

**PROBATE COURT OF LUCAS COUNTY, OHIO  
JACK R. PUFFENBERGER, JUDGE**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**REPRESENTATION OF INSOLVENCY  
AND REQUEST FOR HEARING**

Now comes \_\_\_\_\_,  
of the Estate of \_\_\_\_\_, who died on  
\_\_\_\_\_, and sets forth the following facts:

1. \_\_\_\_\_ months have passed since the undersigned was appointed as fiduciary (or commissioner) of the above captioned estate.
  
2. On \_\_\_\_\_ an inventory (or schedule of assets to be relieved) was filed with this Court showing the following assets:

Personal Property	\$ _____
Real Property	\$ _____
<b>TOTAL ASSETS</b>	<b>\$ _____</b>

- The amount of total assets now differs from the amount set forth on the inventory (or schedule of assets to be relieved). The current amount of total assets is \_\_\_\_\_.

Explain the difference:

3. Attached hereto is a schedule of claims, showing all claims allowed and disallowed in the estate, the name and address of the claimants, the amount claimed, the payment class, and the date each claim was presented and allowed. Proposed payment to creditor is listed under the footnote column.

**TOTAL CLAIMS EQUAL \$ \_\_\_\_\_**



4. All references to payment class in the attached Schedule of Claims correspond to paragraph and numerical sub-section set forth in Ohio Revised Code § 2117.25.
5. All anticipated administrative costs have been estimated and listed as Class A (1) debts. Any family allowance due pursuant to Ohio Revised Code Section 2106.13 has been listed as a Class A (3) debt.
6. It appears that the estate is insolvent, and therefore the undersigned moves the Court to set a hearing on the matter to determine if the fiduciary acted properly in allowing and classifying each claim and to make an order confirming or disapproving such action.
7. Counsel for the fiduciary shall notify all creditors, claimants, and any other interested parties as the Court directs, of the hearing date and location by certified mail, return receipt requested. Proof of service, or waiver of same, and an **AFFIDAVIT AS TO SERVICE** shall be filed with the Court on or before the hearing date.

\_\_\_\_\_  
Fiduciary

\_\_\_\_\_  
Attorney (Signature)

\_\_\_\_\_  
Attorney (Typed)

\_\_\_\_\_  
Attorney's Address

\_\_\_\_\_

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
7-Digit Supreme Court I.D.#

**PROBATE COURT OF LUCAS COUNTY, OHIO  
JACK R. PUFFENBERGER, JUDGE**

IN THE MATTER OF THE  
ESTATE OF:

\_\_\_\_\_

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\*  
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\*

CASE NO. \_\_\_\_\_

**JOURNAL ENTRY SETTING HEARING  
AND GIVING NOTICE OF HEARING**

**TO ALL CREDITORS OF THIS ESTATE:**

All claims against the estate that have been presented and any other known valid debts of the estate are hereby scheduled for hearing, along with a report of the fiduciary that the estate may be insolvent. Available assets have been reported in the amount of \$\_\_\_\_\_. A schedule of all claims, including your claim and its proposed classification, is attached hereto.

The hearing on the debts and report on insolvency will be held on \_\_\_\_\_, 20 \_\_\_\_, at \_\_\_\_\_ o'clock \_\_.M. in the Probate Court. The Probate Court is located on the second floor of the Lucas County Court House, 700 Adams Street, Suite 200, Toledo, Ohio 43604.

The action of the fiduciary in allowing and classifying claims will be confirmed at the hearing unless cause to the contrary is shown. You may file exceptions to the allowance or classification of claims in the schedule at any time prior to the hearing.

