

Ohio Release From Administration Checklist (2026)

Step by step, from the death certificate to the court's order under R.C. 2113.03

Work top to bottom. Standard Probate Forms 5.0, 5.1, 5.2, 5.3 and 5.10 are published by the Supreme Court of Ohio; your county probate court may add local forms.

GATHER

- ☐ Certified death certificate.
- ☐ Original will, if there is one.
- ☐ List of every asset with its value, and who holds it.
- ☐ List of debts, including the funeral and burial bills (and who paid them).

SPOUSE RULES

- ☐ Surviving spouse selects cars worth up to \$65,000 in total (R.C. 2106.18) and signs the affidavit; the clerk of courts transfers them on receipt of the titles (R.C. 4505.10). These cars are not estate assets.
- ☐ The \$40,000 support allowance for the spouse and/or minor children (R.C. 2106.13) is part of the estate. It is reduced by the lowest-valued car if the spouse selected more than one.

CHOOSE THE ROUTE

- ☐ Funeral payer who is not a spouse, and the estate is no more than the lesser of \$5,000 or the funeral and burial costs: summary release, Form 5.10 (R.C. 2113.031).
- ☐ Surviving spouse (no minor children, or every minor child is also the spouse's child), estate no more than the support allowance plus up to \$5,000 for funeral and burial, and the funeral was prepaid or the spouse paid it or is obligated in writing to pay it: summary release, Form 5.10.
- ☐ Estate \$35,000 or less, or \$100,000 or less with everything going to the spouse: release from administration, Form 5.0 with Form 5.1 and Form 1.0 (R.C. 2113.03).

FILE

- ☐ If there is a will, present it for probate; the court releases a testate estate once the will is admitted.
- ☐ Get an appraisal from an appraiser the applicant selects and the court approves, unless the estate is all money, stocks, bonds or other easily valued property.
- ☐ File the application with the probate court in the county where the decedent lived. R.C. 2101.16(A)(59) lists a \$60 fee; confirm the total with your court.
- ☐ Waiver of notice (Form 5.2) from the surviving spouse and heirs, or notice (Form 5.3) and newspaper publication as the court directs.
- ☐ Real estate in a summary release: add the application for a certificate of transfer (Forms 12.0 and 12.1 are referenced on Form 5.10).

AFTER THE ORDER

[] Deliver personal property and transfer real estate to the people the order names. For a release under R.C. 2113.03, the order directing transfer can stand in for a certificate of transfer (R.C. 2113.61(A)(1)).

[] If the court appoints a commissioner to sign deeds or other transfers, make sure the commissioner reports back after delivery.

[] Creditor claims must be presented within six months after the death, whether or not the estate is released (R.C. 2117.06(B)).

INSTRUCTIONS FOR USE

Steps checked against the Ohio Revised Code and the Supreme Court of Ohio standard probate forms in October 2026. Form 5.1's car line still shows an older \$40,000 figure; the statute says \$65,000, so ask the clerk if they seem to conflict. This checklist is general information, not legal advice; local practice varies by county. For advice on your situation, consult a licensed Ohio attorney. Companion guide: clearlegaltips.com/ohio-small-estate-affidavit/