

# **Anderson's Ohio Forms**

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**UNITED STATES** 

[Letter of Inquiry]

The accompanying notes are an integral part of this

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## **Ohio Criminal Practice and Procedure**

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Form 4.11 Change Of Venue -- Warrant To Convey Defendant To Newly Designated County -- Crim. R.

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Form 4.15 Entry Acknowledging Compliance With An Application For Bill Of Particulars Or Motion For Discovery Form 4.16 Motion To Join Offenses And/Or Defendants For The Purposes Of Trial

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Money and Weapons Form 5.11 Finding Of Guilty Upon Lesser Included Offenses -- R.C. §§ 2945.74, 2945.75, 2945.78; Crim. R. 31(C) Form 13 Application for Warrant Pursuant to 18 U.S.C. Section 2703(a), for Contents of Electronic Communication Form 5.12 Guilty Of Attempt -- R.C. §§ 2923.02, 2945.74, 2945.78; Crim. R. 31(C) in Electronic Storage Form 5.13 Not Guilty By Reason Of Insanity -- R.C. §§ Form 14 Warrant for the Contents of Electronic 2945.40, 2945.78; Crim. R. 31 Communication in Electronic Storage Form 5.14 Entry Of Sentence -- Verdict Or Plea of Guilty --Form 15 Affidavit for Search Warrant--Drugs and Drug R.C. § 2947.07; Crim. R. 32 Paraphernalia Form 5.15 Entry Of Sentence -- Imposing A Fine -- R.C. § Form 16 Search Warrant--Drugs and Drug Paraphernalia Form 17 Return on Search Warrant--Drugs and Drug 2947.07; Crim. R. 32 Form 5.16 Misdemeanor -- Sentence To Jail Or Workhouse Paraphernalia -- R.C. §§ 2929.21, 2929.22, 2929.22.1, 2947.07; Crim. R. 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Form 52 Search Warrant--Computer Hacker Offenses Form 53 Return On Search Warrant--Computer Hacker Offenses

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Form 82 Search Warrant--Ohio Department of Natural

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## **Employment Law**

# Anderson's Representing the Terminated Employee in Ohio

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Form 5.32 Class Action Motion for Class Certification Form 5.33 Class Action Motion to Approve Class

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## 2 Federal Statutory Protections for Terminated Employees

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Form 4.4 Potential Client Telephone Interview for

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#### 5 Preparing the Case

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Form 5.3 COMPLAINT: Handicap Discrimination, Ohio Rev. Code § 4112.99; Infliction of Emotional Distress; Bad Faith Breach of Contract; Breach of Contract; Promissory Estoppel; Breach of Fiduciary Duty; Equitable Claim for Unjust Enrichment

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Form 5.28 PRETRIAL MOTION: Plaintiff's Memorandum Contra Defendant's Motion For Partial Summary Judgment on Ohio Rev. Code § 4112.14 Age Discrimination, Breach of Contract, and Intentional Infliction of Emotional Distress Claims

Form 5.29 Pretrial Motion: Plaintiff's Memorandum Contra Defendant's Motion for Summary Judgment on Whistleblower and Greeley Claims

Form 5.30 Pretrial Motion: Plaintiff's Memorandum Contra Defendant's Motion for Summary Judgment on Title VII Race Discrimination and Retaliation Claims

Form 5.31 Class Action Allegations for Class Action Complaint

Form 5.32 Class Action Motion for Class Certification Form 5.33 Class Action Motion to Approve Class Settlement

Form 5.34 Class Action Notice of Proposed Class Action Settlement

### 6 Use of Experts

Form 6.1 Letter to Expert Retaining Expert's Services Form 6.2 Letter to Defendant Disclosing Expert and Expert's Credentials

Form 6.3 Qualifying the Expert Witness at Trial:

**Examination of Expert** 

Form 6.4 Qualifying the Expert Witness at Trial: Summary of Credentials

#### 7 Trial

Form 7.1 Proposed Jury Questionnaire (Federal Court)

Form 7.2 Plaintiff's Jury Voir Dire

Form 7.3 Opening Statement

Form 7.4 Direct Examination of Plaintiff Stephen Rhoads

Form 7.5 EXHIBIT: Personnel Policy

Form 7.6 EXHIBIT: Personnel Policy Regarding

Performance

Form 7.7 EXHIBIT: Personnel Policy Regarding ``Protected Class" Employees

Form 7.8 EXHIBIT: Back Pay Damages

Form 7.9 EXHIBIT: Back Pay Damages Calculations

Form 7.10 EXHIBIT: Pension Losses

Form 7.11 EXHIBIT: Front Pay Damages Calculations Form 7.12 Cross-Examination of Witness by Plaintiff's Attorney

Form 7.13 Cross-Examination in the Employer's Case-in-Chief

Form 7.14 Plaintiff's Proposed Jury Instruction: Age Discrimination

Form 7.15 Plaintiff's Proposed Jury Instruction: Duty to Follow Instructions

Form 7.16 Plaintiff's Proposed Jury Instruction:

Consideration of the Evidence

Form 7.17 Plaintiff's Proposed Jury Instruction: Credibility

of Witnesses

Form 7.18 Plaintiff's Proposed Jury Instruction:

Impeachment

Form 7.19 Plaintiff's Proposed Jury Instruction: Burden of

Proof

Form 7.20 Plaintiff's Proposed Jury Instruction: Statistics Form 7.21 Plaintiff's Proposed Jury Instruction: Stipulations

of the Parties

Form 7.22 Plaintiff's Proposed Jury Instruction: Claims of

the Parties

Form 7.23 Plaintiff's Proposed Jury Instruction:

