadings with Form 1.0 that also require an *Affidavit in Support of Publication*.

## Affidavit in Support of Publication

The *Affidavit in Support of Publication* (Form PCAFFPUB) is required for any estate proceeding in which Form 1.0 lists potential heirs at law or beneficiaries in a Will whose name and/or address is unknown.

E-File users must complete Form 1.0 as part of any submission of Will or Application to Relieve the Estate from Administration. Follow the E-File guidelines to select the correct filing type at case creation, including, or excluding, the need for the *Affidavit*.

# New Application to Relieve Testate Estate from Administration Setup

## Testate – with Will

*Probate cases very often are complex. If you do not know who should receive the decedent's assets by law or who needs notice of the proceedings, you should make an appointment with the Probate Court Resource Center or an attorney of your own choosing before you file. The information in this guide and the table below are common examples and may not be sufficient for your individual circumstances.*

### 1. AFTER LOGIN

**Select File a New Case from the blue E-Filing tab**

**NEW CASE FILING:** Select ESTATE

**TYPE OF FILING:** Select RELEASE WITH WILL, or RELEASE WITH WILL AND AFFIDAVIT

#### Common Examples of Release with Will and Affidavit Required

An *Affidavit in Support of Publication* is required if the names and/or addresses on Form 1.0 are unknown for any of the following—

- If there is a surviving spouse, name or address unknown, who receives part or all of the decedent's estate.
- If there is no surviving spouse but other heirs at law, name or address unknown, who receive per the Will or by law.
- If there is no surviving spouse but beneficiaries in the Will, name and address unknown, who receive per the Will or by law.

**CASE TITLE:** Type the full name of the Decedent.

*[Click **Save and Proceed** to advance each screen]*

### 2. ADD CASE PARTIES

**Party Role** information must match the information on the *Application*.

**Enter all names complete without abbreviations or initials.**

**Enter any Alias Names (AKAs) in the alias fields provided.**

The following roles are required for *Estates*.

Case Party Role on Web	Application Fields (Form 2.0)
<i>Applicant</i>	<i>Applicant</i>
<i>Decedent, include all known alias names</i>	<i>Decedent, include all known alias names</i>

### 3. ADD DOCUMENTS

**Fill-in forms MUST be typed, complete, and signed.**

Mail the original Will to the Court per Instructions on page 7. Keep a copy for your records.

Required Forms	Document Upload Codes
Application to Relieve Estate from Administration ( <a href="#">Form 5.0 and 5.1</a> )	APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION
Proposed Order - Entry Relieving Estate from Administration ( <a href="#">Form 5.6</a> )	PROPOSED ORDER
Surviving Spouse, Children, Next of Kin, Legatees and Devisees ( <a href="#">Form 1.0</a> )  Complete names and addresses and relationship to decedent.  If any party is entitled to receive assets from the decedent's estate by Will, by law, or by reimbursement for funeral costs, and that party's name or address is unknown, then an <i>Affidavit in Support of Publication</i> (Form PCAFFPUB) must be filed.	SURVIVING SPOUSE, CHILDREN, NEXT OF KIN, LEGATEES AND DEVISEES (FORM 1.0)
Affidavit in Support of Publication (Form PCAFFPUB) <b>FILE IF NEEDED</b>	AFFIDAVIT IN SUPPORT OF PUBLICATION (FORM PCAFFPUB)
Application to Probate Will ( <a href="#">Form 2.0</a> ) (Do not attach Will to PDF)	APPLICATION TO PROBATE WILL
Copy of Decedent's Death Certificate	DEATH CERTIFICATE
Paid in Full Funeral Bill and Cemetery Expenses Receipt  Must identify total amount paid and who paid	PROOF OF FUNERAL / CEMETERY /CREMATION SERVICES EXPENSES
Proof of Assets – Personal Property  Documents verifying personal property the decedent owned and values. E.g., Bank books/statements showing the account numbers and date of death balances.	PROOF OF ASSETS

**ADD DOCUMENTS: Continued**

Upload the following additional documents in your submission if applicable:

