

**DEPOSITS REQUIRED BY THE BUTLER COUNTY PROBATE COURT**FEES - 2101.16, 2101.162, 2101.19, 2303.201, & 3113.34 O.R.C.**Estates****Wrongful Death Only** **\$175.00**

This includes:

- Classification Form (412)
- Application for Authority to Administer Estate (4.0)
- Surviving Spouse, Next of Kin, Legatees and Devisees (1.0)
- Fiduciary Acceptance (423)
- Statement of Permanent Address (721)
- Entry Appointing Fiduciary; Letters of Authority (4.5)
- Application to Approve Settlement and Distribution of Wrongful Death (14.0)
- Entry Approving Settlement and Distribution of Wrongful Death Claims (14.2)
- Report of Distribution of Wrongful Death and Survival Claims (14.3)

**Full Administration with Will** **\$175.00**

This includes:

- Classification Form (412)
- Application to Probate Will (2.0)
- Surviving Spouse, Next of Kin, Legatees and Devisees (1.0)
- Entry Admitting Will to Probate (2.3)
- Certificate of Service of Probate of Will (2.4)
- Application for Authority to Administer Estate (4.0)
- Fiduciary Acceptance (423)
- Statement of Permanent Address (721)
- Entry Appointing Fiduciary; Letters of Authority (4.5)
- Inventory and Appraisal (6.0)
- Schedule of Assets (6.1)

**Full Administration without Will** **\$175.00**

This includes:

- Classification Form (412)
- Application for Authority to Administer Estate (4.0)
- Surviving Spouse, Next of Kin, Legatees and Devisees (1.0)
- Fiduciary Acceptance (423)
- Fiduciary's Bond (4.2)
- Statement of Permanent Address (721)
- Entry Appointing Fiduciary; Letters of Authority (4.5)
- Inventory and Appraisal (6.0)
- Fiduciary's Account (13.0)

**Ancillary Administration** **\$175.00**

This includes:

- Application to Admit Authenticated Record of Extracounty (or Extrastate) Administration Proceedings to Record (447)
- Entry Admitting Authenticated Record of Extracounty (or Extrastate Administration Proceedings to Record (448)
- Application for Authority to Administer Estate (4.0)
- Supplemental Application for Ancillary Administration (4.1)
- Surviving Spouse, Next of Kin, Legatees and Devisees (1.0)
- Fiduciary's Bond (4.2)
- Fiduciary's Acceptance (423)
- Statement of Permanent Address (721)
- Entry Appointing Fiduciary; Letters of Authority (4.5)

**Non Probate (Will & Tax Only) \$ 15.00**  
**Summary Release of Administration (all filings) \$ 86.00**

**Release of Administration \$142.00 + additional filings\***

This includes:

- Application to Relieve Estate from Administration (5.0)
- Surviving Spouse, Next of Kin, Legatees and Devisees (1.0)
- Assets and Liabilities (5.1)
- Entry Relieving Estate from Administration (5.6)
- Appointment of Commissioner
- Report of Distribution (429)

\*Note: If there is a surviving spouse and no Waiver of Notice to Surviving Spouse of the Citation to Elect (Form 8.6) is filed a Citation to Elect and accompanying documents will be issued by certified mail and additional costs of \$22.00 will be due.

### **Transfer of Real Estate Only**

**For a decedent who died on or after January 1, 2013, this includes: \$ 40.00**

- Surviving Spouse, Next of Kin, Legatees and Devisees (1.0)
- Statement of Counsel Concerning Examination of Record Title (462)
- Application and Entry for Certificate of Transfer (12.0)
- Certificate of Transfer of Real Estate (12.1)

**For a decedent who died prior to January 1, 2013\*, this includes: \$ 43.50**

- Surviving Spouse, Next of Kin, Legatees and Devisees (1.0)
- Statement of Counsel Concerning Examination of Record Title (462)
- Application and Entry for Certificate of Transfer (12.0)
- Certificate of Transfer of Real Estate (12.1)
- Estate Tax Form 22 (required only if date of death is more than 10 years ago)

\*This is for transfer of real estate only, pursuant to RC 2113.61(D) "...no administration had or contemplated..." or RC 2113.61(D), "...no ancillary proceedings have been had or are being had..." and the time for filing of has passed. See RC 2117.06, RC 2117.061, and RC 5162.21. Each decedent with a date of death prior to January 1, 2013 must comply with RC 5731.38.11.

