

PROBATE COURT OF MONROE COUNTY, OHIO

Probate Court
Monroe County, Ohio

**IN THE MATTER OF LOCAL RULES OF
COURT FOR THE PROBATE DIVISION
OF THE COURT OF COMMON PLEAS OF
MONROE COUNTY, OHIO**

SEP - 1 2021

JOURNAL ENTRY

FILED

The Probate Division of the Court of Common Pleas of Monroe County, Ohio, adopts the following local rules, pursuant to Sup. Rule 5.

These rules shall take effect when filed with the clerk and shall supersede all existing rules in conflict herewith.

PREAMBLE

This court takes judicial notice that Monroe County is 87th of the 88 counties in Ohio by population. Only Vinton County has a smaller population. 2010 census statistics indicate that Monroe County has a population of only 14,859. As such this court has one of the smallest caseloads in the state. In two adjacent counties, Morgan and Noble, there is no separate probate and juvenile division and one judge hears cases in both the general division and the probate juvenile division.

As such this court does not require a comprehensive set of rules as a larger county might; i.e., Cuyahoga – population 1,266,049. Cuyahoga County has roughly 85 residents for every one in Monroe County. These rules are designed to be of a bare bones variety and have some of the forms used in this court attached as exhibits for the convenience of counsel.

LOCAL RULE 1 SECURITY PLAN

The Monroe County Probate Court has determined the entire Security Plan as submitted to the Supreme Court of Ohio, by the general division of this court, effective August 30, 1995, be maintained as confidential and not a matter of public record and that it shall serve as the security plan for this division of the court.

LOCAL RULE 2 REQUEST FOR TRANSCRIPTS

Any person requesting a transcript of the record of any court proceeding shall be required to pay an initial deposit of One Hundred Dollars (\$100.00). Upon completion of the transcript, the party requesting the transcript shall pay any additional costs over the \$100.00 deposit as billed by the transcribing stenographer.

LOCAL RULE 3 PHYSICAL CASE INVENTORY

The Judge of the Probate Court shall on September 30 of each year physically inventory and review each open file to ensure each case is proceeding in a timely fashion. This date may be rescheduled when in conflict of the Court's calendar and/or a weekend or scheduled holiday.

LOCAL RULE 4 EXAMINATION OF FILES - PHOTOCOPIES

Those seeking copies of public records will be charged only the actual cost of making copies as follows:

- 1. Court files are not to be removed from the court under any circumstance. In years past it has been the custom to allow members of the bar to take files out of the court. This will no longer be permitted.**
- 2. The charge for paper copies \$1.00 (one dollar) per page.**
- 3. The charge for downloaded computer files to a compact disc is Five Dollar (\$5.00) per disc. Disc must be provided by person making request.**

LOCAL RULE 5 EXAMINATION OF RECORDS

Adoption and civil commitment proceedings are confidential except as authorized by statute. Records of those proceedings, and other records that are confidential by statute, may be accessed by judgment entry only.

LOCAL RULE 6 FACSIMILE FILINGS

The Court will accept filings by facsimile transmission unless the filing requires a cost deposit. No filings requiring a deposit will be file stamped until the deposit is received.

LOCAL RULE 7 FORWARDING COPIES

The Court will return file-stamped copies by mail with a return, self-addressed, stamped envelope provided or the cost will be charged to the case.

LOCAL RULE 8 COMPUTER DISKS

The parties may, or if the Court directs, shall submit proposed entries, briefs, memoranda, jury instructions, or other documents on a disk or flash drive in Microsoft Word format or by emailing them to the court.

LOCAL RULE 9 DISPOSITION OF EXHIBITS

All exhibits offered for admission during a hearing or trial shall be labeled by party name and item identification number or letter. Exhibits shall be placed in the Court case file, unless otherwise ordered by the Court.

By agreement of the parties or by order of the Court, copies may be substituted for the original exhibit.

Disposal of exhibits shall be pursuant to Sup. R. 26.

LOCAL RULE 10 DEPOSITS

An advanced deposit for costs, in an amount set forth in Appendix A shall be required at the time of filing an action or proceeding listed therein.

Applications accompanied by an affidavit of the applicant of his inability to prepay or give security for court costs shall be accepted without the necessity of

making the deposit as a condition for filing, provided that, in estate and guardianship proceedings, the applicant shall exert diligent efforts to make funds available from the probate or guardianship estate and pay the deposit into court as soon as possible. Costs in all proceedings, as established by Appendix A shall be due at the time of filing or within thirty days after invoice by the clerk. Upon depletion of any advance deposit, additional deposits may from time to time be required.