<b>Additional/Optional Forms</b>	<b>Document Upload Codes</b>
<p>Proof of Assets – Real Estate Property</p> <p>Documents verifying real property the decedent owned and County Auditor's value of property:</p> <ul style="list-style-type: none"><li>• Copy of deed(s) for Ohio property to be transferred and auditor's printed valuation</li></ul>	PROOF OF ASSETS
<p>Certificate of Transfer (<a href="#">Form 12.1</a> uploaded behind Form 5.6 in the same PDF, if applicable)</p> <p>Requires complete legal description, prior instrument number, and parcel number</p>	PROPOSED ORDER (Scanned and attached to Form 5.6.)
<p>Certification of Notice to Administrator of Estate Recovery Program (<a href="#">Form 7.0</a>)</p>	NOTICE TO ADMINISTRATOR OF ESTATE RECOVERY PROGRAM RETURNED – MEDICAID
<p>Assignment of Beneficiary – for personal property only (Form PC2)</p>	ASSIGNMENT OF BENEFICIARY – FOR PERSONAL PROPERTY ONLY
<p>Waiver of Notice of Application to Relieve Estate from Administration (<a href="#">Form 5.2</a>)</p>	WAIVERS & CONSENTS
<p>Waiver of Right to Reimbursement of Funeral and/or Burial Costs</p>	WAIVER OF RIGHT TO REIMBURSEMENT OF FUNERAL AND/OR BURIAL COSTS

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#### 4. FILING REVIEW

Review your data and documents for accuracy. [EDIT](#) for corrections.

#### 5. PAYMENT

**Add Credit or Debit Card billing information.**

Submit the filing on behalf of the **APPLICANT**

*Your credit/debit card will be charged only AFTER your E-Filing has been accepted.  
The name on the credit/debit card MUST match the Registered E-File Account Name.  
Third party payments will NOT be accepted without prior arrangement with E-File staff.*

**Print a copy of the Submission Confirmation for your records.  
Keep originals of uploaded documents for review at hearings.**

# New Application to Relieve Intestate Estate from Administration Setup

## Intestate – No Will

*Probate cases very often are complex. If you do not know who should receive the decedent's assets by law or who needs notice of the proceedings, you should make an appointment with the Probate Court Resource Center or an attorney of your own choosing before you file. The information in this guide and the table below are common examples and may not be sufficient for your individual circumstances.*

### 1. AFTER LOGIN

**Select File a New Case from the blue E-Filing tab**

**NEW CASE FILING:** Select ESTATE

**TYPE OF FILING:** Select RELEASE NO WILL, or RELEASE NO WILL AND AFFIDAVIT

#### Common Examples of Release No Will and Affidavit Required

An *Affidavit in Support of Publication* is required if the names and/or addresses on Form 1.0 are unknown for any of the following—

- If there is a surviving spouse, name or address unknown, who receives part or all of the decedent's estate.
- If there is no surviving spouse but other heirs at law, name or address unknown, who receive part or all of the decedent's assets by law.
- If there is any party, name or address unknown, entitled by law to receive reimbursement of funeral or cemetery expenses paid.

**CASE TITLE:** Type the full name of the Decedent.

*[Click **Save and Proceed** to advance each screen]*

### 2. ADD CASE PARTIES

**Party Role** information must match the information on the *Application*.

**Enter all names complete without abbreviations or initials.**

**Enter any Alias Names (AKAs) in the alias fields provided.**

The following roles are required for *Estates*.

Case Party Role on Web	Application Fields (Form 2.0)
<i>Applicant</i>	<i>Applicant</i>
<i>Decedent, include all known alias names</i>	<i>Decedent, include all known alias names</i>

### 3. ADD DOCUMENTS

Fill-in forms **MUST** be typed, complete, and signed.