### **Adoptions**

**Adult Adoption \$118.00**

This includes:

- Petition for Adoption of Adult (Form 19.0)
- Two (2) Consents to Adoption (Form 18.3)
- Final Order of Adoption (19.1)
- Ohio Department of Health Certificate of Adoption (HEA 2757)
- Application for Certified Copies of New Birth Certificate (HEA 2709)
- \*Additional costs may be due at the final hearing

**All Other Adoptions \$150.00**

Deposit includes initial filings only. Additional costs will be due at the final hearing. All costs associated with the home study and assessor reports must be paid directly to the assessor; no adoption will be finalized until all costs are paid.

## **Guardianships**

### **Emergency**

**\$135.00**

This includes:

- Application for Appointment of Emergency Guardian (504)
- Next of Kin of Proposed Ward (15.0)
- Statement of Expert Evaluation (17.1)
- Supplement for Emergency Guardian of the Person (17.1A)
- Fiduciary Acceptance (15.2)
- Statement of Permanent Address (721)
- Ex Parte Judgment Entry Appointing Emergency Guardian (505)
- Letters of Guardianship (15.4)
- Motion and Entry for 30 day Extension (507M & 507E)

### **Incompetent**

#### **Person Only**

**\$230.00**

This includes:

- Application for Appointment of Guardian of Alleged Incompetent (17.0)
- Next of Kin of Proposed Ward (15.0)
- Statement of Expert Evaluation (17.1)
- Investigator Fee and Report (17.8)
- Fiduciary Acceptance (15.2)
- Statement of Permanent Address (721)
- Oath of Guardian (15.9)
- Entry Appointing Guardian of Incompetent Person (17.5)
- Two Certified Copies of Letters of Guardianship (15.4)

#### **Estate Only or Person & Estate**

**\$260.00**

This includes:

- Application for Appointment of Guardian of Alleged Incompetent (17.0)
- Next of Kin of Proposed Ward (15.0)
- Statement of Expert Evaluation (17.1)
- Investigator Fee and Report (17.8)
- Fiduciary Acceptance (15.2)
- Statement of Permanent Address (721)
- Oath of Guardian (15.9)
- Guardian's Bond (15.3)
- Entry Appointing Guardian of Incompetent Person (17.5)
- Two Certified Copies of Letters of Guardianship (15.0)
- Guardian's Inventory (15.5)

#### **Minor Guardianship (Estate Only)**

**\$150.00**

This includes:

- Application for Appointment of Guardian of Minor (17.0)
- Next of Kin of Proposed Ward (15.0)
- Fiduciary Acceptance (15.2)
- Guardian's Bond (15.3)
- Oath of Guardian (15.9)
- Statement of Permanent Address (721)
- Judgment Entry – Appointment of Guardian of Minor (16.5)
- Two Certified Copies of Letters of Guardianship (15.2)
- Guardian's Inventory (15.5)

**Minor Guardianship with Settlement** **\$190.00**

This includes:

- All documents listed under Minor Guardianship
- Application to Settle Minor's Claim (22.0)
- Entry Approving Settlement of Minors Claim (22.2)
- Report of Distribution of Minors Claim (22.4)

**Minor Settlement (no guardian required)** **\$ 95.00**

This includes:

- Application to Settle Minor's Claim (22.0)
- Copy of Minors Birth Certificate
- Narrative Statement (One page)
- Current Statement of Examining Physician (One page)
- One Waiver and Consent to Settle Minors Claim (22.1)
- Entry Scheduling Hearing on Minor's Claim
- Entry Approving Settlement of Minors Claim (22.2)
- Verification of Receipt and Deposit (22.3) or Receipt on Behalf of Minor (512)
- Report of Distribution of Minors Claim (22.4)

