



MAHONING COUNTY PROBATE COURT
JUDGE ROBERT N. RUSU, JR.
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Hello and welcome to the *Mahoning County Probate Court*. Attached you will find paperwork on how to proceed with an estate administration. Please keep in mind that the Probate Court and its clerks cannot help you complete these papers. Ohio law is very clear that only a licensed Ohio attorney can help you complete these papers. Therefore, please do not ask the Court clerks or Magistrates to help you complete these papers!

There are four (4) types of estate administration that you can proceed with depending on the value of the assets owned by the decedent at the time of their death. Remember, the only assets that need transferred via an estate administration are assets known as "probate assets" or assets that do not have a surviving co-owner or a named beneficiary.

1. SHORT FORM RELEASE FROM ADMINISTRATION

This is the most basic of Estate Administrations with assets of less than \$2,500.00. The funeral bill of the decedent must have been:

- a. Pre-Paid by the decedent; or
- b. Reimbursement has been waived in a notarized writing by the person who paid the bill; or
- c. The person who paid the funeral bill has died; or
- d. The Applicant is the person who paid the funeral bill or is obligated to pay the bill.

[Click here for *Short Form Release from Administration* paperwork.](#)

2. SUMMARY RELEASE FROM ADMINISTRATION

This is the second least complicated form of Estate administrations. However, there is a limit on how much of the decedent's "probate assets" can be transferred using this type of Administration. For a non-spouse, the limit is up to \$5,000.00. For a spouse, up to \$45,000.00 is allowed to be transferred. All Applicants must be able to provide proof of the assets and their "date of death" value as well as that they paid the decedent's funeral bill or are obligated in writing to pay the bill.

(Most commonly used *Standard Probate Forms*: 1.0; 5.10; 5.11)

[Click here for *Summary Release from Administration* paperwork.](#)

3. RELEASE FROM ADMINISTRATION

This form of Estate Administration allows for transfer of assets over \$5,000.00 and up to \$35,000.00 to a non-spouse and up to \$100,000.00 to a spouse. The Applicant will need to provide proof of the assets and their “date of death” value, provide notice to all next of kin and provide verification to the Court that distributions were made according to its Order.

(Most commonly used *Standard Probate Forms*: 1.0; 5.0; 5.2; 5.1; 5.6; 7.0; 7.0(A) and Local Form: M.C. 4.0)

[Click here for *Release from Administration* paperwork.](#)

4. FULL ADMINISTRATION

This is the most complicated form of Estate Administration. This is the only option for transferring assets over \$35,000.00 for a non-spouse and over \$100,000.00 for a spouse. The use of a lawyer is strongly encouraged in this type of administration. An *Inventory* of all Estate assets will be required along with the filing of an *Account* showing all assets received and all debts and distributions paid in addition to potential income tax filings with the appropriate taxing authority.

(Most commonly used *Standard Probate Forms*: 1.0; 4.0; 6.0; 6.1; 6.2; 7.0; 7.0(A); 13.0; 13.1; 13.3 and Local Form: M.C. 4.0)

[Click here for the *Supreme Court of Ohio’s Standard Probate Forms*.](#)

DOCUMENTS YOU WILL NEED FOR ANY ESTATE ADMINISTRATION

It is so important that you properly identify all of the assets the decedent owned at the time of their death. When completing any Estate Administration, you will need the following:

1. Names and addresses of all next of kin of the decedent pursuant to R.C. 2105.06 AND all persons named in the decedent’s *Last Will and Testament*, if applicable;
2. Copy of the decedent’s paid funeral bill showing who paid the bill;
3. Certified copy of the decedent’s death certificate;
4. Decedent’s original *Last Will and Testament*, if applicable;
5. Copy of decedent’s obituary;
6. Titles for all assets (automobiles, boats, motorcycles, house deed, etc.) along with “private party” or “retail” valuation printout (*Kelley Blue Book*, *NADA*, etc.) or appraisal;
7. Copies of bank accounts with account numbers and proof of balance of account; and
8. Filing fees (cash or money order).

As stated previously, administering an Estate is a legal proceeding and can be quite challenging. The use of a licensed attorney is preferred. However, if you wish to proceed without a lawyer, keep in mind that you will need to comply with all the Ohio statutes and Rules of Procedure and could take several trips to the Court to complete.

Thank you for your understanding and we will do everything we can legally to assist you in this procedure.



Honorable Robert N. Rusu, Jr., Judge