Required Forms	Document Upload Codes
Application to Relieve Estate from Administration ( <a href="#">Form 5.0 and 5.1</a> )	APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION
Proposed Order - Entry Relieving Estate from Administration ( <a href="#">Form 5.6</a> )	PROPOSED ORDER
<p>Surviving Spouse, Children, Next of Kin, Legatees and Devisees (<a href="#">Form 1.0</a>)</p> <p>Complete names and addresses and relationship to decedent.</p> <p>If any party is entitled to receive assets from the decedent's estate by law or by reimbursement for funeral costs, and that party's name or address is unknown, then an <i>Affidavit in Support of Publication</i> (Form PCAFFPUB) must be filed.</p>	SURVIVING SPOUSE, CHILDREN, NEXT OF KIN, LEGATEES AND DEVISEES (FORM 1.0)
Affidavit in Support of Publication (Form PCAFFPUB) <b>FILE IF NEEDED</b>	AFFIDAVIT IN SUPPORT OF PUBLICATION (FORM PCAFFPUB)
Copy of Decedent's Death Certificate	DEATH CERTIFICATE
<p>Paid in Full Funeral Bill and Cemetery Expenses Receipt</p> <p>Must identify total amount paid and who paid</p>	PROOF OF FUNERAL / CEMETERY /CREMATION SERVICES EXPENSES
<p>Proof of Assets – Personal Property</p> <p>Documents verifying personal property the decedent owned and values. E.g., Bank books/statements showing the account numbers and date of death balances.</p>	PROOF OF ASSETS

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**ADD DOCUMENTS: Continued**

Upload the following additional documents in your submission if applicable:

Additional/Optional Forms	Document Upload Codes
<p>Proof of Assets – Real Estate Property</p> <p>Documents verifying real property the decedent owned and County Auditor's value of property:</p> <ul style="list-style-type: none"><li>• Copy of deed(s) for Ohio property to be transferred and auditor's printed valuation</li></ul>	PROOF OF ASSETS
<p>Certificate of Transfer (<a href="#">Form 12.1</a> uploaded behind Form 5.6 in the same PDF, if applicable)</p> <p>Requires complete legal description, prior instrument number, and parcel number</p>	PROPOSED ORDER (Scanned and attached to Form 5.6.)
<p>Certification of Notice to Administrator of Estate Recovery Program (<a href="#">Form 7.0</a>)</p>	NOTICE TO ADMINISTRATOR OF ESTATE RECOVERY PROGRAM RETURNED – MEDICAID
<p>Assignment of Beneficiary – for personal property only (Form PC2)</p>	ASSIGNMENT OF BENEFICIARY – FOR PERSONAL PROPERTY ONLY
<p>Waiver of Notice of Application to Relieve Estate from Administration (<a href="#">Form 5.2</a>)</p>	WAIVERS & CONSENTS
<p>Waiver of Right to Reimbursement of Funeral and/or Burial Costs</p>	WAIVER OF RIGHT TO REIMBURSEMENT OF FUNERAL AND/OR BURIAL COSTS

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#### 4. FILING REVIEW

Review your data and documents for accuracy. [EDIT](#) for corrections.

#### 5. PAYMENT

**Add Credit or Debit Card billing information.**

Submit the filing on behalf of the **APPLICANT**

*Your credit/debit card will be charged only AFTER your E-Filing has been accepted.  
The name on the credit/debit card MUST match the Registered E-File Account Name.  
Third party payments will NOT be accepted without prior arrangement with E-File staff.*

**Print a copy of the Submission Confirmation for your records.  
Keep originals of uploaded documents for review at hearings.**

## E-Filing On Existing Release of Asset Cases

[Login to your E-File account](#)

1. Select **File On An Existing Case** from the blue E-Filing tab
2. Search your existing estate case by name or number

Select the green  to E-File on your case

3. ADD NEW or CLAIM EXISTING CASE PARTIES: scroll to the bottom of the screen:

Filing Pro Se	
To <b>CLAIM</b> yourself as an existing Applicant	Click <b>CLAIM PARTY</b> next to your name
To <b>ADD</b> yourself as a new Applicant or other party on the case	Complete all fields; click <b>SAVE PARTY</b>
Attorneys	
To <b>CLAIM</b> an existing party to represent	Click CLAIM PARTY next to the party's name
To <b>ADD</b> a new Applicant	Complete all fields; click <b>SAVE PARTY</b>
If your party is already represented and claimed (Your name highlighted above party)	Click SAVE and PROCEED to move directly to ADD DOCUMENTS
	<i>Continued Next Page</i>

**4. ADD DOCUMENTS**

Fill-in forms **MUST** be typed, complete, and signed.

