

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](#))
 - Complete the front and reverse sides of form 5.6 with the assets listed on Form 5.1 and the proposed sale, release, or distribution of assets to Distributees. You may also request the Court to appoint a Commissioner to sell, settle, or pay liabilities and make final distribution of assets. List full names of proposed Distributees or the Commissioner on lines provided.
- Surviving Spouse, Children, Next of Kin, Legatees and Devisees ([Form 1.0](#))
 - Complete the front side with the names, addresses, and relationships 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 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 proving ownership and value of assets owned by the decedent:
 - E.g., Bank statements showing the account numbers and date of death balances
 - Title and vehicle identification (VIN) with printed value from KBB/Edmunds or similar
 - Any other documents that identify ownership and support the value of the asset
 - Copy of deed(s) for Ohio property to be transferred and auditor's printed valuation

Additional Documents Required with the Application, if applicable

- Application to Probate Will ([Form 2.0](#))
- Proposed Order – Certificate of Transfer ([Form 12.1](#) uploaded behind *Form 5.6* in the same PDF as applicable)
 - Include 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](#))
- Affidavit in Support of Publication ([Form PCAFFPUB](#))

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.

Follow the steps to submit the original Will to Probate Court outlined on page 8.

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 (Forms 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 completed 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 Can a Release of Assets be Used?

If there is no prior administration, a release from administration may be filed as per the following:

1. Up to \$35,000 for dates of death on or after 11/9/94, where there is no surviving spouse, or the spouse is not the sole heir at law or under a Will.
2. Up to \$100,000 for dates of death on and after 3/18/99, and there is a surviving spouse who receives the entire estate. The spouse must be entitled to receive the entire estate under Section 2105.06 and/or Section 2106.13 of the Revised Code.

See Form 5.0 for dates of death and asset totals prior to 1999.

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 and making payment 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 on cases and not already spent on case proceedings will be issued as a refund.

Surviving Spouse, Children, Next of Kin, Legatees, Devisees

Complete the front side of [Form 1.0](#) with the names, addresses, and relationships 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 WITH AFFIDAVIT

Common Examples of Release with Will with Affidavit Required
<p>An <i>Affidavit in Support of Publication</i> is required if the names and/or addresses on Form 1.0 are unknown for any of the following—</p> <ul style="list-style-type: none">• If there is a surviving spouse, name or address unknown, who receives part or all 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 5.0)
<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 8. Keep a copy for your records.

Required Forms	Document Upload Codes
Application to Relieve Estate from Administration (Form 5.0 and 5.1)	APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION
Proposed Order - Entry Relieving Estate from Administration (Form 5.6)	PROPOSED ORDER
Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0) 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) FILE IF NEEDED	AFFIDAVIT IN SUPPORT OF PUBLICATION (FORM PCAFFPUB)
Application to Probate Will (Form 2.0) (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 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**:**

Additional/Optional Forms	Document Upload Codes
Proof of Assets – Real Estate Property 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	PROOF OF ASSETS
Certificate of Transfer (Form 12.1 uploaded behind Form 5.6 in the same PDF, if applicable) Requires complete legal description, prior instrument number, and parcel number	PROPOSED ORDER (Scanned and attached to Form 5.6.)
Certification of Notice to Administrator of Estate Recovery Program (Form 7.0)	NOTICE TO ADMINISTRATOR OF ESTATE RECOVERY PROGRAM RETURNED – MEDICAID
Assignment of Beneficiary – for personal property only (Form PC2)	ASSIGNMENT OF BENEFICIARY – FOR PERSONAL PROPERTY ONLY
Waiver of Notice of Application to Relieve Estate from Administration (Form 5.2)	WAIVER OF NOTICE AND CONSENT TO APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION (FORM 5.2)
Waiver of Right to Reimbursement of Funeral and/or Burial Costs	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 WITH AFFIDAVIT