Discrimination -- Definition

Form 7.24 Plaintiff's Proposed Jury Instruction: Age

Discrimination

Form 7.25 Plaintiff's Proposed Jury Instruction: Damages Form 7.26 Plaintiff's Proposed Jury Instruction: Plaintiff's

Duty to Mitigate Damages

Form 7.27 Plaintiff's Proposed Jury Instruction: Front Pay Form 7.28 Plaintiff's Proposed Jury Instruction: Liquidated

Damages and Willfulness Under the Federal Age

Discrimination in Employment Act

Form 7.29 Plaintiff's Proposed Jury Instruction: Duty to

Deliberate

Form 7.30 Plaintiff's Proposed Jury Instruction: Verdict

Forms

Form 7.31 Plaintiff's Proposed Jury Instruction: Special

Verdict Form

Form 7.33 Plaintiff's Proposed Jury Instruction: Claims of

the Parties

Form 7.34 Plaintiff's Proposed Jury Instruction: Intentional

Infliction of Emotional Distress

Form 7.35 Plaintiff's Proposed Jury Instruction: Intentional and Reckless--Defined

Form 7.36 Plaintiff's Proposed Jury Instruction: Extreme

and Outrageous Conduct -- Defined

Form 7.37 Plaintiff's Proposed Jury Instruction: Severe

Emotional Distress--Defined

Form 7.38 Plaintiff's Proposed Jury Instruction:

Compensatory Damages for Intentional Infliction of

**Emotional Distress** 

Form 7.39 Plaintiff's Proposed Jury Instruction: Punitive

Damages Under State Law

Form 7.40 Special Verdict Form: Intentional Infliction of

**Emotional Distress** 

Form 7.41 Closing Argument

Form 7.42 Closing Argument: Rebuttal Introduction: Praise

for the Opposing Lawyers

## 8 Protecting the Verdict

Form 8.1 Affidavit from Plaintiff Regarding Equitable Relief in Support of Plaintiff's Motion for Equitable Relief:

Reinstatement and Front Pay

Form 8.2 Front Pay Damages Chart in Support of Plaintiff's

Motion for Equitable Relief: Reinstatement and Front Pay

Form 8.3 Plaintiff's Memorandum in Support of Motion For

Equitable Relief: Reinstatement and Front Pay

Form 8.4 Plaintiff's Memorandum Contra Defendant's

Motions For Judgment Notwithstanding the Verdict or New

Trial and That No Liquidated Damages Be Awarded Form 8.5 Reinstatement Affidavit

Form 8.6 Appellate Bond

Form 8.7 Notice of Cross-Appeal

Form 8.8 Plaintiff's Application for Attorneys' Fees and

Costs

Form 8.9 Affidavit in Support of Application for Attorneys'

Fees and Costs

Form 8.10 Expert Affidavit of Attorney Regarding

Attorneys' Fees and Costs

### 9 Settlement

Form 9.1 Letter Regarding Possible Settlement

Form 9.2 Settlement Agreement and Full and Final

Release of Claims

Form 9.3 Settlement Agreement and Release of Claims

Form 9.4 Settlement Agreement: Terms Regarding Good Job References

## **Estate, Probate and Elder Law**

## Anderson's The Simple Will in Ohio

#### **APPENDIX A Forms Documents**

Form A Estate Planning Questionnaire for Married Persons

Form B Estate Planning Questionnaire For Single Persons

Form C Simple Will

Form D Codicil to Will
Form E Transfer on Death Deed (RC § 5302.22)

### **Anderson's Estate Planning Forms and Clauses** 3 WHOLE WILL FORMS

Form 3.01 Will with the marital share distributed outright Form 3.02 Will with fractional formula QTIP marital

deduction trust and family credit shelter trust

Form 3.03 Will with fractional formula QTIP marital deduction trust and family credit shelter trust

Form 3.04 Will with general power of appointment marital

Form 3.05 Will with three trusts in light of generationskipping transfer tax (general power of appointment marital deduction trust, QTIP marital trust, and unified credit trust)

Form 3.06 Will leaving entire estate outright to surviving spouse, with provision for disclaimer trust in event spouse predeceases testator

Form 3.07 Pour-over will

Form 3.08 Pour-over will--another form

Form 3.09 Codicil

#### **4 INTER VIVOS TRUST FORMS**

Form 4.01 Inter vivos revocable trust which provides for QTIP marital trust [source L]

Form 4.02 Inter vivos trust for minor that satisfies I.R.C. § 2503(c) [source S]

Form 4.03 Irrevocable trust for children of grantor [source

Form 4.04 Crummey trust [source T]

Form 4.05 Irrevocable life insurance trust with letter for election to withdraw share of contribution [source V] Form 4.05A Irrevocable insurance trust agreement [source LL1

Form 4.06 Comprehensive tax provisions article for use with detailed revocable trust involving marital and family distributions after settlor's death

Form 4.07 Grantor retained annuity trust (GRAT) [source DD]

Form 4.08 Grantor retained annuity trust (GRAT) with spouse [source DD]

Form 4.09 Grantor retained unitrust (GRUT)

Form 4.10 Grantor retained interest trust--common law GRIT [source DD]

Form 4.11 Grantor retained interest trust--qualified personal residence trust (GRIT) [source DD]

## **4 INTER VIVOS TRUST FORMS**

Form 4.05A Irrevocable insurance trust agreement [source

## **5 ACCEPTANCE OF WILL BY SPOUSE**

Form 5.01 Provision by will in lieu of dower and all statutory allowances [source E]