**5. FILING REVIEW**

Review your data and documents for accuracy. [EDIT](#) for corrections.

**6. PAYMENT**

**Add Credit or Debit Card billing information.**

Submit the filing on behalf of the **APPLICANT**

*Your credit/debit card will be charged only AFTER your E-Filing has been accepted.  
The name on the credit/debit card MUST match the Registered E-File Account Name.  
Third party payments will NOT be accepted without prior arrangement with E-File staff.*

**Print a copy of the Submission Confirmation for your records.  
Keep originals of uploaded documents for review at hearings.**

## Other Release Pleadings and Proceedings

*Below are instructions to assist users with uploading groups of filings or other common filings specified for review with Release proceedings. Following these instructions will increase efficiency in the review process and provide clarity on the Court's electronic docket.*

*Whenever possible, select dedicated codes from the menu on the ADD DOCUMENTS screen. Codes are listed alphabetically and generally match form captions or identify form numbers. Uploaded documents must be in PDF format and typed in blue or black ink.*

*Contact the E-File Help Desk for further assistance or general questions about E-Filing.*

*For specific questions regarding required filings by a hearing officer's notice or order, please contact the General Magistrate's office and have your case number available to reference. A list of Probate Court department phone numbers appears at the end of this guide.*

### Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0.)

- ☐ Upload the signed Next of Kin ([Form 1.0](#)) with complete names, addresses, relationship to the decedent and with dates-of-birth for any minors for all new cases. Next of kin who pre-deceased the decedent should also be listed with relevant dates of death next to their name. Use all lines and additional copies of the form as needed.  
Note: Form 1.0 may be required by order of the Court for corrections to a previously filed version of the form. For instructions to amend Form 1.0, see page 23 of this guide.

### Application to Probate Will (Form 2.0.)

- ☐ Following guidelines on 11 of this guide, upload the signed and completed Application ([Form 2.0](#)) to admit an original last Will of a deceased person. The Will must be admitted to the Court's record prior to any ruling on an Application to Relieve the Estate from Administration.

DO NOT ATTACH A COPY OF THE DECEDENT'S WILL TO THIS FORM.  
See additional instructions to submit the original Will starting on page 7.

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## Assignment of Beneficiary (For Personal Property Only) (Form PC2)

- ☐ Applicants may upload the typed and notary-signed assignment [Form PC2](#), one form for each beneficiary/affiant, using the dedicated code from the menu. Multiple assignments must be uploaded individually, as separate PDFs, but may be submitted under the same confirmation number as needed.

Beneficiaries/Affiants may also E-File their own assignment directly on the Estate case but must first create an E-File account in their own name.

## Application to Relieve an Estate from Further Administration (Forms 5.0F and related forms)

This form can only be filed if there was a prior full administration under the same case number.

## Supplemental Application to Relieve an Estate from Administration (Forms 5.0S and related forms)

Use the Supplemental Application to Relieve the Estate from Administration on an existing prior Release of Assets case if assets remain under the original dollar threshold. Review with an attorney if a Supplemental Release action is appropriate for additional assets of the decedent needing distribution. A full administration of the estate may be needed instead.

## Notice to Administrator of Medicaid Estate Recovery Program (Form 7.0 and 7.0(A))

If required pursuant to ORC 2117.061, the Applicant must send notice form 7.0A by certified mail to the address printed on the form.

- ☐ Upload the Certificate ([Form 7.0](#)) as top page to a single PDF including proof of return of certified mail (e.g., signed “green card”) or other proof of delivery by commercial carrier. A copy of a letter from the Medicaid Administrator indicating no claim will be filed for the decedent’s estate is also acceptable. Use the code **NOTICE TO ADMINISTRATOR OF ESTATE RECOVERY PROGRAM RETURNED - MEDICAID**.