Common Examples of Release No Will with Affidavit Required
<p>An <i>Affidavit in Support of Publication</i> is required if the names and/or addresses on Form 1.0 are unknown for any of the following—</p> <ul style="list-style-type: none"> • 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 5.0)
<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 (Form 5.0 and 5.1)	APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION
Proposed Order - Entry Relieving Estate from Administration (Form 5.6)	PROPOSED ORDER
<p>Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)</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) FILE IF NEEDED	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
Proof of Assets – Real Estate Property 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	PROOF OF ASSETS
Certificate of Transfer (Form 12.1 uploaded behind Form 5.6 in the same PDF, if applicable) Requires complete legal description, prior instrument number, and parcel number	PROPOSED ORDER (Scanned and attached to Form 5.6.)
Certification of Notice to Administrator of Estate Recovery Program (Form 7.0)	NOTICE TO ADMINISTRATOR OF ESTATE RECOVERY PROGRAM RETURNED – MEDICAID
Assignment of Beneficiary – for personal property only (Form PC2)	ASSIGNMENT OF BENEFICIARY – FOR PERSONAL PROPERTY ONLY
Waiver of Notice of Application to Relieve Estate from Administration (Form 5.2)	WAIVER OF NOTICE AND CONSENT TO APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION (FORM 5.2)
Waiver of Right to Reimbursement of Funeral and/or Burial Costs	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 CLAIM yourself as an existing Applicant	Click CLAIM PARTY next to your name
To ADD yourself as a new Applicant or other party on the case	Complete all fields; click SAVE PARTY
Attorneys	
To CLAIM an existing party to represent	Click CLAIM PARTY next to the party's name
To ADD a new Applicant	Complete all fields; click SAVE PARTY
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.

Upload documents according to the guidelines in this guide.

See the **Contents** for a complete list of types of pleadings. See also pages 21-26 for specific types of pleadings filed on existing Release from Administration cases.

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.
Use code: **SURVIVING SPOUSE, CHILDREN, NEXT OF KIN, LEGATEES AND DEVISEES (FORM 1.0).**

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 24 of this guide.

Affidavit in Support of Publication

If any party is entitled to receive assets from the decedent's estate by Will, by law, or by reimbursement for funeral/cemetery costs, and that party's name or address is unknown, then an *Affidavit in Support of Publication* ([Form PCAFFPUB](#)) must be filed with the Application.

- Upload the affidavit using the dedicated code **AFFIDAVIT IN SUPPORT OF PUBLICATION.**

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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 8.

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.

Notice of Appearance

- Upload a [Notice of Appearance](#) if you are an attorney joining an existing Estate case. Notice is not needed if an attorney has signed the attorney signature line of the Release or Supplemental Release of Assets Application.

If multiple attorneys are joining the existing case, ALL attorneys must sign the form for this initial notice. Subsequent pleadings need not include all attorneys.

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**.

Continued on Next Page

Supplemental Application to Relieve an Estate from Administration (Forms 5.0S)

A *Supplemental Application to Relieve the Estate from Administration* may be used in certain instances where additional assets of the decedent require distribution by Probate Court, after prior distributions from a prior Release action have already been decided.

- To file a Supplemental Release, the total dollar amount of the assets from each prior action, and the new assets to be released, MUST remain under the dollar amount threshold determined by ORC 2113.03.

Review with an attorney to determine if a Supplemental Release filing is the best and most cost-effective filing available to you. Each Application is charged a filing fee.

- Supplemental Applications keep the same case number as the prior Release of Assets.

When filed, Supplemental Releases are numbered (1st Supplemental, 2nd, etc.), and there is no limit to the number of Applications that can be filed.

Required Forms filed for a (1st, 2nd, 3rd, etc.) Supplemental Release of Assets

- Upload the completed and signed **Form 5.0S**, including **Form 5.1** in a single PDF.

Note: **Form 5.1 must include the total assets released on previous Applications.**

- Upload an updated and signed **Form 1.0**.
- Upload all supporting **Proof of Assets** to be released in a single PDF.
- Upload a **proposed entry Form 5.6**.

Not Required: Decedent's death certificate nor paid funeral bill if either was filed with prior Release.

See page 39 for a *Sample Supplemental Release of Assets Form 5.1*.

Continued on Next Page

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 the decedent owned real property that requires distribution by the Probate Court, Form 12.1 may be filed with proposed entry Form 5.6 in the same PDF with Form 5.6 as the first page. The proposed Certificate and entry will become a new deed once signed by the Judge, and the Applicant must file the new deed with the Recorder's office in the County where the parcel is located.

- 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 Number** (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.

Continued on Next Page

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 advance 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**.