**Dispense with Guardian (no settlement)** **\$ 55.00**

This includes:

- Application to Pay or Deliver Estate of Minor w/o Appointment of Guardian
- Copy of Birth Certificate
- Entry Dispensing with Appointment of Guardian, Ordering Deposit or Delivery
- Verification of Receipt and Deposit

**Conservatorship** **\$140.00**

This includes:

- Application for Appointment of Conservator (20.0)
- Next of Kin of Proposed Ward (15.0)
- Fiduciary's Acceptance (15.2)
- Guardian's Bond (15.3)
- Oath of Guardian (15.9)
- Statement of Permanent Address (721)
- Judgment Entry – Appointment of Conservator (20.1)
- Letters of Conservatorship (20.2)
- Conservator's Inventory (15.5)

**Trusts**

**Testamentary** **\$125.00**

This includes:

- Application for Appointment of Trustee (480)
- Trust Beneficiaries List (487)
- Trustee's Acceptance (482)
- Trustee's Bond (481)
- Statement of Permanent Address (721)
- Entry Appointing Trustee; Letters of Authority (484)
- Trustee's Inventory (485)

**Special Needs/Wrongful Death** **\$150.00**

This includes:

- Copy of Trust Agreement (Attorney Generated)
- Application for Appointment of Trustee (480)
- Trust Beneficiaries List (487)
- Trustee’s Acceptance (482)
- Trustee’s Bond (481)
- Entry Appointing Trustee; Letters of Authority (484)
- Trustee’s Inventory (485)

**Civil Actions**

**Will Contest** **\$175.00**

**All other Civil Actions** **\$150.00**

**Change of Name** (Additional costs may be due at hearing) **\$100.00**

**Correction of Birth** (This includes all filings) **\$ 42.00**

**Registration of Birth** (This includes all filings) **\$ 44.00**

**Creditor’s Claim** (This includes both the Affidavit and Proof of Claim) **\$ 23.00**

**Joint Declaration of Paternity (RC 2105.25)** **\$ 50.00**

**Certified Copy of Letters of Authority** **\$ 2.00**

**IN ALL ESTATES, GUARDIANSHIPS AND TRUSTS THE ESTATE IS RESPONSIBLE FOR PAYMENT OF ALL COSTS UNLESS THE COURT ORDERS OTHERWISE BY ENTRY**

**IN ALL CIVIL ACTIONS, THE PLAINTIFF IS RESPONSIBLE FOR PAYMENT OF COSTS UNLESS THE COURT ORDERS OTHERWISE BY ENTRY**

**IN ALL OTHER ACTIONS THE FILING PARTY IS RESPONSIBLE FOR PAYMENT OF ALL COSTS UNLESS THE COURT ORDERS OTHERWISE BY ENTRY**

