

**MEDINA COUNTY PROBATE COURT
PAY OR DELIVER ESTATE OF MINOR GENERAL INSTRUCTIONS**

COST DEPOSIT

\$140 (No refunds, additional charges may incur)

These instructions are intended as a guideline only and should not be relied upon or take the place of the advice of an attorney.

Whenever a minor is receiving funds as a gift, from an inheritance from an estate, insurance policy (where the minor is named a beneficiary) or wrongful death settlement (where the minor is a recipient of wrongful death proceeds) and the amount is \$25,000 or less, the application is filed in the Probate Court. Minor must be a resident of Medina County, Ohio.

INITIAL FORMS TO BE SUBMITTED

- Application to Pay or Deliver Estate of a Minor without Appointment of Guardian of Minor
- Consent to Application to Pay or Deliver Estate of a Minor without Appointment of Guardian of Minor
- Self Representation Acknowledgement
- Minor's Birth Certificate
 - Must be **certified within the past 90 days** (per Probate Local Rule 67.2). We need to see the original, but won't keep it.
- If applicable, a copy of Custody Order &/or Child Support Order
- Entry Dispensing with Appointment of Guardian and Ordering Deposit or Delivery

After forms are filed, the matter may be set for a hearing before a Judge or Magistrate. If so, the applicant must appear for that hearing. If the application is approved, the funds must be delivered as ordered within ten days. If delivered to a financial institution, that institution must complete a Verification of Receipt and Deposit, which must be filed with the Court.

Forms must be filled out **legibly** and **completely**. Typed information is preferred. Do not leave any lines blank; if a question does not apply, please indicate "not applicable." Sign and date where required. Completed forms and cost deposit may be filed in person or by mail. Additional forms are available from the Court or by downloading from the Court's website: www.MedinaProbate.org.

Medina County Probate Clerks are prohibited by law from providing legal advice.
Please consult with an attorney if there are questions as to how to complete the forms.

PROBATE COURT OF MEDINA COUNTY, OHIO

IN THE MATTER OF: _____, **A MINOR**

CASE NO. _____

**APPLICATION TO PAY OR DELIVER ESTATE OF A MINOR
WITHOUT APPOINTMENT OF GUARDIAN**

(O.R.C. §2111.05, \$25,000.00 OR LESS)

Now comes the undersigned Applicant, without the appointment of a guardian, and applies to the Court for an order releasing the amount of \$ _____, belonging to _____, age _____, a minor, from the following source: gift; inheritance; insurance proceeds; wrongful death proceeds. If an estate or court holds the funds to be transferred the Case Name and Caption is as follows: _____.

Applicant further states that the name and address of the minor and minor's parents are:

Minor: _____

Mother: _____

Father: _____

And, the Legal Custodian of the minor is _____, who resides at _____

A legal order of custody is attached hereto.

Applicant further states that the consent of parents/custodian is/ is not (check one) filed herewith.

A copy of the minor's birth certificate is attached hereto.

Applicant asks that the property be delivered as follows:

- Delivered to the minor.
- Delivered to _____ as Custodian for the use and benefit of minor.
- Deposited to financial institution, to wit: _____ in the name of the minor until minor attains the age of majority (18 years of age).

I hereby certify that all the information and statements contained in this application and attached exhibits are correct to the best of my knowledge and belief.

Attorney for Applicant

Applicant's Signature

Typed or Printed Name

Applicant's Typed or Printed Name

Street Address

Street Address

City State Zip Code

City State Zip Code

(_____) _____
Phone Number (include area code)

(_____) _____
Phone Number (include area code)

Attorney Registration No. _____

PROBATE COURT OF MEDINA COUNTY, OHIO

IN THE MATTER OF: _____, **A MINOR**

CASE NO. _____

**CONSENT TO APPLICATION TO PAY OR DELIVER ESTATE
OF A MINOR WITHOUT APPOINTMENT OF GUARDIAN**

(O.R.C. §2111.05, \$25,000.00 OR LESS)

We, the undersigned hereby consent to the application to pay or deliver estate of a minor without appointment of guardian.

Mother

Father

Legal Custodian

PROBATE COURT OF MEDINA COUNTY, OHIO

Kevin W. Dunn, Judge

IN THE MATTER OF: _____

Case No. _____

SELF-REPRESENTATION ACKNOWLEDGEMENT

I acknowledge that I have read, understand and agree with all of the following statements:

1. The Court strongly recommended that I hire an attorney to represent me in this case. Contrary to the Court's recommendation, I have chosen to proceed with this case on my own without the assistance of an attorney.
2. I have the time, knowledge and ability to handle all aspects of this case correctly without assistance from the Court or any other person.
3. The Court and its Deputy Clerks are prohibited by law from assisting me with any aspect of this case, including without limitation determining what forms I am required to file and how to complete those forms.
4. The Court and its Deputy Clerks cannot provide me with any information regarding how to properly handle this case beyond the information on the Court's website: www.MedinaProbate.org.
5. I am responsible for understanding and correctly applying those portion of the Ohio Revised Code, Rules of Superintendence for the Courts of Ohio, Medina County Probate Court Local Rules of Practice, and all other rules, regulations, policies and case law that relate to this case.
6. The Court will hold me to the same standards that apply to attorneys and persons represented by attorneys in similar probate proceedings.
7. I have a duty to act fairly, honestly, impartially and in the mutual best interest of all persons or entities that may have an interest in this case. I also have a duty to not do anything in my self-interest that is detrimental or harmful to others.
8. I may be personally liable to any person or entity that suffers financial damages as a result of anything I do in this case that does not comply with the legal requirements that apply to this case.
9. If I violate anything in this Self-Representation Acknowledgement, the Court may terminate my authority to proceed further with this case, or may require that I must be represented by an attorney to continue with this case.

Applicant Signature

Typed or printed Name

Address

City

State

Zip

Phone Number (include area code)

E-mail Address

PROBATE COURT OF MEDINA COUNTY, OHIO

IN THE MATTER OF: _____, **A MINOR**

CASE NO. _____

**ENTRY DISPENSING WITH APPOINTMENT OF GUARDIAN
AND ORDERING DEPOSIT OR DELIVERY**

(O.R.C. §2111.05, \$25,000.00 OR LESS)

Upon hearing the application to dispense with the appointment of a guardian, the Court finds that the minor, _____ is entitled to receive an estate less than \$25,000, and thus, a guardianship is not necessary.

IT IS THEREFORE ORDERED that the appointment of a guardian be dispensed with, and that the property described in the application be delivered or deposited as follows:

- Delivered to the minor.
- Delivered to _____ as Custodian for the use and benefit of minor.
- Deposited in the name of the minor with _____ a depository authorized to receive fiduciary funds. None of said funds, in whole or part, shall be released by the depository until such time as said minor attains the age of majority (18 years of age), and presents their Birth Certificate. Said depository shall file the Verification of Receipt and Deposit with this Court, evidencing that said deposit has been made, within ten days of the receipt of the funds.

IT IS SO ORDERED.

PROBATE JUDGE