Continued on Next Page

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
Affidavit in Support of Publication	Form PCAFFPUB
Applicant	Filing party requesting relief
Application to Relieve an Estate from Administration	<ul style="list-style-type: none"> • Release of Assets • Small Estate Affidavit • Short Letter Release
Assignment of Beneficiary (for Personal Property)	Form PC2
Beneficiaries	<ul style="list-style-type: none"> • Parties who will receive assets of the decedent by Will • Legatees and/or Devisees, Transferees
Certificate of Transfer (of Real Property) Form 12.1	<ul style="list-style-type: none"> • Proposed Order Form 12.1 • Proposed Entry and Certificate of Transfer • Entry Form 12.1 prepared for Judge's signature
Commissioner	Party appointed by the Court to distribute the decedent's assets
Commissioner's Report	Report required to be filed within 60 days by the appointed commissioner verifying distribution as ordered by the Court on Form 5.6.
Decedent	Deceased party whose probate assets must be distributed by law.
Distributees	Parties who will receive assets of the decedent by Will or by law on Form 5.6
Intestate	No Will
Liabilities	Unpaid funeral/cemetery costs of the decedent; unpaid Medicaid claims.
Next of Kin	<ul style="list-style-type: none"> • Surviving spouse and/or children • Heirs at Law • Decedent's family according to law
Personal Identifiers	Account numbers, policy numbers or other text that identifies an asset
Proof of Assets	Documents that verify the decedent's ownership of assets and establish date-of-death values or current values
Proof of Paid Funeral or Cemetery Expenses	Receipts from funeral homes or cemeteries showing 'Paid In Full'
Proposed Entry Form 5.6	<ul style="list-style-type: none"> • Proposed Order Form 5.6 • Entry Form 5.6 prepared for Judge's signature
Publication	Notice ordered by the Court to appear in a legal publication (Daily Legal News)
Testate	With a Will
Waiver of Notice and Consent	Form 5.2
Waiver of Right to Reimbursement of Funeral and/or Burial Costs	Form PC4

Sample Forms

The following sample pages show an example of a testate and an intestate distribution. They are not meant to demonstrate all circumstances. Your circumstances may be different and more complex. **Consult an attorney if you are not sure how to correctly complete these forms.**

Forms must be typed and signed appropriately. Fill in all highlighted areas. Use complete names and addresses and as many lines as needed to complete documents. Use "Not Applicable" or "N/A" for items not applicable to your circumstances. **Incomplete documents will be rejected pursuant to our Local Rule 57.**

Testate estates must include Form 2.0, *Application to Probate Will*, submitted with the Application to Relieve the Estate from Administration if the Will is not already admitted at the Court.

Testate Sample Form 5.0 New Case – Front side

PROBATE COURT OF CUYAHOGA COUNTY, OHIO ANTHONY J. RUSSO, Presiding Judge LAURA J. GALLAGHER, Judge		SAMPLE
ESTATE OF	Elizabeth Barrett Browning AKA Elizabeth Barrett Moulton Barrett	DECEASED
CASE NUMBER	Leave this line blank	
APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION [R.C. 2113.03]		
Applicant states that decedent died on June 29, 2025		
Decedent's domicile was 1 Luvthee Lane		
Cleveland		Cuyahoga
<small>City or Village, or Township (if unincorporated area)</small>		<small>County</small>
Ohio		44113
<small>State</small>		<small>Zip Code</small>
(Check one of the following)		
<input checked="" type="checkbox"/> Decedent's will has been admitted to probate in this Court. <input type="checkbox"/> To applicant's knowledge, decedent did not leave a Will.		
(Check one of the following)		
<input type="checkbox"/> The assets are \$15,000 or less and decedent died on or after January 1, 1976. <input type="checkbox"/> The assets are \$25,000 or less and decedent died on or after October 20, 1987. <input type="checkbox"/> The assets are \$35,000 or less and decedent died on or after November 9, 1994. <input type="checkbox"/> The assets are \$50,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after April 16, 1993. <input type="checkbox"/> The assets are \$85,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after September 14, 1993. <input checked="" type="checkbox"/> The assets are \$100,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after March 18, 1999.		
(Check, if applicable)		
<input type="checkbox"/> Decedent was a Medicaid recipient, and the estate is subject to the Medical Estate Recovery. Form 7.0 – Notice to Administrator of Estate Recover Program has been or will be filed, under R.C. 2117.061.		
Applicant asks that the estate be relieved from administration because the assets do not exceed the statutory limits. A statement of the assets and liabilities of the estate is listed on the attached Form 5.1.		
The decedent's surviving spouse, next of kin, legatees, and devisees known to applicant, are listed on the attached Form 1.0.		
FORM 5.0 – APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION		
<small>05/03/1999</small>		