LOCAL RULE 11 APPRAISAL

A notice of appointment of appraiser shall be required in each case where an appraisal is necessary. The Court will now accept the valuation of real property by the County Auditor as stated on the amended Standard Probate Form 3.0 – Appointment of Appraiser. Appraisers listed on Appendix B will be accepted in addition to any real estate appraiser licensed in the State of Ohio.

LOCAL RULE 12 COURT APPROVED APPRAISERS

Any person, who is not on the approved list of appraisers and desires to be appointed appraiser, may make an oral or written application to the Court. After review of the application, such person may or may not be approved as the Court determines. Upon approval by the Court, such person shall be added to the list of Court approved appraisers.

LOCAL RULE 13 APPRAISER SELF-DEALING

No person who has been appointed appraiser shall, during the administration of the estate or within one (1) year of his/her appointment,

whichever period is shorter, directly or indirectly purchase the property inventoried or appraised by such appraiser.

LOCAL RULE 14 APPRAISER'S FEES

The Fiduciary shall be responsible for paying the appraiser's fees as an expense of the estate.

LOCAL RULE 15 ACCOUNTS

(A) Accounts submitted with waivers by all interested parties will be approved without further notice or hearing. Vouchers or canceled checks are not required to be filed.

(B) Any balance due on court costs shall be paid within 30 days from the date of filing the final account. Failure to pay the balance may result in a citation, which will incur additional costs. A final or distributive account shall not be approved until all court costs have been paid.

LOCAL RULE 16 COUNSEL FEES IN ESTATE CASES

(A) The Application for Attorney Fees shall be accompanied by the completed Computation of Attorney Fees form (Appendix C). If the attorney fee being sought exceeds the fee as calculated, such application shall be accompanied by an itemized statement for the entire fee being sought or a statement of facts in support of the application.

(B) The Court may allow the attorney fee requested without hearing provided the fiduciary or other person accountable to the Court and the attorney have signed the application. The Court may on its own motion or that of any interested party set the application for hearing.

LOCAL RULE 17 GUARDIAN’S COMPENSATION

Computation of Guardian’s Compensation (See Appendix D)

LOCAL RULE 18 TRUSTEE’S COMPENSATION

Trustee’s Compensation. (See Appendix D)

LOCAL RULE 19 ADMINISTRATOR/EXECUTOR FEES

Administrator/Executor Compensation (See Appendix E)

LOCAL RULE 20 JURY MANAGEMENT PLAN

This court’s jury management plan will be the one currently in use for the general division of this county.

LOCAL RULE 21.01 DEFINITIONS

The terms defined in Sup. R. 66.01 have the same meaning when used in Loc.R. 66.

LOCAL RULE 21.02 GUARDIANSHIPS

The following rules apply to all guardianships administered through this Court, unless expressly waived by Court Order.

LOCAL RULE 21.03 (A) EMERGENCY GUARDIANSHIPS

Pursuant to Sup.R. 66.03(A) this Court has adopted the following process for emergency guardianships. Every application for the appointment of an *ex parte* emergency guardianship shall be accompanied by: (a) a Statement of Expert Evaluation (SPF 17.1) (as supplemented for emergency guardianships with SPF 17.1A); (b) a completed Next of Kin form (SPF 15.0); (c) a narrative statement signed by the applicant setting forth anecdotal information describing the imminent risk of significant injury to the person or property of the minor or

incompetent that justified an *ex parte* emergency appointment; (d) compliance with Court's requirements with respect to background checks and credibility; and (e) photo identification of the applicant. The applicant shall appear at the Court when filing the application for emergency guardianship. The applicant shall attend the 72 hour hearing to determine whether to extend the emergency guardianship for up to 30 additional days. The applicant is expected to file an application for appointment of guardian (SPF 16.0 or 17.0, as is applicable) within seven days of the completion of a hearing extending the guardianship beyond the initial 72 hour appointment, if it is expected the need for continued guardianship will exist longer than the emergency guardianship.

LOCAL RULE 21.03 (B) GUARDIAN COMMENTS AND COMPLAINTS

Pursuant to Sup. R 66.03(B) this Court has adopted the following process for submitting and considering comments or complaints regarding the performance of guardians appointed by this Court.