Form 5.02 Provision by will in lieu of statutory rights other than maintenance allowance and spouse's selection [source F]

Form 5.03 Will planned with knowledge and approval of spouse--consequence of rejection [source G]

Form 5.04 Disclaimer of agreement to eater into mutual wills [source H]

## 6 ACKNOWLEDGMENT

Form 6.01 UPC one-step signature and acknowledgment Form 6.02 Recital of witnesses on execution and attestation, and declaration of belief of witnesses in testamentary capacity of testator and his freedom from undue influence, fraud or restraint [source E] Form 6.03 Recital of notary regarding witnesses and declaration of witnesses (including reference to proof of execution) [source E]

Form 6.04 Recital that testator and witnesses are known to notary, recital of declaration of testator, and recital of declaration of witnesses (including belief of witnesses in testamentary capacity) [source C]

Form 6.05 Tennessee self-proving affidavit form [source Y] Form 6.06 Acknowledgment involving blind testator [source

Form 6.07 UPC subsequent acknowledgment of will or testator's signature by testator and witnesses

## 7 ADMINISTRATIVE POWERS OF EXECUTOR

Form 7.01 Introductory clause [source I]

Form 7.02 Introductory clause--another form [source G]

Form 7.03 Introductory clause--another form [source I]

Form 7.04 Introductory clause--another form [source C]

Form 7.05 Introductory clause--another form [source F] Form 7.06 Introductory clause--another form [source H]

Form 7.11 Short form [source B]

Form 7.12 Short form--another form [source J]

Form 7.21 Comprehensive powers [source J]

Form 7.22 Comprehensive powers (including powers over mineral interests) [source C]

Form 7.23 Comprehensive listing of powers [source H]

Form 7.31 Power to make elections for tax purposes [source I]

Form 7.32 Power in executor to consent to election under Subchapter S [source A]

Form 7.33 Power in executor to compromise death taxes [source H]

Form 7.34 Power in executor to exercise tax options or elections [source H]

Form 7.35 Power in executor to distribute so as to minimize taxes [source H]

Form 7.36 Power in executor to join spouse in filing income tax return, to consent to gifts made by spouse, and to allocate income and gift taxes between estate and spouse [source I]

Form 7.37 Power in executor to choose valuation date minimizing death taxes [source A]

Form 7.41 Power to operate sole proprietorship or participate in partnership [source E]

Form 7.42 Power to invest trust funds and to continue business [source J]

Form 7.43 Power to create, continue, operate, expand, and change business [source F]

Form 7.44 Powers with respect to business interests [source J]

Form 7.45 Powers with respect to business interests-another form [source J]

Form 7.46 Fiduciary empowered to retain and continue personal business interest, exempt from rules on selfdealing and conflict of interest, and exonerated from liability for retention, operation or sale of business, with provision for compensation [source Q]

Form 7.47 Executor or trustee empowered to retain personal business interest as investment if practicable and profitable [source H]

Form 7.48 Power specifically permitting continuance of business and retention of assets by fiduciary [source X] Form 7.49 Executor directed to sell stock in company or to cause company to be dissolved [source I]

Form 7.51 Power to sell with or without warranty [source E)

Form 7.52 Power to sell, exchange, and grant options [source I]

Form 7.53 Power to sell, lease, pledge, mortgage, transfer, exchange, convert, and grant options [source G]

Form 7.54 Power to sell, exchange, mortgage, lease, convey, encumber, pledge, or otherwise dispose of property [source F]

Form 7.55 Power to lease, sub-lease, subdivide, improve, remove, alter, grant easements, make contracts, release. dedicate, repair, and set aside depreciation reserves [source I]

Form 7.56 Power to sell, lease, litigate, compromise claims, borrow money, employ agents, vote securities in person or by proxy, consent to corporate changes, exercise options, administer cash assets, register property in name

of nominee, amortize premiums, and exercise authority reasonably incident to ownership [source E]

Form 7.57 Power to conserve and realize on trust property, power over claims of and against trust estate, power to contract and convey [source I]

Form 7.58 Power to lease [source E]

Form 7.59 Powers of trustee with respect to agricultural realty and farming operations held in trust [source P-JKW] Form 7.61 Power to borrow money and to mortgage or pledge [source I]

Form 7.62 Power to borrow money and to execute mortgage and to pledge [source G]

Form 7.63 Power to borrow money from any source and to pay reasonable interest [source F]

Form 7.71 Power to collect and disburse income of estate [source E]

Form 7.72 Power to deposit cash in commercial or savings department of corporate fiduciary or other depositary [source F]

Form 7.73 Power to make required payment of income in installments as advisable, but at least quarter-yearly [source F]

Form 7.74 Powers expressly conferred do not authorize violation of law prohibiting accumulation of income [source H]

Form 7.75 Power to allocate income or principal to beneficiary or trust in advance of court decree [source F] Form 7.76 Power to ascertain income and principal, to apportion receipts and disbursements between income and principal, and to select annual accounting period [source I] Form 7.77 Discretionary power to allocate receipts and disbursements between principal and income [source G] Form 7.78 Power to direct distribution from estate to beneficiary, rather than through intermediate direct entity [source X]

Form 7.81 Power to hold investments in name of nominee [source G]

Form 7.82 Power to hold shares of stock or other assets in own name or in name of nominee [source F]

Form 7.83 Power to retain assets [source F]

Form 7.84 Power to acquire and retain assets [source G] Form 7.85 Power to invest without limitation by statute or rule of law [source I]