Testate Sample Form 5.0 New Case – Reverse side

SAMPLE		CASE NO. Leave this line blank								
<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p style="color: red; text-align: center;">These lines completed and signed by your attorney IF you have an attorney.</p> </div> <p>Attorney for Applicant _____</p> <p>Typed or Printed Name _____</p> <p>Address _____</p> <p>City _____</p> <p>Phone Number (include Area Code) _____</p> <p>Email Address _____</p> <p>Attorney Registration No. _____</p>	<div style="border: 2px solid red; padding: 5px;"> <p>/s/Robert Browning</p> <p>Applicant Signature</p> <p>Robert Browning</p> <p>Typed or Printed Name</p> <p>1 Luvthee Lane</p> <p>Address</p> <p>Cleveland Ohio 44113</p> <p>City State Zip</p> <p>216-443-8948</p> <p>Phone Number (include Area Code)</p> <p>countheways@vmail.com</p> <p>Email Address</p> <p>Spouse</p> <p>Relationship to Decedent</p> </div>									
<h3>WAIVER OF NOTICE</h3> <p>The undersigned surviving spouse, heirs at law, legatees, devisees and other persons entitled to notice of the filing of the application to relieve decedent's estate from administration, waive such notice.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">_____</td> <td style="width: 50%; border: none;">_____</td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none;">_____</td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none;">_____</td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none;">_____</td> </tr> </table>			_____	_____	_____	_____	_____	_____	_____	_____
_____	_____									
_____	_____									
_____	_____									
_____	_____									
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: auto;"> <p>If a creditor properly presents a claim within the applicable statutory claim period, the heirs/beneficiaries who have received a distribution from the release of the decedent's assets may be personally liable for payment of the decedent's debts.</p> <p>See R.C. 2117.06(A)(1)(a)(b) and/or (c); 2117.06(B), 2117.06(C); 2117.061; 2113.03(H), and 2113.03(J)</p> </div>										
<p>FORM 5.0 – APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION</p> <p style="text-align: right;">05/03/1999</p>										

Testate Sample Form 5.1 New Case – Front side

Identify assets by name of financial institution and other identifiers (e.g., account numbers, parcel numbers). Then list date-of-death or current values. Assets listed on Form 5.1 MUST match assets proposed for distribution on Form 5.6. or for certification on Form 12.1.

PROBATE COURT OF CUYAHOGA COUNTY, OHIO		SAMPLE
ANTHONY J. RUSSO, Presiding Judge LAURA J. GALLAGHER, Judge		
ESTATE OF	Elizabeth Barrett Browning AKA Elizabeth Barrett Moulton Barrett	DECEASED
CASE NUMBER	Leave this line blank	
ASSETS AND LIABILITIES OF ESTATE TO BE RELIEVED FROM ADMINISTRATION		
<p>Following is a summary statement of the character and value of the assets in decedent's estate [Insert a check in the "Appraised" column opposite an item if it was valued by the appraiser. Leave blank if the readily ascertainable value of the item was determined by applicant. Use extra sheets if necessary.]</p>		
Automobiles distributed to surviving spouse by affidavit		Value
First automobile selected by surviving spouse under R.C. 2106.18 [Omit value when computing total assets] -----Appraised value		\$
Second automobile selected by surviving spouse under R.C. 2106.18 [Omit value when computing total assets] -----Appraised value		\$
Total value [not to exceed \$40,000.00]		\$
Appraised	Character of asset	Value
<input type="checkbox"/>	Real Estate, described in accompanying Certificate of Transfer No.	\$
Appraised	Other Assets	Value
<input type="checkbox"/>	Fifth-Third Bank account no. 1234567	\$ 43,000.00
<input type="checkbox"/>	Key Bank account no. 9876543	\$ 4,300.00
<input type="checkbox"/>	Seraphim Credit Union acct. 20EBB12325	\$ 5,000.00
<input type="checkbox"/>	Uncashed Check No. 2025 - First Energy overpayment	\$ 100.00
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
Total Assets		\$ 52,400.00
<p>Following is a list of decedent's known debts. [Use extra sheets if necessary]</p>		
FORM 5.1 - ASSETS AND LIABILITIES OF ESTATE TO BE RELIEVED FROM ADMINISTRATION		
03/28/2022		

Testate Sample Form 5.1 New Case – Reverse side

SAMPLE		CASE NO. Leave this line blank
---------------	--	---------------------------------------------------------------------------------------------------