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## Commissioner's Report of Distribution (Form Commissioner's Report)

Scan the signed Report and supporting documents as one PDF file, with the Report as the first page. Report must be typed complete with ink signatures or E-Signatures. (Include copies of receipts, checks, or other records in support of distributions made.)

- ☐ Upload the signed [Commissioner's Report](#) with additional documents in support of distributions. Use the code **COMMISSIONER REPORT**.

## Certificate of Transfer (Form 12.1)

If real property of the decedent is to be transferred as part of the *Application to Relieve the Estate from Administration* proceeding, then the proposed entry and new deed must be filled-in completely (except the Judge signature line) and sent together in the same PDF with Form 5.6 as the first page.

- ☐ Scan the proposed entry relieving the estate ([Form 5.6](#)) and the proposed entry issuing transfer ([Form 12.1](#)) into the same PDF file. Then upload them together and select the dedicated code **PROPOSED ORDER** from the document menu.

The Prior Instrument Reference (e.g., volume and page or AFN) and the Permanent Parcel Number **MUST** be completed on the reverse side of Form 12.1, or the filing will be rejected.

Legal descriptions must be typed, or an image of the description affixed, on the reverse side of Form 12.1. If additional space is needed, you must first use ALL the space on Form 12.1 and then continue with attached pages as needed. DO NOT leave the reverse side of Form 12.1 blank or use the space to reference attachments. Blank Certificates citing only attachments will not be accepted by the County Recorder's office.

For multiple parcels in Cuyahoga County – Use a separate certificate form 12.1 for each parcel but scan them together with proposed entry Form 5.6. Number certificates and list the corresponding numbers on the front side of Form 5.6 on the line provided.

For multiple parcels in multiple counties – Contact the General Magistrate's office prior to submitting this request.

## Amended Proposed Order – Amended Certificate of Transfer (Form 12.1)

- ☐ If you need to file an amended Entry and Certificate of Transfer (Form 12.1), please contact the primary Magistrate on your case and follow their instructions.

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## Amended Proposed Order – Amended Entry Relieving Estate from Administration (Form 5.6)

- ☐ If you need to file an amended Entry Relieving the Estate from Administration (Form 5.6), please contact the primary Magistrate on your case and follow their instructions.

## Motion to Correct Form 1.0 - Surviving Spouse, Children, Next of Kin, Legatees and Devisees

- ☐ Attach your motion with a Certificate of Service, and the signed proposed corrected form 1.0 behind your motion, in one PDF file. Use code: **MOTION TO CORRECT THE RECORD** or **MOTION** from the menu on the Add Documents screen.
- ☐ Upload the entry page PDF using code “Proposed Order Filed.”

## Notice of Withdrawal of Pleading

- ☐ If a pleading filed with the Court has had no response filed by other interested parties, and is pending decision by a hearing officer, the filing party may withdraw his or her pleading by filing a **NOTICE OF WITHDRAWAL OF PLEADING** (select this code from the menu). Identify the case number, the type of pleading (e.g., application, motion, request, etc.) and date it was filed. The notice will be reviewed by the Magistrate or Judge on the case and accepted or set for hearing if needed.

## Motion for Continuance (of a scheduled hearing)

Please give as much advanced notice as possible when filing this motion.

Include a ‘**Note to Clerk**’ on the E-File Final Review Screen **indicating your pleading is urgent or time-sensitive**. You can also contact the E-File staff by phone (216-443-8948) to check the status of your motion or to notify staff in advance of the urgency.

- ☐ Attach the Motion for Continuance and Certificate of Service PDF using the dedicated code **MOTION FOR CONTINUANCE** available in the upload menu.
- ☐ Upload the entry page PDF using code **PROPOSED ORDER**.