Form 7.86 Power to invest without limitation by statute, rule of law, or regulation of governmental body [source F] Form 7.87 Power to vote shares of stock [source E] Form 7.88 Power to vote shares of stock in person or by

general or limited proxy [source G]

Form 7.91 Power to compromise, settle, and adjust tax and other problems [source F]

Form 7.92 Power to compromise, adjust, arbitrate, litigate, abandon, or otherwise deal with claims in favor of or against trust [source C]

Form 7.93 Power over obligations of estate and claims of estate [source G]

Form 7.101 Power to employ others with or without discretionary powers [source I]

Form 7.102 Power to employ agents, experts, and counsel source Gl

Form 7.103 Power to delegate authority to agents and proxies [source F]

Form 7.104 Power to execute and deliver instruments deemed advisable to carry out other powers, with exoneration of others party to such instruments [source G] Form 7.111 Power to add property to trust estate [source II]

Form 7.112 Power to combine trust assets [source G] Form 7.113 Power to combine assets of separate trusts other than marital trust [source F]

Form 7.114 Power to hold principal of separate trusts as one fund [source H]

Form 7.115 Consolidation of trusts for purposes of convenience of administration [source B]

Form 7.116 Consolidation of trusts for purposes of unified administration [source A]

Form 7.117 Consolidated administration of separate trusts [source P-JKW]

Form 7.121 Power to purchase, continue, and terminate life insurance [source G]

Form 7.122 Power to purchase property by obligating trust on non-commercial annuity [source A]

Form 7.131 Power to divide, value, and distribute in cash or in kind [source F]

Form 7.132 Power to distribute in cash or in kind, and in undivided fractional shares [source G]

Form 7.133 Power to make distribution in money or in kind, including undivided interests [source I]

Form 7.134 Power to partition [source C]

Form 7.141 Power to enter into authorized transactions with trustee of other trust in which beneficiary has interest [source I]

Form 7.142 Executor empowered to use powers of testamentary trustee under will [source E]

Form 7.143 Powers conferred by will to continue after termination of trusts created by will [source]

Form 7.144 Power to act like testator if living [source E] Form 7.145 Power to exercise rights of absolute owner features Pl

Form 7.151 Trustee governed by statute except where inconsistent with will [source C]

Form 7.152 Powers of executor exercisable without court approval and irrespective of provisions of probate code [source E]

Form 7.153 Powers of trustee exercisable without court order [source C]

Form 7.161 Allocation to independent trustee of powers [source X]

Form 7.162 Vesting of dispositive powers in independent trustee, when such trustee is added for whatever reason [source X]

Form 7.163 Diversion of tax ``sensitive" powers from trustee [source X]

Form 7.164 Limitation of powers granted elsewhere in instrument in order to avoid adverse tax consequences due to existence of general power of appointment or gift [source X]

Form 7.165 Diversion of all incidents of ownership from insured, who is serving as one of trustees of trust owning life insurance [source X]

Form 7.166 Individual trustee disqualified from joining corporate trustee in its exercise of discretionary power where individual trustee would benefit [source G] Form 7.171 Power to retain unproductive property, despite general requirement to make property productive [source

Form 7.172 Power to retain unproductive property, including life insurance and foreign-situated assets, despite a general requirement to make property productive (with specific reference to nonproductive character of the property) [source X]

Form 7.173 Power to retain unproductive property, despite general requirement to make property productive [source X1]

Form 7.181 Release of powers by trustee [source X] Form 7.182 Release of powers by trustee, who is not an independent trustee [source X]

Form 7.183 Release of powers by trustee that is not an independent entity, with specific reference to provisions of trust instrument affected [source X]

Form 7.184 Release of powers by trustee, with specific reference to provisions of trust instrument affected [source XI

Form 7.185 Trustee may waive or release power by instrument in writing delivered to each beneficiary [source A]

Form 7.191 Discretion to create new trust(s) from existing trust(s) [source X]

Form 7.192 Trustee power to reform or amend [source X] Form 7.193 Trustee power to reform charitable trust [source X]

Form 7.201 Vote of majority of trustees to be controlling, with provision for recording dissent [source G] Form 7.202 Unanimous decision required [source C]

8 AFTERBORN OR AFTER-ADOPTED CHILDREN

Form 8.01 Adopted child to share [source K]

Form 8.02 Adopted child to share--another form [source B]

Form 8.03 Afterborn or after-adopted issue not to be

excluded from benefits [source F]

Form 8.04 Afterborn children of testator to share in benefits [source H]

Form 8.05 Afterborn and after-adopted persons to share as beneficiaries [source F]

Form 8.06 Will to be effective regardless of birth or adoption of child after date of execution [source B]

Form 8.07 Afterborn or after-adopted descendant excluded from benefits with stated exception [source I]

Form 8.08 Unidentified newborn and not yet adopted child excluded from benefits [source Y]

#### **8 AFTERBORN OR AFTER-ADOPTED CHILDREN**

Form 8.08 Unidentified newborn and not yet adopted child excluded from benefits [source Y]

#### 9 ANATOMICAL GIFT

Form 9.01 Gift of entire body

Form 9.02 Gift of part of body

Form 9.03 Gift of parts of body

Form 9.04 Organ donor certification to be included as part of living will [source (HH)]

#### 10 ANCILLARY ADMINISTRATION

Form 10.01 Ancillary executors directed to sell and transmit net proceeds of sale to primary executor [source I] Form 10.02 Powers in primary executor to pay to ancillary executors sums to maintain properties and to pay death and other taxes assessed thereon [source I]

Form 10.03 Power in primary executor to pay expenses of ancillary administration

## 11 ANCILLARY EXECUTORS AND TRUSTEES

Form 11.01 Appointment of ancillary executors--another form [source P-JKW]