Name of Creditor (Funeral Home/Cemetery)	Nature of Debt	Amount
Florentine Funeral	Funeral Services	\$ 8,750.00
Paid-In-Full per receipt attached by		\$
Robert Browning on 7/29/2025		\$
		\$
Total		\$

If a creditor properly presents a claim within the applicable statutory claim period, the heirs/beneficiaries who have received a distribution from the release of the decedent's assets may be personally liable for payment of the decedent's debts.
See R.C. 2117.06(A)(1)(a)(b) and/or (c); 2117.06(B), 2117.06(C); 2117.061; 2113.03(H), and 2113.03(J)

CERTIFICATION

The undersigned appraiser agreed to act as appraiser of decedent's estate, and to appraise the property exhibited truly, honestly, impartially, and to the best of the appraiser's knowledge and ability. The appraiser further says that those assets whose values were not readily ascertainable are indicated above by a check in the "Appraised" column opposite each such item, and that such values are correct.

The undersigned applicant determined the value of those assets whose values were readily ascertainable and were not appraised by the appraiser, and that such values are correct, and to applicant's knowledge the above list of decedent's debts is correct.

	
Date	
	
Appraiser	/s/Robert Browning Applicant Signature

In most instances, an Appraiser is not required to obtain value of the decedent's assets. Before requesting an appraiser to make an appraisal for an asset, consult an attorney or contact the General Magistrate's office for instructions.

FORM 5.1 - ASSETS AND LIABILITIES OF ESTATE TO BE RELIEVED FROM ADMINISTRATION

03/28/2022

Testate Sample Form 1.0 – Front side

SAMPLE 1

PROBATE COURT OF CUYAHOGA COUNTY, OHIO
 ANTHONY J. RUSSO, Presiding Judge
 LAURA J. GALLAGHER, Judge

ESTATE OF Elizabeth Barrett Browning AKA Elizabeth Barrett Moulton Barrett DECEASED

CASE NUMBER Leave this line blank

**SURVIVING SPOUSE, CHILDREN, NEXT OF KIN,
 LEGATEES AND DEVISEES**
 [R.C. 2105.06, 2106.13 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	Birthdate of Minor
Robert Browning	1 Luvthee Lane Cleveland, Ohio 44113	Surviving Spouse	
Robert Wiedeman Browning	1 Luvthee Lane Cleveland, Ohio 44113	Son	11/28/2023

- [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 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.

Testate Sample Form 5.6 New Case – Proposed Entry Front Side

SAMPLE 1	
PROBATE COURT OF CUYAHOGA COUNTY, OHIO ANTHONY J. RUSSO, Presiding Judge LAURA J. GALLAGHER, Judge	
ESTATE OF	Elizabeth Barrett Browning AKA Elizabeth Barrett Moulton Barrett
DECEASED	
CASE NUMBER	Leave this line blank
ENTRY RELIEVING ESTATE FROM ADMINISTRATION [R.C. 2113.03]	
Upon hearing the application to relieve decedent's estate from administration, the Court finds that:	
Decedent died [check one of the following]	
<input checked="" type="checkbox"/> testate <input type="checkbox"/> intestate	
The date of death and domicile are as stated in the application, and the Court has jurisdiction over the estate;	
Notice to the surviving spouse, heirs at law, legatees and devisees, was duly effected or dispensed with by the Court as unnecessary;	
The values of the several assets in the estate, given in the application do not exceed the statutory limits.	
The Court therefore relieves the estate from administration, and orders [check and complete whichever of the following are applicable]:	
<input type="checkbox"/> That the following personal property be sold [describe]:	
<div style="background-color: #e0e0ff; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: #e0e0ff; height: 20px; margin-bottom: 5px;"></div>	
<input type="checkbox"/> That the debts of decedent listed in the application be paid to the extent of assets:	
<div style="background-color: #e0e0ff; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: #e0e0ff; height: 20px; margin-bottom: 5px;"></div>	
<input type="checkbox"/> That the statutory family allowance be paid to the	
<input type="checkbox"/> surviving spouse	
<input type="checkbox"/> minor children of the decedent	
<input type="checkbox"/> apportioned between the surviving spouse and minor children of the decedent who are not the children of the surviving spouse.	
Attach Form 7.2A if necessary.	
<input type="checkbox"/> That Certificate of Transfer No. _____ attached to the application and describing decedent's real estate, issue and be preserved in the records of the Court and that authenticated copies of the certificate be delivered as required to the persons entitled to them;	
<input type="checkbox"/> That the financial institutions holding accounts in decedent's name as set forth below pay the same upon proper tax release [check one of the following] <input type="checkbox"/> to the commissioner <input type="checkbox"/> to	
<div style="background-color: #e0e0ff; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: #e0e0ff; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: #e0e0ff; height: 20px; margin-bottom: 5px;"></div>	
FORM 5.6 - ENTRY RELIEVING ESTATE FROM ADMINISTRATION	
03/28/2022	