This local rule is applicable to all guardians appointed by the Court pursuant to RC 2111.02. Comments and complaints (hereinafter collectively referred to as "complaints") received regarding the performance of guardians and the resulting documents and correspondence are considered to be case documents and accessible to the public, unless otherwise excluded pursuant to Superintendence Rule 44 (C)(2). The Court will note actions with respect to the complaint in the case docket. The Court will communicate complaints about a guardian's performance to the guardian and/or the guardian's counsel expeditiously and pursuant to this local rule.

The Court will not accept or act upon an oral or telephonic complaint against a guardian, other than to provide the address to which to hand-deliver, fax, e-mail, or mail the written complaint. The Court will not accept an anonymous complaint. When the Court receives the written complaint regarding a guardian's performance, it will date stamp the complaint. Complaints received electronically on days the Court is closed shall be deemed to have been received on the next day the Court is open.

When a complaint is received at the Court by hand delivery or electronic means:

- (A) Within 5 workdays of receipt of the complaint the Court shall send a letter to the complainant acknowledging the receipt of the complaint and providing a copy of this rule.**
- (B) Within 10 workdays of the, the Court shall perform an initial review of the complaint after a study of the guardianship case, and**
- 1. Send the complainant a letter dismissing the complaint as unsubstantiated/unspecific/insufficient and send a copy of the complaint and response to the guardian or guardian's counsel; or**
 - 2. Send a copy of the complaint to the guardian and/or guardian's attorney and request a response to the complaint within fifteen court days from the date of mailing. The forwarding letter shall advise the guardian and/or attorney that a failure to respond will result in a show cause hearing being set with the attendance of**

the guardian required. A copy of the forwarding letter shall be provided to the complaint; or

- 3. Notify the guardian and/or guardian's counsel and refer the matter to the Court Investigator for an investigation and a report within fifteen court days from the date of referral; and/or**
- 4. When appropriate, refer the matter to the appropriate law enforcement agency pursuant to RC 2101.26 if the complaint alleges abuse, neglect, or exploitation of the ward. When the Court refers a complaint to law enforcement, the Court will take such emergency action as it determines necessary to protect the interests of the ward while being cognizant of the need to have minimal impact on investigation by the law enforcement.**

(C) Upon the expiration of the period for the responsive reports from the guardian, or Court Investigator to be filed, or upon their earlier filing, the case file (including the written responses(s) and the complaint) shall be review by the court and within five court days the court shall do one or more of the following:

- 1. Find the complaint to have been resolved or unsubstantiated and advise the complainant, guardian and/or counsel accordingly by letter;**
- 2. Set a review conference or a show cause hearing with notice to the complainant, the ward, the guardian and/or guardian's counsel, and other interested parties; or**

3. **Appoint a guardian ad litem to represent the best interests of the ward.**

Except when administratively dismissing a complaint, or acting in an emergency, the Court shall not act without a hearing. The court shall issue findings and conclusions with respect to any hearing held on the complaint. The Court's journalization will close the complaint. The Court's actions may include dismissal, directives for remedial action, establishing periodic review dates, allocating costs and fees, referral to law enforcement for investigation, sanctions, removal, and any other actions permitted by law.

When the ward is a veteran and the Court appointed the guardian under Revised Code Chapter 5905, notice of the complaint, reports, hearings and actions shall be given to the Administrator of Veterans Affairs of the United States pursuant to RC 5905.03.

The Court shall maintain a record regarding the nature and disposition of any complaints filed under this rule in an Administrative Case File.

LOCAL RULE 21.05 (A) GUARDIAN BACKGROUND CHECKS

An applicant for appointment as a guardian, including as an emergency guardian, must submit to a civil and criminal record check satisfactory to the Court and execute such consents, if any, as may be required by the Court to authorize the Court to perform that record check. Additionally, an applicant for appointment shall complete and file a Guardian's Credibility form (See Appendix F). Attorneys acting as guardians need not complete the background check as long as they are in good standing with the Ohio Supreme Court. .

LOCAL RULE 21.06 GUARDIAN FUNDAMENTALS TRAINING REQUIREMENT

A Guardian holds a unique role with respect to the ward and the Guardian has an obligation to obtain an understanding of the fundamentals of that relationship. Formalized training is one means to gain that competency.