Form 11.02 Ancillary trustees [source U]

#### 12 ANNUITY

Form 12.01 Gift of annuity charged to non-marital trust of residuary estate [source B]

Form 12.02 Gift of annuity to child of testator

Form 12.03 Gift of annuity from principal of trust [source J]

Form 12.04 Private annuity [source Y]

Form 12.05 Physician's letter where risk of imminent death [source Y]

## 13 ATTESTATION

Form 13.01 Recital of date of execution, recital of publication of will by testator, declaration of belief of attesting witnesses in testamentary capacity, and declaration by attesting witnesses as to accuracy of attestation clause [source K]

Form 13.02 Recital of publication of will by testator [source B]

Form 13.03 Recital of number of pages of will and recital of publication of will by testator

Form 13.04 Recital of number of pages of will, recital of publication of will by testator, and declaration of belief of witnesses in testamentary capacity

Form 13.05 Recital of number of pages of will, recital of publication of will by testator, declaration of belief of witnesses in testamentary capacity, declaration that attestation clause was read to witnesses [source F] Form 13.06 Recital of number of pages of will, recital of place and date of execution, recital of publication of will by testator, and declaration of belief of attesting witnesses in testamentary capacity

Form 13.07 Attestation to codicil and recital of publication of codicil by testator

#### 14 BEQUEST

Form 14.01 Fixed pecuniary gift [source X]

Form 14.02 Fixed pecuniary gift with interest payable from time of death [source X]

Form 14.03 Fixed pecuniary gift with income payable from time of death as if pecuniary amount had been placed in trust [source XI

Form 14.04 Bequests of dollar amounts, with provision for pro rata reductions [source K]

Form 14.05 Bequests of dollar amounts to several beneficiaries, including household employees [source B]

Form 14.06 Bequest of family portrait for life, with future interests and exemption of requirement of furnishing bond [source K]

Form 14.07 Bequest to organization by commonly known name [source D]

Form 14.08 Bequest of dollar amount of common stock [source K]

Form 14.09 Bequest of common stock [source J]

Form 14.10 Bequest of common stock, with dividends, rights and benefits

Form 14.11 Bequest of common stock [source Y]

Form 14.12 Bequest of common stock, with provision for consequences of corporate change

Form 14.13 Bequest of dollar amount to person nominated as executor [source A]

Form 14.14 Bequest for saying of masses

Form 14.15 Bequest for perpetual care of grave of testator

Form 14.16 Bequest for care of pets [source Y]

Form 14.17 Devise of real estate in nominee trust [source v1

#### 14 BEQUEST

Form 14.17 Devise of real estate in nominee trust [source Y]

#### **15 BOND**

Form 15.01 Exemption of fiduciary from requirement of furnishing bond [source F]

Form 15.02 Exemption of fiduciary from requirement of furnishing bond, and direction that no surety be required if bond must be furnished [source G]

Form 15.03 Exemption of executor, trustee, or guardian from requirement of furnishing bond, surety, or other security [source H]

Form 15.04 Exemption of trustee from requirement of furnishing bond and accounting to court; trustee to keep books open to inspection; exemption of trustee from liability for losses incurred for any reason other than fraud [source E]

#### 16 CAPTIONS AND DESCRIPTIVE WORD HEADINGS

Form 16.01 Identification of document and identity of testator

Form 16.02 Identification of document and identity of testator--another form

Form 16.03 Identification of document and identity of testator--another form

Form 16.04 Identification of document and identity of settlor of revocable trust

Form 16.05 Identification of document and identity of settlor of irrevocable trust

Form 16.06 Descriptive word headings--lack of significance [source U]

## 17 CHARITY

Form 17.01 Gift of legacy to charitable foundation [source B]

Form 17.02 Deed of gift of tangible personal property to a charity [source Y]

Form 17.03 Devise and bequest of one-fifth of remaining assets or assets having a value of one million dollars, whichever is less, to foundation, free of tax [source C] Form 17.04 Gift of legacy to trustees of church in trust, with direction for distribution [source E]

Form 17.05 Gift of a share of residue to missionary society and to college [source I]

Form 17.06 Formula pecuniary charitable bequest in trust [source X]

Form 17.07 Gift of residue to charity if neither wife, child, nor more remote descendant of testator survives [source

Form 17.08 Savings clause to assure continued qualification of charitable trust [source X]

Form 17.11 Sample charter of charitable trust (Pub. 557, rev. May 1995) [source CC]

Form 17.12 Sample declaration of trust for charity (Pub. 557, rev. May 1995) [source CC]

Form 17.21 Sample inter vivos charitable remainder annuity trust: one life (Rev. Proc. 89-21) [source CC]

Form 17.22 Sample inter vivos charitable remainder annuity trust: two lives, consecutive interests (Rev. Proc. 90-32) [source CC]

Form 17.23 Sample inter vivos charitable remainder annuity trust: two lives, concurrent and consecutive interests (Rev. Proc. 90-32) [source CC]

Form 17.24 Sample testamentary charitable remainder annuity trust: one life (Rev. Proc. 90-32) [source CC] Form 17.25 Sample testamentary charitable remainder annuity trust: two lives, consecutive interests (Rev. Proc. 90-32) [source CC]

Form 17.26 Sample testamentary charitable remainder annuity trust: two lives, concurrent and consecutive interests (Rev. Proc. 90-32) [source CC]

Form 17.31 Sample inter vivos charitable remainder unitrust: one life (Rev. Proc. 89-20) [source CC] Form 17.32 Sample inter vivos charitable remainder unitrust: two lives, consecutive interests (Rev. Proc. 90-30)

