

**OHIO PROBATE DEADLINES & TIMELINES**

| TYPE OF FILING   | DEADLINES   | Ohio Revised Code |
|--|---|-------------------|
| Petition for heirship by administrator of estate of intestate minor seeking adjudication that parent abandoned child | Commenced within 4 months from date administrator receives letters of administration  | §2105.10(E)       |
| Application to vacate or change designation of heir  | After 1 year from date of designation   | §2105.15          |
| Complaint to declare right to benefit from death   | No later than 60 days after person adjudicated incompetent to stand trial or found not guilty by reason of insanity   | §2105.19          |
| Notification by court that complaint filed under §2105.19  | Within 10 days after filing of the complaint  | §2105.19          |
| Election by surviving spouse to take under will or under §2105.06  | No later than 5 months from date of initial appointment of administrator or executor (if proceedings for advice or to contest validity of will filed within 5 month period, election may be made within 3 months after final disposition of proceedings, if will not set aside) | §2106.01          |
| Complaint requesting construction of will in favor of surviving spouse   | No later than 5 months from date of initial appointment of administrator or executor  | §2106.03          |
| Appointment of suitable person to ascertain value under will and election for surviving spouse under disability      | No later than 5 months from date of initial appointment of administrator or executor  | §2106.08          |
| Election to receive mansion house  | At or before the time a final account is rendered OR at the time of or prior to entry of order relieving the estate from administration OR order granting summary release from administration   | §2106.10          |
| Application by administrator or executor to allocate support allowance   | Within 5 months of initial appointment of administrator or executor   | §2106.13          |
| Surviving spouse's right to remain in mansion house free of charge   | 1 year from death   | §2106.15          |
| Petition to purchase property by surviving spouse  | After filing inventory required by §2115.02 but no later than 1 month after approval of that inventory  | §2106.16          |
| Action to set aside antenuptial or separation agreement  | Within 4 months after appointment of executor or administrator  | §2106.22          |
| Motion to extend time to exercise rights under Chapter 2106  | Within 5 months of initial appointment of executor or administrator   | §2106.25          |
| Deposit of document incorporated by reference in will  | Within 30 days after will is probated   | §2107.05          |

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| Deposit of trust instrument incorporated in a will  | Within 30 days after final determination that bequest or devise to trust is ineffective  | §2107.05                 |
| Notice of admission of will to probate  | Within 2 weeks of admission of will to probate   | §2107.19                 |
| Certificate of giving notice of admission of will to probate OR waiver of notice  | Not later than 2 months after appointment of fiduciary or admission of will to probate (if no fiduciary)                                 | §2107.19                 |
| Contest whether will or copy of will admitted to record under sections 2107.29 to 2107.31 is the same as destroyed record | Within 5 years from making of the record   | §2107.32                 |
| Action by party in interest asking direction or judgment of court   | No sooner than 30 days after written request by party in interest has been made to fiduciary, and fiduciary has failed to file an action | §2107.46                 |
| Protection of bona fide purchaser against will or later will  | Protected if will or later will not offered for probate or record within 3 months after death  | §2107.47                 |
| Deadline to reduce oral will made in last sickness to writing   | Within 10 days after speaking of the testamentary words  | §2107.60                 |
| Offer oral will to probate  | Within 3 months after death of testator  | §2107.60                 |
| Claim by trustee named in will to life insurance or benefit plan proceeds   | Within 12 months after death of insured or person covered by plan  | §2107.64                 |
| Will contest action   | Within 3 months of filing of certificate of notice of admission of will to probate OR within 3 months of removal of legal disability     | §2107.76                 |
| Account of surviving fiduciaries  | Within 90 days after death, resignation, or removal of a cofiduciary   | §2109.27                 |
| Final account by administrator or executor  | Within 30 days after completing administration of the estate or within any other period of time that the court may order                 | §2109.301                |
| Final and distributive account by administrator or executor   | Within 6 months of appointment unless one of several exceptions apply  | §2109.301                |
| Initial account by administrator or executor  | Not later than 13 months after appointment, and at least once each year thereafter   | §2109.301                |
| Account by testamentary trustee   | At least once in each 2 years  | §2109.303                |
| Hearing on fiduciary's account  | Set not earlier than 30 days after filing of account   | §2109.32                 |
| Permissive notice of hearing upon fiduciary's account upon interested persons   | Served at least 15 days prior to hearing on account  | §2109.33                 |
| Motion to vacate order settling fiduciary's account for fraud   | Within 1 year after discovery of existence of fraud  | §2109.35                 |
| Nominated executor give any required bond   | Within 20 days after the probate of will   | §2113.12                 |

