

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

IN THE MATTER OF:

CASE NO.: _____

**MOTION TO PROCEED
IN FORMA PAUPERIS**

Now come the undersigned petitioner and attorney and respectively move this Court to proceed in the above-entitled (**Guardianship**, **Conservatorship**, **Full Administration**, **Relief from Administration**, **Other:** _____) without prepayment of Probate Court fees or costs or to give security therefore. Petitioner understands that prepayment is still necessary, and that he / she will remain obligated to pay the costs, if any, of newspaper publication, foreign sheriff service, and other actual expenses which Probate Court incurs during the pendency of this case.

In support of this motion, the following circumstances apply:

(Check all boxes, which are applicable)

- The petitioner, because of poverty, is unable to pay the costs of said proceeding or give security therefore. **(See attached affidavit).**
- The petitioner is an unpaid volunteer, who seeks to establish a guardianship over an individual who is believed to be in poverty. Said volunteer agrees not to accept any fees or commissions, except from the Court's Indigent Guardianship Fund, after application.
- Although the petitioner is unable, because of poverty, to prepay court costs at this time, it is anticipated that same can be paid out of the decedent's / ward's estate after a fiduciary is appointed. **(See attached affidavit).**
- Other:



CASE NO.: _____

The following circumstances apply to counsel fees:

(Check one of the following boxes)

- This matter is being handled by an attorney associated with a pro bono, legal aid, or legal services program, and there will be no counsel fees charged for this matter.

- This matter is being handled by a private attorney, who agrees not to accept any counsel fees for this matter except from the Indigent Guardianship Fund, or upon order of the Court.

Please type:

Signatures:

Petitioner's Name

Petitioner

Petitioner's Address

Attorney

Petitioner's Phone Number

Attorney's Name

Attorney's Address

Attorney's Phone Number

Attorney's Registration Number

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:

CASE NO.: _____

AFFIDAVIT

I, _____ the undersigned, state that the following represents a true and accurate accounting of my income, assets and liabilities:

1. **INCOME:** Wages, interest, government checks, etc. \$ _____

Are you currently working? YES NO

Are you married? YES NO

Number of dependents (list):

Does your spouse work? YES NO

Spouse's income \$ _____

2. **OWNER OF REAL PROPERTY?** YES NO

Description: _____

Address: _____

In whose name? _____

Estimated Value \$ _____

Amount and holder of mortgage _____ \$ _____

Annual income from real property, if any \$ _____

Is this property owned by the estate? YES NO

If so, what %? % _____

3. **OWNER OF AUTOMOBILE?** YES NO

Make _____ Model _____

In whose name registered _____

Present estimated value of automobile \$ _____

Amount owed on said automobile \$ _____

Owed to _____



4. **CASH ON HAND:**.....\$ _____

Cash in bank and savings accounts\$ _____

Names and addresses of banks:

5. **OTHER ASSETS:** (State other investments, recreational vehicles, or items of personal property, except basic furnishings and necessities).

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

6. **LIABILITIES:**

Monthly rental on house or apartment\$ _____

Monthly mortgage payments\$ _____

Monthly payments on car\$ _____

Other monthly payments: _____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

OTHER OBLIGATIONS: _____ \$ _____

_____ \$ _____

7. **TOTAL ESTIMATED VALUE OF DECEDENT'S OR WARD'S ESTATE**

Real Property (describe) _____ \$ _____

_____ \$ _____

Cash (list accounts) _____ \$ _____

_____ \$ _____

_____ \$ _____

Other personal property (list) _____ \$ _____

_____ \$ _____

_____ \$ _____

CASE NO.: _____

The real property described above will be disposed of as follows:

- Transferred to _____
- Transferred to surviving spouse _____
- Sold _____

Does the surviving spouse presently live in the real property?

- YES NO

Does the surviving spouse plan to continue to live in the real property?

- YES NO

8. If Court Costs are to be paid at a later date, please estimate date _____ and describe course:

Signed: _____ Date: _____

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:

CASE NO.: _____

JOURNAL ENTRY

Now comes the Court, upon consideration of the Motion to Proceed in Forma Pauperis (and the supporting affidavit), and finds same to be (well or not well) taken, and hereby (grants or denies) same.

Therefore, it is ordered, adjudged, and decreed that the petitioner (is or is not) permitted to proceed without a deposit of costs herein. Further, costs to be assessed by Lucas County Probate Court, with the exception of Newspaper Publication, Foreign Sheriff Service, or other actual expenses, which Probate Court may incur, are hereby (waived or delayed until funds become available).

Judge Jack R. Puffenberger
Lucas County Probate Court

Date

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.