Every guardian for an adult not related to the ward by consanguinity (a blood relationship) or affinity (kinship by marriage) must meet the guardianship fundamentals training requirements under Sup.R. 66.06 by completing prior to appointment or within six month thereafter, a six-hour guardian fundamentals course provided by the Supreme Court of Ohio, or with prior approval of the Court, another entity. Those failing to meet the requirement shall be subject to citation for being in contempt of court and subject to sanctions including, but not limited to imposition of a fine, denial of compensation, and removal. A guardian who has served at any time after June 1, 2010, or who is serving on June 1, 2015, shall have until June 1, 2016 to complete the guardian fundamentals course, unless the Court waives or extends the requirement for good cause. The guardian is responsible for providing to the Court in a timely manner documentation that establishes compliance with the guardian fundamentals training requirement.

LOCAL RULE 21.07 GUARDIAN CONTINUING EDUCATION

After completing the guardian fundamentals course, every guardian of an adult not related to the ward by consanguinity (a blood relationship) or affinity (kinship by marriage) shall annually complete a three-hour guardian continuing

education course provided by the Supreme Court of Ohio, or with prior approval of that Court, another entity.

If a guardian fails to comply with the guardian continuing education requirement, the guardian shall not be eligible for further appointment until the requirement is met. The guardian also may be subject to sanctions and/or removal.

By December 31 of the first calendar year after completing the guardian fundamentals course, or its waiver by Court order, the guardian is responsible for providing to this Court documentation demonstrating compliance with this guardian continuing education requirement, including the title, date, location and provider of the education or a certificate of completion containing such information.

**LOCAL RULE 21.08 GENERAL RESPONSIBILITIES OF THE GUARDIAN TO
THE COURT**

The person seeking to be appointed as the guardian is expected to have met with the proposed ward at least once prior to appearing before the Court for the hearing on the application, unless the Court has waived the pre-appointment meeting for good cause.

If the guardian becomes aware of allegations of abuse, neglect or exploitation of the ward, the guardian shall immediately report the same to the appropriate law enforcement authorities and the Court.

A guardian appointed by the Court shall inform the Court as to any change of address for either the guardian or the ward. This notification must be made in writing within ten days of the address change. If the ward's residence is changed

the reason for the change should be indicated. Failure to notify the Court, under this rule, may result in the guardian being removed and/or the guardian's compensation being reduced or denied.

The guardian shall not move the ward from Monroe County, Ohio or into a more restrictive setting without prior Court approval, unless a delay in obtaining authorization for the change of residence or setting would affect the health and safety of the ward.

While a guardian is generally required to seek prior approval of this Court before filing a suit for the ward, prior approval shall not be required when the suit is being filed in this Court.

The guardian shall avoid conflicts of interest with the ward and endeavor to avoid the appearance of impropriety (perceived self-serving, self-dealing or perceived actions adverse to best interests decisions) when dealing with the ward's assets and needs. A potential conflict for the guardian may arise if the guardian's immediate family (parent, spouse, or child) is being employed or contracted by the guardian. The guardian shall disclose all conflicts to the Court in a clear and unequivocal manner. Doing so, facilitates a determination whether to conflict can be mitigated or eliminated through the use of a guardian ad litem, a limitation of the powers of the guardian, or other actions.

The guardian shall obey all orders of this Court and shall perform all guardianship duties in accordance with the state and federal laws and rules and this Court's local rules, as all of them may be effective during the guardianship.

**LOCAL RULE 21.09 GENERAL RESPONSIBILITIES OF THE GUARDIAN TO
 THE WARD**

The guardian shall treat the ward with respect and dignity.

The guardian shall meet with the ward at least quarterly throughout the year, or more often if needed to promote the best interest of the ward.

Unless a guardian is related to the ward by consanguinity (a blood relationship) or affinity (kinship by marriage), the guardian shall not deliver the ward direct services, as defined in Sup.R. 66.01(B), without approval of this Court.

The guardian shall deposit ward's last will and testament with the Court for safekeeping pursuant to Loc.R. 59.2, if the will is in the possession of the guardian. If the ward's will is not in the possession of the guardian, upon being advised of the location, the Court shall order the holder to deposit the will with the Court for safekeeping.