<b>PROBATE STANDARD FORMS</b>			
<b>FORM NO.</b>	<b>FORM NAME</b>	<b>AMOUNT</b>	
1.0	Surviving Spouse, Next of Kin	\$0.00	
2.0	Application to Probate Will	\$28.00	
2.1	Waiver of Notice on Probate of Will	\$1.00	per page
2.2	Notice of Probate of Will	\$1.00	per page
2.3	Entry Admitting Will	\$0.00	
2.4	Certificate of Service on Probate of Will	\$5.00	
3.0	Appointment of Appraiser	\$1.00	
4.0	Application for Authority to Administer Estate	\$10.00	
4.2	Fiduciary's Bond	\$5.00	
4.3	Waiver of Right to Administer Estate	\$1.00	per page
4.4	Notice and Citation of Hearing on Appointment of Fiduciary	\$1.00	attorney to issue service
4.5	Entry Appointing Fiduciary; Letters of Authority Includes Special Administrator	\$48.00	
5.0	Application to Relieve Estate from Administration	\$83.00	
5.1	Assets & Liabilities	\$0.00	
5.10	Application for Summary Release of Administration	\$86.00	
5.11	Entry Granting Summary Release of Administration	\$0.00	
5.2	Waiver of Notice of Hearing on Release of Administration	\$1.00	per page
5.6	Entry Relieving Estate from Administration	\$0.00	
6.0	Inventory & Appraisal	\$25.50	
6.1	Schedule of Assets	\$1.00	per page
6.2	Waiver of Notice of Hearing on Inventory	\$1.00	per page
7.0	Notice to Administrator of Estate Recovery Program	\$1.00	
7.1	Application for Family Allowance	\$7.00	
7.2	Application for Apportionment of Family Allowance	\$7.00	
8.1	Election of Surviving Spouse to Take Under Will	\$5.00	
8.2	Election of Surviving Spouse to Take Against Will	\$5.00	
8.6	Waiver of Citation to Surviving Spouse to Exercise Elective Rights	\$1.00	
9.0	Application to Sell Personal Property with Schedule of Property to be Sold	\$23.00	
9.1	Entry Authorizing Sale of Personal Property	\$0.00	
10.0	Application to Distribute in Kind with Consent & Schedule of Property	\$2.50	
10.1	Entry Approving Distribution in Kind	\$2.50	
11.0	Consent to Power to Sell Real Estate	\$1.00	
12.0	Application and Entry for Certificate of Transfer	\$0.00	
12.1	Certificate of Transfer of Real Estate	\$7.00	
13.0	Fiduciary's Account	\$27.50	
13.0	Account of Distribution Only	\$9.50	
13.1	Receipts & Disbursements	\$1.00	per page
13.2	Assets Remaining in Fiduciary Hands	\$1.00	per page
13.3	Entry Approving Account	\$0.00	
13.4	Waiver of Partial Account	\$12.00	

13.5	Notice of Hearing on Account	\$1.00	attorney to issue service
13.6	Certificate of Termination	\$25.00	
13.7	Waiver of Notice of Hearing on Account	\$1.00	
13.8	Application and Entry to Extend Administration	\$5.00	
13.9	Certificate of Service of Account to Heirs and/or Beneficiaries	\$5.00	
14.0	Application to Approve Settlement & Distribution of Wrongful Death & Survival Claims	\$53.00	
14.1	Waiver and Consent - Wrongful Death and Survival Claims	\$1.00	
14.2	Entry Approving Settlement & Distribution of Wrongful Death & Survival Claims	\$0.00	
14.3	Report of Distribution of Wrongful Death & Survival Claims	\$0.00	
15.0	Next of Kin of Proposed Ward	\$0.00	
15.01	Entry Setting Hearing on Application for Appointment of Guardian	\$2.50	
15.1	Waiver of Notice and Consent to Appointment	\$1.00	
15.2	Fiduciary's Acceptance	\$1.50	
15.3	Guardian's Bond	\$5.00	
15.4	Letters of Guardianship	\$2.00	
15.5	Guardian's Inventory	\$20.00	
15.6	Application & Entry for Release of Funds	\$23.00	
15.7	Application & Entry for Expenditure of Funds	\$23.00	
15.8	Guardian's Account	\$27.50	plus \$1.00 per page
15.81	Bank Certificate	\$1.00	per page
15.9	Oath of Guardian	\$1.50	
16.0	Application for Appointment of Guardian of Minor	\$10.00	
16.2	Selection of Guardian by Minor Over Fourteen Years of Age	\$1.50	
16.3	Notice of Hearing for Appointment of Guardian to Minor Over Age 14	\$1.00	plus sheriff fees when returned
16.4	Notice of Hearing for Appointment of Guardian to Next of Kin of Minor	\$1.00	plus postage
16.5	Entry Appointing Guardian of Minor	\$48.00	
17.0	Application for Appointment of Guardian of Alleged Incompetent	\$10.00	
17.1	Statement of Expert Evaluation	\$5.00	
17.3	Notice to Prospective Ward of Application and Hearing	\$1.00	
17.4	Notice to Next of Kin for Appointment of Guardian of Alleged Incompetent Person	\$1.00	plus postage
17.5	Entry Appointing Guardian of Incompetent Person	\$48.00	
17.7	Guardian's Report	\$5.00	
17.8	Investigator's Report	\$5.00	
	Investigator Fee	\$100.00	
20.0	Application for Appointment of Conservator	\$10.00	
20.1	Judgment Entry Appoint of Conservator	\$48.00	
20.2	Letters of Conservatorship	\$2.00	
22.0	Application to Settle Minor's Claim	\$43.00	
	Narrative Statement	\$1.00	per page
	Current Prognosis	\$1.00	per page