Intestate Sample Form 5.0 New Case – Front side

SAMPLE 2

PROBATE COURT OF CUYAHOGA COUNTY, OHIO
ANTHONY J. RUSSO, Presiding Judge
LAURA J. GALLAGHER, Judge

ESTATE OF Jane Doe AKA Jayne Doe, DECEASED

CASE NUMBER Leave this line blank

APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION
[R.C. 2113.03]

Applicant states that decedent died on June 29, 2025

Decedent's domicile was 1 Emerald Forest Lane

Lakewood

Cuyahoga

Ohio

44107

(Check one of the following)

- Decedent's will has been admitted to probate in this Court.
- To applicant's knowledge, decedent did not leave a Will.

(Check one of the following)

- The assets are \$15,000 or less and decedent died on or after January 1, 1976.
- The assets are \$25,000 or less and decedent died on or after October 20, 1987.
- The assets are \$35,000 or less and decedent died on or after November 9, 1994.
- The assets are \$50,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after April 16, 1993.
- The assets are \$85,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after September 14, 1993.
- The assets are \$100,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after March 18, 1999.

(Check, if applicable)

- Decedent was a Medicaid recipient, and the estate is subject to the Medical Estate Recovery. Form 7.0 – Notice to Administrator of Estate Recover Program has been or will be filed, under R.C. 2117.061.

Applicant asks that the estate be relieved from administration because the assets do not exceed the statutory limits. A statement of the assets and liabilities of the estate is listed on the attached Form 5.1.

The decedent's surviving spouse, next of kin, legatees, and devisees known to applicant, are listed on the attached Form 1.0.

Intestate Sample Form 5.0 New Case – Reverse side

SAMPLE 2

CASE NO. Leave this line blank

 Attorney for Applicant

These lines completed
and signed by your
attorney IF you have an
attorney.

 City State Zip

 Phone Number (include Area Code)

 Email Address

 Attorney Registration No.

 Applicant Signature
 Jean Doe Gordon

 Typed or Printed Name
 255 Sunrise Circle

 Address
 North Royalton Ohio 44133

 City State Zip
 (216) 443-8948

 Phone Number (include Area Code)
 jdgonrdon@vmail.com

 Email Address
 Sister

 Relationship to Decedent

WAIVER OF NOTICE

The undersigned surviving spouse, heirs at law, legatees and devisees, being persons entitled to notice of the filing of the application to relieve decedent's estate from administration, waive such notice and consent to the appointment of the Commissioner and/or to the proposed distribution as set forth in the Application.

If a creditor properly presents a claim within the applicable statutory claim period, the heirs/beneficiaries who have received a distribution from the release of the decedent's assets may be personally liable for payment of the decedent's debts.
See R.C. 2117.06(A)(1)(a)(b) and/or (c); 2117.06(B), 2117.06(C); 2117.061; 2113.03(H), and 2113.03(J)

Intestate Sample Form 5.1 New Case – Front side

SAMPLE 2

PROBATE COURT OF CUYAHOGA COUNTY, OHIO
 ANTHONY J. RUSSO, Presiding Judge
 LAURA J. GALLAGHER, Judge

ESTATE OF Jane Doe AKA Jayne Doe DECEASED

CASE NUMBER Leave this line blank

ASSETS AND LIABILITIES OF ESTATE TO BE RELIEVED FROM ADMINISTRATION

Following is a summary statement of the character and value of the assets in decedent's estate [Insert a check in the "Appraised" column opposite an item if it was valued by the appraiser. Leave blank if the readily ascertainable value of the item was determined by applicant. Use extra sheets if necessary.]