LOCAL RULE 21.10 GUARDIANSHIP OF MINORS

When proceedings for the appointment of a guardian of a minor are presented to this Court, the following shall apply:

- (A) A certified copy of the minor's birth certificate must be displayed to the Court with the guardianship application. A copy will be made by the Court and the original will be returned to the submitter.**
- (B) The Court will not establish a guardianship solely for the purpose of school enrollment.**
- (C) The Court will not establish any guardianship over the person of a minor where another Court has jurisdiction over custody of the minor.**
- (D) When the minor has not been in Ohio for 6 months, the Court will not accept for filing an Application for Guardianship unless it is alleged that**

the minor has been (1) abandoned (no contact) by the parents for more than 90 days, (2) has a medical emergency, or (3) the minor's "home state" has declined jurisdiction (See Ohio's Uniform Child Custody Jurisdiction Enforcement Act – Chapter 3127).

LOCAL RULES 21.11 NEXT OF KIN FOR GUARDIANSHIP OF INCOMPETENT ADULTS

For purposes of completion the Next of Kin of Proposed Ward (SPF 15.0), the applicant, pursuant to R.C. 2111.01(E), shall identify any person, whether or not an Ohio resident, who at that time would be entitled to inherit from the proposed ward under the Ohio laws of intestacy and all known children of the proposed ward.

LOCAL RULES 21.12 INVENTORY, FUND RELEASE, EXPENDITURES AND IDENTIFICATION OF LEGAL DOCUMENTS

Within three months of appointment, a guardian of the estate shall file an inventory of the ward's assets and income. If the assets include real estate, a legal description of the ward's real estate interest should accompany the inventory. Funds in the name of the ward shall not be released to the guardian without the approval of an Application to Release Funds (SPF 15.6) or other specific court order. The expenditure of funds by a guardian shall not be approved until a Guardian's Inventory (SPF 15.5) has been filed and an Application to Expend Funds (SPF 15.7) has been approved.

Within three months of appointment the guardian shall file a list of all the ward's known important legal papers, including but not limited to estate planning documents, advance directives and the location of such papers. If it becomes

known to the guardian that such information has changed or the existence of other important legal papers becomes known, the guardian shall report the new information to the Court in writing within thirty days of discovery.

LOCAL RULES 21.13 GUARDIANS REPORT

Annually, the guardian of the person of an adult incompetent shall file the Guardians Report (SPF 17.7). Unless otherwise ordered by the Court each Guardians Report for an incompetent shall be accompanied by a State of Expert Evaluation (SPF 17.1). If a physician or clinical psychologist states as an Additional Comment on a Statement of Expert Evaluation, that is their opinion that to a reasonable degree of medical or psychological certainty that the ward's mental capacity will not improve, the Court, may dispense with the filing of subsequent Statements of Expert Evaluation with the Guardian Report.

Pursuant to Sup.R. 66.08(G) the guardian of the person for an adult who is not related to the ward by consanguinity (a blood relationship) or affinity (kinship by marriage) shall include with the annual Guardians Report an addendum stating the guardian's goals and plans for meeting the personal needs of the ward. The Court may request that the guardian of the estate of an adult incompetent submit a report identifying the guardian's goals and plans for financially meeting the ward's needs.

LOCAL RULE 21.14 POWERS OF ATTORNEY BY GUARDIAN PROHIBITED

The Court, through this Local Rule, exercises its discretion under R.C. 2111.50(A)(2)(c) and hereby prohibits a guardian appointed by the Court from executing a power of attorney or any other document which purports to appoint

an agent to execute any of the duties or responsibilities imposed upon the guardian by law, rule, or order of the Court, unless otherwise approved by a specific order of the Court.

LOCAL RULE 21.15 TERMINATIONS

Except for the termination of a guardianship of a minor attaining the age of majority or upon the death of the Ward, a termination of a guardianship shall require notice to all persons designated in R.C. 2111.04 and to any other individuals who received actual notice of the original appointment of the guardian. It is the responsibility of the applicant for termination to perfect service pursuant to Civ.R. 73 when a termination is requested. A Certificate of Service with supporting documentation satisfactory to the Court must be filed prior to the consideration of the application.

LOCAL RULE 21.16 INDIGENT WARDS

The applicant or the guardian must file with the Court an Affidavit of Indigency, (Loc. F 66.11A) if the waiver of court costs is being request or payment of compensation from the Indigent Guardianship Fund is being request. False affidavits are punishable by findings of contempt, prosecution, or other sanctions.