22.1	Waiver and Consent to Settle Minor's Claim	\$1.00	per page
22.2	Entry Approving Settlement of Minor's Claim	\$0.00	
22.3	Verification of Receipt & Deposit	\$1.00	
22.4	Report & Entry Approving of Distribution of Minor's Claim	\$0.00	
22.5	Application to Settle a Claim of an Adult Ward	\$43.00	
22.6	Entry Approving Settlement of Claim of an Adult Ward	\$0.00	
22.7	Report of Distribution and Entry	\$0.00	
24.0	Representation of Insolvency	\$3.00	
24.1	Judgement Entry Setting Hrg & Ordering Notice	\$2.50	
24.2	Notice of Hearing on Representation of Insolvency & Schedule of Claims	\$1.00	attorney to issue service
24.3	Verification of Service of Notice of Hearing on Representation of Insolvency and Schedule of Claims	\$5.00	plus \$1.00 per page
24.4	Schedule of Claims	\$5.00	
24.5	Continuation Schedule of Claims	\$5.00	
24.6	Judgement Entry of Insolvency	\$2.50	
25.0	Application for Order to Disinter Remains	\$54.00	
25.1	Judgment Entry Setting Hearing on Application for Disinterment	\$2.50	
25.2	Notice of Hearing on Application for Disinterment	\$1.00	attorney to issue service
25.3	Affidavit of Service of Notice on Hearing on Application for Disinterment	\$5.00	
25.4	Verification of Reinterment	\$5.00	
25.5	Waiver of Notice of Application to Disinter Remains	\$1.00	
25.6	Order to Disinter Remains	\$2.50	

**BUTLER COUNTY PROBATE COURT LOCAL FORMS**

401	Application & Entry to Admit Auth Copy of Will	\$23.00	plus \$1.00 per page (of auth copies)
402	Declination	\$5.00	
405	Application for Deposit in Lieu of Bond	\$2.50	
406	Entry Authorizing Deposit in Lieu of Bond	\$2.50	
407	Affidavit of Service on Inventory	\$5.00	
408	Entry Approving Inventory	\$0.00	
410	Motion & Entry for Extension of Time	\$5.00	
411	Presumed Election of Spouse	\$5.00	
412	Classification Form for Estates	\$1.00	
413	Report of Newly Discovered Assets	\$7.00	
414	Application & Entry to Transfer Motor Vehicle	\$5.00	
415	Release of Mortgagee	\$5.00	
416	Application & Entry for Attorney Fees	\$5.00	
418	Affidavit of Service on Account	\$5.00	
419	Statement in Lieu of Account	\$27.50	
423	Fiduciary's Acceptance	\$1.50	
440	Preacipe for Service	\$1.00	