\_\_\_\_\_  
Judge Jack R. Puffenberger

(Attach schedule of claims before mailing by certified mail)



**PROBATE COURT OF LUCAS COUNTY, OHIO  
JACK R. PUFFENBERGER, JUDGE**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**SCHEDULE OF CLAIMS**

REVISED CODE SEC. 2117.16 TO 2117.17, 2117.25

[Use extra sheets if necessary]

The fiduciary says that to his knowledge this schedule lists all claims against decedent or his estate. Such claims are recapitulated as follows:

Claims allowed.....	\$	
Claims rejected, contingent, or in suit.....	\$	
TOTAL.....	\$	

[Check if applicable] – [ ] The surviving spouse is the sole legatee and devisee under decedent’s Will and has not manifested an intention to take against it. It is therefore unnecessary to cite the surviving spouse to make an election.

\_\_\_\_\_  
Fiduciary

**[Under “Footnotes” opposite an item requiring explanation, place the number of the appropriate footnote. Such notes should be included on the reverse to explain: any security for claims; maturity dates of claims not due; contingent claims; claims in suit; and dates of rejection of rejected claims.]**

Name and address of Claimant	Amount Claimed	Payment Class	Date Presented	Date Allowed	Foot- Notes
	\$				



Name and address of Claimant	Amount Claimed	Payment Class	Date Presented	Date Allowed	Foot- Notes
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\$

**FOOTNOTES**

**Orders on Filing of Schedule of Claims – Confirming Without Notice**

In the Court of Common Pleas, Probate Division, Lucas County, Ohio

In the Matter of the Estate of

\_\_\_\_\_, 20\_\_\_\_

This day the Schedule of Claims in the above captioned estate was filed in this Court by the fiduciary of said estate. It is ordered that hearing on said Schedule of Claims be \_\_\_\_\_, (“Dispensed with” or “had forthwith”) that the action of the fiduciary herein, in allowing and classifying claims, be confirmed; and that the same be recorded.

\_\_\_\_\_  
Judge Jack R. Puffenberger

I, \_\_\_\_\_, Attorney-at-law, hereby certify, that the within instrument was prepared and/or examined by me, and that the same, in my opinion, is correct and proper.

**PROBATE COURT OF LUCAS COUNTY, OHIO  
JACK R. PUFFENBERGER, JUDGE**

IN THE MATTER OF THE  
ESTATE OF:

\_\_\_\_\_

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\*  
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\*

CASE NO. \_\_\_\_\_

**AFFIDAVIT AS TO SERVICE**

STATE OF OHIO            }  
                                      }  
COUNTY OF LUCAS        }        **SS**

\_\_\_\_\_, being first duly sworn according to law, deposes and states that he/she personally served all the creditors named in the Schedule of Claims in the captioned case, together with a copy of the Notice of Hearing previously filed in this case. Attached hereto and made a part hereof, are the return receipt cards from all the creditors, which were signed and returned prior to the hearing scheduled for the determination of insolvency.

Further affiant sayeth not.

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Printed Name of Affiant

Sworn to before me and subscribed in my presence this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

This document has been prepared by:

\_\_\_\_\_  
Print Attorney Name

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Signature, Attorney of Record

\_\_\_\_\_  
Address of Attorney

\_\_\_\_\_

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Ohio Supreme Court Number

Notary Seal



**PROBATE COURT OF LUCAS COUNTY, OHIO  
JACK R. PUFFENBERGER, JUDGE**

IN THE MATTER OF THE  
ESTATE OF:

\_\_\_\_\_

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CASE NO. \_\_\_\_\_

**JOURNAL ENTRY ON  
INSOLVENCY HEARING**

This matter came on for hearing this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_. The Court finds that the persons required to be notified of the hearing on the debts of the estate and report of insolvency were duly notified or waived notice of the hearing.

The Court further finds that the fiduciary acted properly in allowing or rejecting and in classifying the claims listed in the schedule of claims attached to the application, except for the following:

The record of claims against the estate, as augmented above, is approved.

The Court further finds that the estate is insolvent and orders the fiduciary to reduce the entire estate to cash and pay the net cash available after payments of the costs and expenses of administration to the creditors according to the amount and priority of their claims  as shown in the schedule of claims attached to the application, or  as shown in the amended schedule attached hereto and incorporated herein by reference.

\_\_\_\_\_  
Judge Jack R. Puffenberger