LOCAL RULE 21.17 ADDITIONAL COST DEPOSIT

Pursuant to RC 2111.031 and in addition to the basic cost deposit, the Court may require an Application for a guardianship to make an advance cost deposit in an amount the Court determines necessary (a) to defray the anticipated costs of examinations of an alleged incompetent, and (b) to cover the fees and

costs to be incurred to assist the Court in deciding whether a guardianship is necessary.

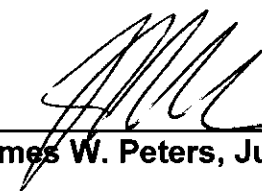
LOCAL RULE 21.18 GUARDIAN'S COMPENSATION

When a guardian is applying for compensation as guardian of the person, the guardian shall consider the factors set forth in Sup.R. 73 (B). The application for compensation should address each applicable factor set forth in Sup.R.72(B) (itemization of expenses, additional compensation, apportionment of the aggregate compensation between co-guardians, and denial or reduction).

LOCAL RULE 22 CONTINGENT FIDUCIARY FEE AGREEMENTS

Rule 71 of the Ohio Rule of Superintendence for the Courts of Ohio provides that prior to an attorney or law firm entering into a contingent fee contract with a fiduciary, an application of authority to enter into the fee arrangement must be filed with the Court. Any violation of this rule will result in at least a ten percent (10%) reduction in fees charged pursuant to a fee contract entered into in violation of this rule. Rule 71 applies even if the subject of the fee agreement involves litigation in another state. All attorney fees charged to a fiduciary on any matter must be approved by the Court.

These Rules adopted this 15 day of September, 2021.


James W. Peters, Judge

Appendix A

PROBATE COURT OF MONROE COUNTY, OHIO

COURT COSTS/DEPOSITS

Juvenile Court
Monroe County Ohio

1.	FULL ESTATE ADMINISTRATION:	AUG 21 2018	\$200.00
2.	RELEASE FROM ADMINISTRATION:	FILED	\$200.00
3.	ANCILLARY ESTATE:		\$150.00
4.	OTHER: SUMMARY RELEASE REOPEN ESTATE		\$150.00 \$ 55.00
5.	PROCEEDING TO BAR LIENS:		\$100.00
6.	WILL, DEATH CERT, EX/CERT, CERT OF TRANSFER:		\$125.00
7.	WILL & DEATH CERTIFICATE ONLY:		\$ 50.00
8.	AUTHENTICATED WILL:		\$125.00
9.	MINOR'S CLAIM/SETTLEMENT:		\$100.00
10.	LAND SALE PROCEEDING:		
	Advance deposit in addition to above		\$100.00
	Where service by publication is required		\$200.00
11.	WILL CONTEST:		
	Advance deposit in addition to above		\$100.00
	Where service by publication is required		\$200.00
12.	CIVIL ACTIONS NOT OTHERWISE LISTED:		
	(Declaration Judgments, Will Constructions, Determination of Heirs and Concealed Asset Cases)		
	Advance deposit in addition to above		\$100.00
	Where service by publication is required		\$200.00
13.	COUNTER-CLAIM AND CROSS-CLAIM:		\$ 50.00
14.	SUMMARY LAND SALE:		\$ 60.00
15.	REAL ESTATE TRANSFER:		
	(More than 10 years, No Administration)		\$125.00
16.	WRONGFUL DEATH:		\$100.00
17.	DISINTERMENT:		\$ 75.00

Appendix A (Continued)

PROBATE COURT OF MONROE COUNTY, OHIO

COURT COSTS/DEPOSITS

18. CHANGE OF NAME: \$150.00
When Service is to be made additional monies may need to be deposited
Plus Publication Fee-if needed

19. ADOPTIONS: \$200.00
When Service is to be made additional monies may need to be deposited
Plus Publication Fee-if needed
Plus Guardian ad Litem (GAL)-if needed

20. PETITION FOR RELEASE OF ADOPTION INFORMATION: \$100.00

21. GUARDIANSHIPS; CONSERVATORSHIP TRUSTS: \$200.00
MINOR/ADULT/INCOMP. (Per Person) Plus GAL Fee-if needed
Yearly Filing of Guardian's Report and/or Statement of EE \$ 10.00
Biennial Accounting \$ 10.00