Form 17.33 Sample inter vivos charitable remainder unitrust: two lives, concurrent and consecutive interests (Rev. Proc. 90-30) [source CC]

Form 17.34 Sample testamentary charitable remainder unitrust: one life (Rev. Proc. 90-30) [source CC] Form 17.35 Sample testamentary charitable remainder unitrust: two lives, consecutive interests (Rev. Proc. 90-30) [source CC]

Form 17.36 Sample testamentary charitable remainder unitrust: two lives, concurrent and consecutive interests (Rev. Proc. 90-30) [source CC]

Form 17.37 Sample inter vivos charitable remainder unitrust: one life, with makeup provision (Rev. Proc. 90-31)

Form 17.38 Sample inter vivos charitable remainder unitrust: two lives, consecutive interest, with makeup provision (Rev. Proc. 90-31) [source CC]

Form 17.39 Sample inter vivos charitable remainder unitrust: two lives, concurrent and consecutive interests, with makeup provision (Rev. Proc. 90-31) [source CC] Form 17.40 Sample testamentary charitable remainder unitrust: one life, with makeup provision (Rev. Proc. 90-31) [source CC]

Form 17.41 Sample testamentary charitable remainder unitrust: two lives, consecutive interests, with makeup provision (Rev. Proc. 90-31) [source CC]

Form 17.42 Sample testamentary charitable remainder unitrust: two lives, concurrent and consecutive interests, with makeup provision (Rev. Proc. 90-31) [source CC] Form 17.43 Sample inter vivos charitable remainder unitrust: concurrent and consecutive interests limited to a term of years, contingent individual beneficiaries and multiple charitable beneficiaries, conforming to 199918046 [source CC]

Form 17.51 Testamentary charitable lead unitrust created from residuary estate

Form 17.52 Testamentary charitable lead annuity trust created from residuary estate

Form 17.53 Inter vivos charitable lead trust in the form of a guaranteed annuity

## 18 CLASS GIFTS AND NONAPPLICABILITY

Form 18.01 Class gifts--intention not to create [source Y] Form 18.02 Date on which class of grandchildren closes when they are devised a remainder [source Y]

Form 18.03 Protection against class remaining open due to frozen embryos [source Y]

Form 18.04 Exclusion of individuals who are adopted out f from class devise [source Y]

#### 18 CLASS GIFTS AND NONAPPLICABILITY OF ANTILAPSE **STATUTE**

Form 18.02 Date on which class of grandchildren closes when they are devised a remainder [source Y]

Form 18.03 Protection against class remaining open due to frozen embryos [source Y]

Form 18.04 Exclusion of individuals who are adopted out de from class vise [source Y]

#### 19 COMMUNITY PROPERTY

Form 19.01 Testator disposes of entire community property and requires spouse to elect whether to take under will [source J]

Form 19.02 The treatment of community property transferred to a revocable trust [source P-JKW] Form 19.03 Election not intended [source Y]

#### 19 COMMUNITY PROPERTY

Form 19.03 Election not intended [source Y]

#### 20 CONFLICT OF INTEREST

Form 20.01 Rule against self-dealing waived where beneficiary has interest in two or more trusts [source I] Form 20.02 Executor or trustee authorized and empowered to act free from conflict of interest rules on employment and self-dealing [source G]

Form 20.03 Executor or trustee exempt from conflict of interest rules on making and retaining investments [source

Form 20.04 Trustee authorized to loan own funds to trust at interest [source J]

Form 20.05 Attorney as trustee and personal representative [source O]

Form 20.06 Letters re dual representation of spouses [source BB]

## 21 CONFLICT OF LAWS

Form 21.01 Intention and performance of trust to be governed by law of original situs [source A] Form 21.02 Governing law clause specifically for trust [source P-JKW]

Form 21.03 Governing law clause specifically for trust-another form [source U]

#### 22 CONSOLIDATION OF TRUSTS

Form 22.01 Consolidation of trusts for all purposes [source

Form 22.02 Consolidation of trusts, especially when parents have provided separately, but identically, for children [source X]

Form 22.03 Merger and severance of trusts--single clause [source P-JKW]

## 23 CONTRACTUAL WILLS

Form 23.01 Contractual wills--denial of existence of contractual relationship [source Y]

Form 23.03 Affirmation of contractual wills between

#### spouses [source Y] 23 CONTRACTUAL WILLS

Form 23.03 Affirmation of contractual wills between spouses [source Y]

## 24 COOPERATIVE APARTMENT

Form 24.01 Gift of cooperative apartment [source B]

#### 25 DEBT

Form 25.01 Forgiveness of debt evidenced by note [source

Form 25.01A Forgiveness of debt -- comprehensive clause -- no reduction in devise [source Y]

Form 25.01B Forgiveness of debt -- comprehensive clause -- reduction in devise [source Y]

Form 25.02 Forgiveness of indebtedness owing at death [source E]

Form 25.03 Forgiveness of indebtedness owed by legatee, with direction that legacy be reduced by amount of such indebtedness

Form 25.04 Allocation of trust receivables to debtor's share [source P-JKW]

Form 25.05 Self-canceling installment note [source Y]

#### **25 DEBT**

Form 25.01A Forgiveness of debt -- comprehensive clause -- no reduction in devise [source Y]

Form 25.01B Forgiveness of debt -- comprehensive clause -- reduction in devise [source Y]

#### **26 DEFINITIONS**

Form 26.01 Comprehensive definitions clause [source U] Form 26.01A Comprehensive definitions clause [source