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## Other Motions and Pleadings

- ☐ Attach the Motion with a Certificate of Service in one PDF file using dedicated motion codes available in the upload menu.
- ☐ Upload the entry page PDF separately using code **PROPOSED ORDER**.

## Proposed Orders and Agreed Judgment Entries

- ☐ For motions that were filed without a proposed order, or if a Magistrate or Judge requests a proposed order, upload the proposed entry page PDF using code **PROPOSED ORDER**.
- ☐ For Agreed Judgment Entries, use the same code cited above.

## Request for Extension to File Commissioner's Report

A request for extension of time to file a Commissioner's Report may be filed any time before the due date for the Report. [Use the form from the Court's website](#). Form must be signed by the appointed Commissioner.

- ☐ Upload the signed completed form on your existing case. There is no charge to file. Use the code **REQUEST FOR EXTENSION TO FILE COMMISSIONER'S REPORT**.

## Assignment of Beneficiary (For Personal Property Only) (Form PC2)

- ☐ Applicants may upload the typed and notary-signed assignment [Form PC2](#), one form for each beneficiary/affiant, using the dedicated code from the menu. Multiple assignments must be uploaded individually, as separate PDFs, but may be submitted under the same confirmation number as needed.

Beneficiaries/Affiants may also E-File their own assignment directly on the Estate case but must first create an E-File account in their own name.

## Waiver of Right to Reimbursement of Funeral and/or Burial Costs (Form PC4)

- ☐ Complete and sign before a Notary Public the [fill-ready Waiver \(Form PC4\)](#). Submit each waiver under its own PDF file using code **WAIVER OF RIGHT TO REIMBURSEMENT OF FUNERAL AND/OR BURIAL COSTS**.



## Common Terms Used at Court and in This Guide

Terms Commonly Used for Release Cases	Basic Meanings, Similar Expressions or Related Forms
Application to Relieve an Estate from Administration	<ul style="list-style-type: none"> <li>• Release of Assets</li> <li>• Small Estate Affidavit</li> <li>• Short Letter Release</li> </ul>
Decedent	Deceased party whose probate assets must be distributed by law.
Applicant	Filing party requesting relief
Commissioner	Party appointed by the Court to distribute the decedent's assets
Next of Kin	<ul style="list-style-type: none"> <li>• Kin</li> <li>• Heirs (Heirs at Law)</li> <li>• Decedent's family according to law</li> </ul>
Beneficiaries	Parties who will receive assets of the decedent by Will
Testate	With a Will
Intestate	No Will
Proof of Assets	Documents that verify the decedent's ownership of assets and establish date-of-death values or current values
Personal Identifiers	Account numbers, policy numbers or other text that identify an asset
Liabilities	Unpaid funeral/cemetery costs of the decedent; unpaid Medicaid claims
Proof of Paid Funeral or Cemetery Expenses	Receipts from funeral homes or cemeteries showing 'Paid In Full'
Certificate of Transfer (of Real Property)	Form 12.1
Waiver of Notice and Consent	Form 5.1
Assignment of Beneficiary (for Personal Property)	Form PC2
Publication	Notice ordered by the Court to appear in a legal publication (Daily Legal News)
Affidavit in Support of Publication	Form PCAFFPUB
Proposed Entry Form 5.6	<ul style="list-style-type: none"> <li>• Proposed Order Form 5.6</li> <li>• Entry Form 5.6 prepared for Judge's signature</li> </ul>
Commissioner's Report	Report required to be filed by the appointed commissioner verifying distribution as ordered by the Court on Form 5.6.

## Help and Contact Information

For procedural questions (about Estate cases), or to speak to a Magistrate	General Magistrate's Office (216) 443-8780
To pay back costs owed on cases (via credit or debit card), or for questions about case billing	Clerk's Office (216) 443-8785 Press '0' after the prompt to speak to a cashier clerk
For copy requests	Quality Assurance Department (216) 443-8793
For help with your E-File User account and E-Filing	E-File Department (216) 443-8948 <a href="mailto:probate_efile@cuyahogacounty.us">probate_efile@cuyahogacounty.us</a>