22. CLAIM AGAINST ESTATE: \$ 10.00

23. BIRTH CORRECTION: \$ 75.00

24. BIRTH REGISTRATION: \$ 75.00

25. OHIO ESTATE TAX RETURN ONLY: \$ 50.00

26. EXCEPTIONS TO ANY PROCEEDINGS: \$ 10.00

27. TRANSCRIPT: \$100.00

28. CERTIFICATE OF JUDGMENT: \$ 25.00
Plus Clerk of Courts Fee

ADDITIONAL COSTS:
(CASH OR CHECK ONLY)

COPIES \$ 1.00 EACH

CERTIFIED COPY \$ 5.00

EXEMPLIFIED COPY \$15.00

WILL (Filed with Court for safe-keeping)
PERSON LIVING \$25.00
DECEASED PERSON \$10.00

Appendix A (Continued)

PROBATE COURT OF MONROE COUNTY, OHIO

COURT COSTS/DEPOSITS

MARRIAGE LICENSE: \$45.00

The bride and groom must have a photo ID (i.e. Driver's License, State ID), Birth Certificate and Social Security Card. If previously divorced, a copy of most recent divorce decree or death certificate. Each of the persons seeking a license shall personally appear in the probate court within the county where either resides, or, if neither is a resident of this state, where the marriage is expected to be solemnized. If neither party is a resident of Ohio, the marriage may be solemnized only in the county where the license is obtained. The couple must be married within 60 days; license expires 60 days after issuance. It is the responsibility of the applying couple to determine that the marriages officiate is licensed in the state of Ohio. If either applicant is under the age of eighteen years, the judge shall require the applicants to state that they received marriage counseling satisfactory to the court. A Statement of Marriage Counseling must be completed by an ordained minister or counselor. A Statement of Marriage Counseling form is available in the Probate Court Office, Room 39, Monroe County Courthouse, Woodsfield, Ohio.

ABOVE IS ONLY A GENERAL LISTING OF THE MOST COMMON COURT COST THAT OCCUR IN PROBATE COURT. IF ADDITIONAL AND/OR UNFORESEEN EXPENSES OCCUR THE ADDITIONAL MONIES WILL BE ASSESSED ON A CASE BY CASE BASIS.

Appendix B

Juvenile Court
Monroe County Ohio

PROBATE COURT OF MONROE COUNTY, OHIO

AUG 21 2018

**IN THE MATTER OF:
THE APPOINTMENT OF APPRAISERS**

FILED

ENTRY

The Court hereby amends its current list of approved appraisers by insertion or deletion and submits the following persons as Court approved appraisers:

**Timothy R. Price
47431 Barnes Run Road
Sardis, Ohio 43946
Phone: 740-483-2393**

**K. Richard Pryor
59960 Pigeon Point Road
Barnesville, OH 43713
Phone: 740-425-3397**

**David L. Shreve
300 Main Street
P.O. Box 9
New Martinsville, WV 26155
Phone: 304-455-4600**

**Gary W. Ricer
SR 78 West
Woodsfield, OH 43793
Phone: 740-472-0041
Expertise: Coins, Gun, Knives**

**Keelan A. McLeish
Rt. 5, Zion Ridge Road
Marietta, OH 45750
Phone: 740-473-2558**

**Rebecca Sims
43290 TH 632
Woodsfield, OH 43793
Phone: 740-472-0847**

**Ross Thomas
509 6th Street
Marietta, OH 45750
Phone: 740-374-8629
Expertise: Glass**

**Greg Christy
47675 SR 145
Lewisville, OH 43754
Phone: 740-567-3519
Expertise: All areas**

**Samuel W. Moore
Swiss Lands Realty
47328 SR 800
Woodsfield, OH 43793
Phone: 740-472-0614**

**Lynn G. Reusser
104 S. Sycamore Street
Woodsfield, OH 43793
Phone: 740-472-5404
Alt.: 740-472-5295**

Fred A. Leinhauser
117 North Main Street
Woodsfield, OH 43793
Phone: 740-472-0533
Expertise: Coins, Military, Political,
And Scouting Memorabilia

Danny R. Lowe
44974 Road Fork Road
P.O. Box 214
Caldwell, OH 43724
Phone: 866-838-1005
Expertise: Real Estate

David Jones
400 East High Street
Flushing, OH 43977
Phone: 740-391-3710

Matthew P. Kiko
2722 Fulton Drive NW
Canton, OH 44718
Phone: 330-453-9187

Ed Kresty
Pegasus Worldwide
134 South Main Street
Woodsfield, OH 43793
Phone: 740-472-5811
Cell 614-359-7845
Expertise: Oil and Gas Appraisals

In addition to the names listed above, any real estate appraiser licensed in the State of Ohio can be used for probate.