Form 26.02 Children, descendants, etc. defined-comprehensive clause [source P-JKW]

Form 26.02A Children and descendants -- alternative comprehensive clause [source Y]

Form 26.03 "Issue" defined [source K]

Form 26.04 ``Child," ``grandchild," and ``issue" defined [source H]

Form 26.05 ``Issue," ``child," ``grandchild," and ``per stirpes" defined [source F]

Form 26.06 ``Spouse," ``husband," and ``wife" to include ``widow" and ``widower" [source K]

Form 26.07 Special definition of a ``spouse" to avoid distribution to person where marriage has ended other than because of death and to provide for distribution to person who is spouse at particular time [source X] Form 26.08 Special definition of a ``spouse" to avoid distribution to person where marriage has ended other than because of death and to provide for distribution to person who is spouse at particular time with bar in case of remarriage [source X]

Form 26.09 Husband, wife, and surviving spouse defined [source P-JKW]

Form 26.10 Corporate trustee defined [source X] Form 26.11 Corporate trustee defined--another form [source X]

Form 26.12 Independent trustee defined [source X] Form 26.13 Independent [corporate] trustee defined [source X]

Form 26.14 Neuter includes masculine and feminine and singular includes plural [source Y]

## **26 DEFINITIONS**

Form 26.01A Comprehensive definitions clause [source MM]

Form 26.02A Children and descendants -- alternative comprehensive clause [source Y]

#### **27 DELEGATION OF POWERS**

Form 27.01 Delegation of powers by one fiduciary to another fiduciary under will [source H]

Form 27.02 Delegation of powers among trustees [source

Form 27.03 Delegation of powers to co-fiduciary in the event of illness or disability of fiduciary [source II]

### **28 DISCLAIMER**

Form 28.01 Disclaimer by spouse of devise and legacy in trust, and provision that disclaimed devise and legacy fall into residuary trusts [source G]

Form 28.02 Disclaimer by spouse of devise and legacy by instrument in writing delivered to trustees [source G]
Form 28.03 Disclaimer of legacy by spouse, or by personal representative of spouse, provision that disclaimed legacy fall into residuary estate, and provision that disclaimer be by written instrument delivered to executor and trustee (other than spouse) and filed in probate court [source H]
Form 28.04 Disclaimer of marital deduction property to existing trust, with modifications in trust terms as a result of the disclaimer [source X]

Form 28.05 Disclaimer of marital deduction property to newly created, special ``disclaimer" trust [source X] Form 28.06 Disclaimer of exercise of any power of appointment by residuary devise and bequest [source K] Form 28.07 Disclaimer of exercise of testamentary power of appointment conferred by another [source F] Form 28.08 Clause for notice re disclaimer to spouse, children, or their personal representatives [source O] Form 28.09 Affidavit disclaiming interest [source Y]

#### **28 DISCLAIMER**

Form 28.09 Affidavit disclaiming interest [source Y]

## **29 DISCRETIONARY TRUST**

Form 29.01 Trustee discretion to make distributions of income and principal to single permissible distributee [source X]

Form 29.02 Trustee discretion to make distribution of income and principal to several distributees [source X] Form 29.03 Optional statement of purpose concerning discretion with respect to distributions [source X] Form 29.04 Optional statement of purpose concerning discretion with respect to distributions--another form [source X]

Form 29.05 Optional statement of purpose concerning discretion with respect to distributions, including

management for beneficiaries after attaining age 21 [source X]

Form 29.06 Optional, precatory preference for specified person(s) in connection with trust distributions [source X] Form 29.07 Discretion in nonindependent trustee to distribute to single distributee [source X]

Form 29.08 Discretion in nonindependent trustee to make distributions to plural distributees [source X]

Form 29.09 Limitation of discretion in trustee so as not to create in him a general power of appointment [source X] Form 29.10 Broad prohibition of payment by trustee so as to avoid classification of power as general power of appointment [source X]

Form 29.11 Single permissible distributee coupled with some discretion in nonindependent trustee and some discretion in independent trustee--exercise of certain powers by independent trustee to avoid classification as general power of appointment, with broad discretion to appoint to grantor's spouse [source X]

Form 29.12 Plural permissible distributees coupled with some discretion in nonindependent trustee and some discretion in independent trustee--exercise of certain powers by independent trustee to avoid classification as general power of appointment, with broad discretion to appoint to grantor's spouse and descendants without any duty of equalization [source X]

Form 29.13 Trustee authorized to make non-pro rata distributions, possibly avoiding taxability of exchanges by distributees [source X]

Form 29.14 Trustee authorized to make non-pro rata distributions, possibly avoiding taxability of exchanges by distributees (and requiring no equitable adjustment of non-pro rata allocations of unrealized gains) [source X] Form 29.15 Trustee discretions in carrying out pecuniary, fractional share, and other distributions [source P-JKW] Form 29.16 Trustee who is beneficiary disqualified from exercising power for own benefit [source Y]

#### **30 DIVORCE**

Form 30.01 Effect of divorce decree on construction of will [source K]

#### 31 ELECTIVE SHARE

Form 31.01 Distribution of estate where spouse takes elective share [source Y]

## 32 ENVIRONMENTAL LAW COMPLIANCE

Form 32.01 Non-liability for compliance with environmental law (for use in will) [source JJ]

Form 32.02 Inspection of property (for use in will) [source  $\ensuremath{\mathsf{JJ}}$ ]

Form 32.03 Power to undertake cleanup of trust and estate property (for use in will) [source JJ]

Form 32.04 Settlement of claims (for use in will) [source JJI]