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| Account of special administration   | Within 30 days of appointment of executor or administrator  | §2113.16                 |
| Time frame for collection of assets and administration of estate                      | Within 6 months after date of appointment of executor or administrator, unless extension filed  | §2113.25                 |
| Continuation of decedent's business   | May continue during 4 months next following date of appointment of executor or administrator  | §2113.30                 |
| Application by distributee or legatee for order to distribute                         | After 5 months from appointment of executor or administrator and surviving spouse has made election   | §2113.54                 |
| Itemized report of newly discovered assets  | Within 30 days of coming into possession of newly discovered assets   | §2113.69                 |
| Inventory   | Within 3 months after date of executor's or administrator's appointment   | §2115.02                 |
| Notice of inventory   | Not less than 5 days previous thereto   | §2115.04                 |
| Presentation of claim by executor or administrator                                    | Within 3 months after date of appointment   | §2117.02                 |
| Presentation of claim by potential claimant   | Within 6 months after death of decedent OR within 30 days after receipt of notice by executor or administrator, whichever is earlier  | §2117.06(B) and §2117.07 |
| Allowance or rejection of claim   | Within 30 days after presentation   | §2117.06(D)              |
| Notice of appointment of executor or administrator in pending action against decedent | Within 10 days of acquiring actual knowledge of pending action against decedent commenced prior to death  | §2117.06(E)              |
| Notice of receipt of medicaid benefits to administrator of estate recovery program    | Not later than 30 days after granting of letters or filing of application for release from administration or summary release from administration  | §2117.061                |
| Presentation of claim by administrator of medicaid estate recovery program            | Not later than 90 days after date on which the medicaid estate recovery notice form is received, or 1 year after decedent's death, whichever is later   | §2117.061                |
| Action on rejected claim  | Within 2 months after the rejection if the debt is then due OR within 2 months after debt becomes due   | §2117.12                 |
| Notice of hearing allowing and classifying claims                                     | No less than 10 days before date fixed for hearing  | §2117.17                 |
| Exceptions to the allowance or classification of claims                               | Any time prior to hearing   | §2117.17(B)              |
| Suit against executor or administrator by creditor or other interested party          | Not before 5 months from time of appointment, with exceptions   | §2117.30                 |
| Liability of real property for debts of deceased person                               | No liability if alienated before issuance of letters and no letters issued within 4 years from date of death OR if alienated after letters within 4 years of issuance (to bona fide purchasers) | §2117.36                 |

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| Presentation of contingent claims  | Before expiration of 6 months after death OR before expiration of 2 months after cause of action accrues, whichever is later (no presentation necessary if account of final distribution filed at time of accrual or within 2 months thereafter)                          | §2117.37 and §2117.39 |
| Action on contingent claim to recover from distributees  | Within 2 months after final payment on account thereof by executor or administrator if recovery is necessary for payment of claim in full   | §2117.38              |
| Suit for payment of contingent claims after settlement of estate                                       | Within 6 months next after time when cause of action first accrues UNLESS suit is for balance due after payment by executor or administrator, in which case within 2 months after final payment; if person under legal disability, within 1 year after disability removed | §2117.41              |
| Election of surviving spouse when copy of foreign will filed and recorded and no ancillary proceedings | Any time after death but not later than 6 months after recording of copy of will  | §2129.07              |
| Certificate of assets and liabilities in ancillary estate  | Within 5 months after appointment of ancillary administrator  | §2129.15              |