Juvenile Court
Monroe County Ohio

Appendix C

JUN - 3 2016

PROBATE COURT OF MONROE COUNTY, OHIO

FILED

ESTATE OF _____, DECEASED

CASE NO. _____

COMPUTATION OF ATTORNEY FEES

FULL ADMINISTRATION:

First \$25,000 at 5% \$ _____

Next \$175,000 at 4% \$ _____

Over \$200,000 at 3% \$ _____

RELEASE:

First \$5,000 at 4% \$ _____

Over \$5,000 at 3% \$ _____

JOINT & SURVIVORSHIP PROPERTY:

Two percent (2%) of full value,
Except at one percent (1%) when
co-owner is surviving spouse \$ _____

TOTAL: \$ _____

ACTUAL FEE TAKEN: \$ _____

Attorney for Fiduciary

Regis. No. _____

Juvenile Court
Monroe County Ohio
JUN - 3 2016
FILED

Appendix D

PROBATE COURT OF MONROE COUNTY, OHIO

ESTATE OF _____, DECEASED

CASE NO. _____

COMPUTATION OF GUARDIAN'S/TRUSTEE'S COMPENSATION

PERSONAL PROPERTY:

INCOME FEE:

\$ _____ x 5% (gross income) \$ _____

\$ _____ x 2% (gross income) \$ _____
attributable to real estate rentals where the
fiduciary is managing such real estate
chargeable to income.

PRINCIPAL:

\$ _____ x \$3.00 per \$1,000 \$ _____
on the first \$100,000.

\$ _____ x \$2.50 per \$1,000 \$ _____
on the first \$200,000.

\$ _____ x \$1.50 per \$1,000 \$ _____
on the balance.

PRINCIPAL DISTRIBUTION UPON TERMINATION:

\$ _____ x 1% (with Court Approval) \$ _____

TOTAL: \$ _____

ACTUAL FEE TAKEN: \$ _____

Attorney for Fiduciary

Guardian/Trustee

Regis. No. _____

Guardian/Trustee Printed Name

JUN - 3 2016

FILED

Appendix E

PROBATE COURT OF MONROE COUNTY, OHIO

ESTATE OF _____, DECEASED

CASE NO. _____

ADMINISTRATOR/EXECUTOR FEES (ORC 2113.35)

I. PERSONAL PROPERTY (IN ESTATE)

0	-	\$100,000.00	@	4.00%	_____
\$100,001.00	-	\$400,000.00	@	3.00%	_____
\$400,001.00	-	Up	@	2.00%	_____

1. TOTAL \$ _____

II. REAL ESTATE (NOT SOLD IN ESTATE)

2. 1% of Value Used in Ohio Estate Tax
\$ _____

III. NON-PROBATE ASSETS (EXCEPT JOINT & SURVIVORSHIP)

3. 1% of Value of Property Includable in
Ohio Estate Tax \$ _____

IV. RECAPITULATION

Item 1 \$ _____
Item 2 \$ _____
Item 3 \$ _____

Total Adm./Exec. Allowable by Statute \$ _____

Fees Paid in Prior Accounts (-) \$ _____

Balance Payable \$ _____

Fees Requested \$ _____

Signature of Admin/Executor

Printed Name of Admin/Executor

JUN - 3 2016

Appendix F

PROBATE COURT OF MONROE COUNTY, OHIO

FILED

GUARDIANSHIP OF _____

CASE NO. _____

GUARDIAN'S CREDIBILITY APPLICATION

Name of Prospective Ward _____

Name of Applicant _____ Date of Birth _____

Applicants Current Address _____

If at current address less than 5 years please provide previous address

Current Employer/Source of Income _____

Spouse's Name _____ Date of Birth _____

Spouse's Current Employer/Source of Income _____

Name of Applicant's Banking Institution _____

Checking Savings

Has Applicant Ever Filed Bankruptcy? Yes No

Has Applicant Ever Been Garnished? Yes No

Has Applicant Ever Been in Receivership? Yes No

Has Applicant Ever Been Convicted of a Felony? Yes No

Please explain any "Yes" answers: _____

I swear or affirm the above information is true and complete to the best of my knowledge.

Applicant Signature

Date

Applicant's Typed or Printed Name