441	Summons	\$1.00	plus sheriff fees and/or postage
442	Subpoena	\$4.00	plus sheriff fees and/or postage
443	Citation	\$5.00	plus sheriff fees and/or postage
447	Appl to Admit Authenticated Copy of Extracounty Proceeding	\$23.00	plus \$1.00 per page (of cert copies)
448	Entry Admitting Authenticated Copy of Extracounty Proceedings	\$2.50	
454	Application for Investment of Undistributable Funds	\$7.00	
455	Application for Payment of Undistributable Funds	\$7.00	
456	Entry Moving Invested Funds to Treasurer	\$2.50	
457	Application & Entry Reopening & Reappointing Executor/Administrator	\$23.00	
461	Affidavit in Lieu of Account	\$27.50	
462	Statement of Counsel Concerning Examination of Record Title (Real Estate)	\$5.00	
463	Status Report	\$5.00	
464	Application and Entry Waiving Bond	\$5.00	
467	Application and Entry Appointing Commissioner to Examine Safe Deposit Box	\$5.00	
ET-15	Report of Contents of Safe Deposit Box	\$5.00	
470	Application to Admit to Probate Lost, Spoliated or Destroyed Will	\$28.00	
480	Application for Appointment of Testamentary Trustee	\$10.00	
481	Trustee's Bond	\$5.00	
482	Fiduciary's Acceptance	\$1.50	
484	Entry Appointing Testamentary Trustee	\$48.00	
485	Trustees Inventory	\$20.00	plus \$1.00 per page
486	Trustees Account	\$27.50	plus \$1.00 per page
487	Trust Beneficiaries	\$1.00	
488	Waiver & Consent to Appoint Trustee	\$1.00	per page
500	Authorization Forms	\$1.00	per page
501	Application & Entry to Transfer Funds	\$23.00	
502	Affidavit of Indigency	\$0.00	
503	Entry Finding Ward Indigent	\$0.00	
504	Application for Appointment of Emergency Guardian	\$10.00	
505	ExParte Entry Appointing Emergency Guardian	\$48.00	
507	Motion & Entry Extending Emergency Guardian	\$5.00	
509	Motion & Entry Term Guardianship after Deposit & Delivery of Minor's Funds	\$23.00	
510	Entry Dispensing with Appointment of Guardian; Ordering Deposit	\$2.50	
511	Entry Dispensing with Appointment of Guardian; Ordering Delivery	\$2.50	
512	Receipt on Behalf of Minor	\$1.00	
513	Entry Appointing Counsel for Ward at Request of Ward	\$2.50	

514	Request for Attorney by Proposed Ward	\$1.00	
515	Application & Entry for Attorney Fees (Indigent)	\$0.00	
516	Affidavit of Administrator re: Action Taken	\$5.00	
518	Entry Accepting Jurisdiction	\$2.50	
519	Entry Terminating Guardianships (Assets Under \$10,000)	\$23.00	
520	Order Waiving Biennial Accounts in Guardianship of Minor	\$2.50	
521	Request for Serving Papers	\$1.00	
522	Certificate of Former Ward Evidencing Receipt of all Guardianship Assets, Filed in Lieu of Account	\$23.00	
523	Affidavit of Income and Expenses	\$5.00	
524	Notice to Parents	\$1.00	
525	Application & Entry Dispensing with Subsequent Expert Evaluations	\$5.00	
526	Guardians Application to Sell Personal Property	\$23.00	
527	Entry Authorizing Guardian to Sell Personal Property	\$0.00	
528	Application & Entry to Transfer Funds from Guardians Custodial Account	\$23.00	
529	Entry of Certification from Probate Division to Juvenile Division	\$2.50	
530	Order Distributing Funds Pursuant to R.C. 2111.05 or 2111.13.1	\$23.00	
531	Motion & Order Authorizing Release of Funds to Former Ward	\$23.00	
534	Application & Entry Terminating Guardianship	\$23.00	
536	Application to Pay or Deliver Estate of Minor without Appointment of Guardian	\$53.00	
537	Entry Ordering Independent Examination of Proposed Ward	\$10.00	
538	Receipt for Personal Property (for Estates over \$10,000)	\$1.00	
539	Application to Allow Guardian to Authorize Administration of Forced Psychotropic Medication	\$23.00	
540	Entry Directing Guardian to Authorize Psychotropic Medication	\$2.50	
614	Confidential Disclosure of Personal Identifiers	\$0.00	
ET-2	Estate Tax Return (Taxable and Nontaxable)	\$3.50	
ET-2x	Amended Estate Tax Return	\$3.50	
ET-22	Certificate 22	\$3.50	
	Release of Claim	\$2.00	
	Entry Terminating any Proceeding	\$23.00	
	Exceptions/Objections to any proceeding	\$23.00	