

RULE 15 - DECEDENT'S ESTATES

- A. The statutory time frame for filing of an inventory (see O.R.C. 2115.02) and an account (see O.R.C. 2109.03) shall be adhered to and the citation procedure in O.R.C. 2109.301 and/or in Local Rule 29 shall be utilized by the Court if necessary to gain compliance.
- B. The Court shall set all exceptions to an inventory or an account for a pre-trial conference within thirty (30) days after exceptions are filed. At the pre-trial conference the Court shall set the matter for an evidentiary hearing within thirty (30) days thereafter unless the matter is referred to mediation. In the event of a referral to mediation and the matter is not resolved, an evidentiary hearing will be set within thirty (30) days of the Court receiving notice of the unsuccessful mediation.
- C. All decedent's estates, other than estates that remain open due to asbestos claims or estates where a partial account has been filed, that remain open after a period of thirteen (13) months shall be subject to a status conference. The fiduciary and the attorney shall be present and a written status report shall be submitted to the Court at the time of the status conference.
- D. With respect to estates that are subject to a release from administration, waivers that are necessary to be filed shall only be required from named beneficiaries in the testator's last will and testament. Necessary waivers shall be required from all next of kin in intestate estates that are subject to release from administration.

Appendix A

PROBATE COURT OF BELMONT COUNTY, OHIO

IN THE MATTER OF

CASE NO.

ORDER OF PRIVATE SALE, PERSONAL PROPERTY

Revise Code, Sec. 2109.45, 2113.40

To:

In obedience to an order and decree of said Court, made this day in the matter of said estate, you are hereby authorized and required to proceed, according to law, to sell at private sale, for the best price obtainable, the following goods and chattels belonging to said estate, to-wit:

Said sale to be on the following terms: Cash in hand at time of sale.

You will return this Order within one month from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court, this _____ day of _____, 20__.

Albert E. Davies, Probate Judge

REPORT OF PRIVATE SALE

The State of Ohio, Belmont County, ss:

The undersigned, _____ of said estate, say _____ that in obedience to the order of said Court, _____ sold said personal property, for the sum of _____ Dollars and _____ cents, said private sale of property was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Sworn to be before me and signed in my presence this _____ day of _____, 20_____.

Notary Public

JUDGMENT ENTRY

The Court having carefully examined the Report, finds said proceedings in all respects regular and in accordance with law, and therefore approves and confirms the same.

Albert E. Davies, Probate Judge

Attorney