Automobiles distributed to surviving spouse by affidavit		Value
First automobile selected by surviving spouse under R.C. 2106.18 [Omit value when computing total assets]	-----Appraised value	\$
Second automobile selected by surviving spouse under R.C. 2106.18 [Omit value when computing total assets]	-----Appraised value	\$
Total value [not to exceed \$40,000.00]		\$
Appraised	<u>Character of asset</u>	Value
<input type="checkbox"/>	Real Estate, described in accompanying Certificate of Transfer No.	\$
Appraised	<u>Other Assets</u>	Value
<input type="checkbox"/>	Huntington Bank Account No. 1234567	\$ 33,000.00
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
Total Assets		\$ 33,000.00

Following is a list of decedent's known debts. [Use extra sheets if necessary]

Intestate Sample Form 5.1 New Case – Reverse side

SAMPLE 2

CASE NO. Leave this line blank

Name of Creditor (Funeral Home/Cemetery)	Nature of Debt	Amount
Hunting Valley Funeral Home	Funeral Services	\$3,415.00
Pre-paid cremation by decedent.		\$
See attached receipt.		\$
		\$
Total		\$0.00

If a creditor properly presents a claim within the applicable statutory claim period, the heirs/beneficiaries who have received a distribution from the release of the decedent's assets may be personally liable for payment of the decedent's debts.
 See R.C. 2117.06(A)(1)(a)(b) and/or (c); 2117.06(B), 2117.06(C); 2117.061; 2113.03(H), and 2113.03(J)

CERTIFICATION

The undersigned appraiser agreed to act as appraiser of decedent's estate, and to appraise the property exhibited truly, honestly, impartially, and to the best of the appraiser's knowledge and ability. The appraiser further says that those assets whose values were not readily ascertainable are indicated above by a check in the "Appraised" column opposite each such item, and that such values are correct.

The undersigned applicant determined the value of those assets whose values were readily ascertainable and were not appraised by the appraiser, and that such values are correct, and to applicant's knowledge the above list of decedent's debts is correct.

12/16/2025	
Date	
	/s/ Jean Doe Gordon
Appraiser	Applicant Signature

In most instances, an Appraiser is not required to obtain value of the decedent's assets. Before requesting an appraiser to make an appraisal for an asset, consult an attorney or contact the General Magistrate's office for instructions.

Intestate Sample Form 1.0 – Front side

PROBATE COURT OF CUYAHOGA COUNTY, OHIO
 ANTHONY J. RUSSO, Presiding Judge
 LAURA J. GALLAGHER, Judge

SAMPLE 2

ESTATE OF Jane Doe AKA Jayne Doe DECEASED
 CASE NUMBER Leave this line blank

**SURVIVING SPOUSE, CHILDREN, NEXT OF KIN,
 LEGATEES AND DEVISEES**
 [R.C. 2105.06, 2106.13 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	Birthdate of Minor
N/A		Surviving Spouse	
Jean Doe Gordon	255 Sunrise Circle North Royalton, OH 44133	Sister	
Jillian Gordon Doe	4406 Fielding Drive Rocky River, OH 44116	Sister	
**Jeremy Doe	predeceased with 1 child DOD 04/22/2000	Brother	
James Doe	1593 Bufford Road North Olmsted, OH 44070	Nephew	

- [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 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.

If no boxes are applicable, then none need to be checked here.

Intestate Sample Form 5.6 – Proposed Entry Front Side

SAMPLE 2

PROBATE COURT OF CUYAHOGA COUNTY, OHIO
ANTHONY J. RUSSO, Presiding Judge
LAURA J. GALLAGHER, Judge

ESTATE OF Jane Doe AKA Jayne Doe DECEASED
CASE NUMBER Leave blank for new cases; fill-in for prior estate cases

ENTRY RELIEVING ESTATE FROM ADMINISTRATION
[R.C. 2113.03]

Upon hearing the application to relieve decedent's estate from administration, the Court finds that:

Decedent died [check one of the following]
 testate
 intestate

The date of death and domicile are as stated in the application, and the Court has jurisdiction over the estate;

Notice to the surviving spouse, heirs at law, legatees and devisees, was duly effected or dispensed with by the Court as unnecessary;

The values of the several assets in the estate, given in the application do not exceed the statutory limits.

The Court therefore relieves the estate from administration, and orders [check and complete whichever of the following are applicable]:

That the following personal property be sold [describe]:

That the debts of decedent listed in the application be paid to the extent of assets:

That the statutory family allowance be paid to the
 surviving spouse
 minor children of the decedent
 apportioned between the surviving spouse and minor children of the decedent who are not the children of the surviving spouse.
Attach Form 7.2A if necessary.

That Certificate of Transfer No. _____ attached to the application and describing decedent's real estate, issue and be preserved in the records of the Court and that authenticated copies of the certificate be delivered as required to the persons entitled to them;

That the financial institutions holding accounts in decedent's name as set forth below pay the same upon proper tax release [check one of the following] to the commissioner to
Proposed Commissioner, Jean Doe Gordon
Huntington Bank Account - Acct. No. 1234567

Intestate Sample Form 5.6 – Proposed Entry Reverse Side

SAMPLE 2

CASE NO Leave blank for new case

That the remainder of the estate be distributed in cash or in kind, as follows:

Name of Distributee	Property	Value or Amount
Jean Doe Gordon	100% interest of Huntington Bank Account	\$ 33,000.00
as Commissioner	Acct. No. 1234567	\$
		\$
Commissioner to distribute funds as follows:		\$
		\$
Jean Doe Gordon	1/3 interest	\$ 11,000.00
255 Sunrise Circle		\$
North Royalton, OH 44133		\$
		\$
		\$
Jillian Gordon Doe	1/3 interest	\$ 11,000.00
4406 Fielding Drive		
Rocky River, OH 44116		
James Doe	1/3 interest	\$11,000.00
1593 Bufford Road		
North Olmsted, OH 44070		

The Court appoints _____ commissioner, to receive and sell or distribute the personal property or proceeds thereof, and to execute all necessary documents of conveyance, including without limitation those necessary to transfer title to any motor vehicle, motorcycle, watercraft, or other titled personal property sold or distributed in kind. The commissioner shall complete the duties and report to the Court within sixty days of the date of this entry.

Date

Probate Judge

Sample Supplemental Release of Assets Form 5.1

Example: Form 5.1 showing prior Release total typed under Other Assets. The prior total (outlined in orange below) is necessary for the hearing officer's review to determine if the new assets (outlined in red below) and prior assets are still under the necessary dollar amount required for a Release of Assets action under ORC 2113.03.

Automobiles distributed to surviving spouse by affidavit		Value
First automobile selected by surviving spouse under R.C. 2106.18 [Omit value when computing total assets] -----Appraised value		\$
Second automobile selected by surviving spouse under R.C. 2106.18 [Omit value when computing total assets] -----Appraised value		\$
Total value [not to exceed \$40,000.00]		\$
Appraised	Character of asset	Value
<input type="checkbox"/>	Real Estate, described in accompanying Certificate of Transfer No.	\$
Appraised	Other Assets	Value
<input type="checkbox"/>	New Asset 1 - WHATTAFOUND Credit Union account. 1234567	\$ 1,700.00
<input type="checkbox"/>		\$
<input type="checkbox"/>	New Asset 2 - 2010 Chevy Panache	\$ 1,000.00
<input type="checkbox"/>	VIN: A1234G567L5555TG	\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>		\$
<input type="checkbox"/>	Prior Release of Assets - Granted 1/1/25 (\$2,500.00)	\$
<input type="checkbox"/>	Prior Release of Assets - Granted 3/7/25 (\$800.00)	\$
<input type="checkbox"/>	Prior Total = \$3,300.00	\$
<input type="checkbox"/>	\$3,300 + \$2,700.00 = \$6,000.00 < \$35,000 with no spouse	\$
Total Assets		\$ 2,700.00

Since there was only one prior Release granted in the example above, the new application for \$2,700.00 is the **First Supplemental Release** and uses Form 5.0S, including Form 5.1 and proposed order Form 5.6. The estate had no surviving spouse, so the original dollar amount threshold is \$35,000.00. The total of both Releases remains under that \$35,000.00 threshold.

Help and Contact Information

<p>For assistance with questions about simple estate matters and general review of Probate estate forms and procedures.</p> <p><i>The Resource Center is staffed with an Ohio licensed attorney. By RSVP only and one meeting per patron per case. No charge for meeting.</i></p>	<p>Resource Center (by appointment) (216) 443-8769</p>
<p>For procedural questions (about Estate cases), or to speak to a Magistrate</p>	<p>General Magistrate's Office (216) 443-8780</p>
<p>To pay back costs owed on cases (via credit or debit card), or for questions about case billing</p>	<p>Clerk's Office (216) 443-8785 Press '0' after the prompt to speak to a cashier clerk</p>
<p>For copy requests</p>	<p>Quality Assurance Department (216) 443-8793</p>
<p>For help with your E-File User account and E-Filing</p>	<p>E-File Department (216) 443-8948 probate_efile@cuyahogacounty.us</p>