Form 32.05 Right to reject donations to trust of certain property (for use in inter vivos trust when trustee may accept further donations of property) [source JJ]
Form 32.06 Power to disclaim powers of fiduciary (environmental) (for use in will) [source JJ]
Form 32.07 Warranty by grantor of inter vivos trust (to be inserted in deeds conveying property to the trust) [source

Form 32.08 Power of trustee to resign (for use in intervivos trust document) [source JJ]

Form 32.09 Non-liability for compliance with laws in capacity as majority shareholder or director (for use in will in conjunction with close corporation powers) [source JJ] Form 32.10 Executor's powers with regard to environmental matters [source JJ]

Form 32.11 Agreement between bank fiduciary and beneficiaries regarding compliance with environmental regulations [source JJ]

#### 33 EXECUTOR AND TRUSTEE APPOINTMENT

Form 33.01 Nomination of executor and trustee, with provisions for alternate and successor [source K] Form 33.02 Appointment of spouse as executor with exemption from requirement of furnishing bond, and appointment of alternate executor

Form 33.03 Appointment of spouse as executor, appointment of alternate executors, all being exempt from requirement of furnishing bond, and provision for payment of executor [source C]

Form 33.04 Appointment of spouse and bank as coexecutors, direction that no surety be required on any bond required of spouse, and provision for bank to act as sole executor [source I]

Form 33.05 Appointment of spouse and corporate fiduciary as co-executors and co trustees, and provision for friend to replace spouse as executor and trustee if necessary [source H]

Form 33.06 Appointment of son, son-in-law, and bank as co-executors and co-trustees [source G]

Form 33.07 Appointment of two persons, or the survivor, as executors, and appointment of bank as alternate executor [source E]

Form 33.08 Appointment of bank as executor [source J] Form 33.09 Appointment of primary executor of multistate estate, with provision for alternate [source I]

Form 33.10 Individual trustee's discretion to add an independent trustee [source X]

Form 33.11 Mandatory appointment of independent trustee, if no other trustee possesses a particular power or can exercise it [source X]

Form 33.12 Appointment of attorney for estate [source Y]

Form 33.13 Temporary executor [source Y]

#### 33 EXECUTOR AND TRUSTEE APPOINTMENT

Form 33.13 Temporary executor [source Y]

## 34 EXONERATION OF THIRD PARTY

Form 34.01 Exoneration of third party dealing with executor or trustee [source K]

Form 34.02 Exoneration of third party dealing with executor or trustee--another form [source B]

Form 34.03 Exoneration of third party dealing with executor or trustee--another form [source H]

Form 34.04 Exoneration of third party purchasing from or dealing with trustee [source C]

## 35 EXONERATION OF TRUSTEE

Form 35.01 Executor or trustee not liable for acts, omissions, or defaults of agent appointed with due care, or of co-fiduciary, or for failure to contest accounts or redress breach of trust, unless requested in writing [source K] Form 35.02 Trustee liable only for dishonesty [source C] Form 35.03 Exoneration of fiduciary from liability under certain circumstances [source P-JKW]

### **36 EXORDIUM**

Form 36.01 Recital of residence of testator, publication of will, and revocation of all prior wills and codicils [source F] Form 36.02 Recital of both residence and domicile of testator, publication of will, and revocation of all prior wills and codicils [source H]

Form 36.03 Recital of residence of testator, recital of testamentary capacity, publication of will, and revocation of all prior wills and codicils [source F]

Form 36.04 Recital of alternate identification of testator, recital of residence of testator, publication of will, and revocation of all prior wills and codicils [source F] Form 36.05 Recital of domicile of testator, identification of testator by military service, service number, and Social Security number, recital of temporary residence, publication of will, and revocation of all prior wills and codicils

Form 36.06 Exordium to codicil and recital of publication of codicil by testator [source F]

#### **37 EXPENSES**

Form 37.01 Comprehensive will clause regarding payment of debts, taxes, and expenses [source P-JKW]
Form 37.02 Payment of death costs by executor [source X]
Form 37.11 Payments to estate by revocable trust to cover gifts, debts, expenses, and taxes [source U]
Form 37.13 Allocation of charges to beneficiaries of revocable trust to pay for estate expenses [source U]
Form 37.21 Costs of handling tangible personal property to be charged against residuary estate [source H]

#### 38 FAILURE OF ISSUE

Form 38.01 Gift of principal of trust on failure of issue of testator [source H]

#### **39 FEES**

Form 39.01 Executor entitled to commissions permitted by law, with fixed minimum [source B]
Form 39.02 Trustee entitled to commissions permitted by law, with fixed minimum [source B]
Form 39.03 Authority for fiduciaries to receive

compensation [source X]

#### **40 FIRST REFUSAL**

Form 40.01 Child of testator to have first refusal of property to be sold, offer to sell to be made in writing, any acceptance to be in writing, transfer of title to be affected, and distributive share of child in estate to be adjusted accordingly [source I]

## 42 GENERATION-SKIPPING TRANSFER TAX

Form 42.01 Establishment of skip trust [source U] Form 42.02 Establishment of skip trust and marital deduction trust [source U]

Form 42.03 Grant of general power of appointment as means of avoiding GSTT [source U]

Form 42.04 Special adjustments among shares to take account of GSTT [source U]

Form 42.21 Trustee granted discretion to split single trust into two trusts to maximize benefit of GST exemption [source X]

Form 42.21A Generation-Skipping Provisions [source MM] Form 42.22 Establishment of two QTIP marital deduction trusts, with marital trust #1 designed to absorb the settlor's

unused GST exemption and marital trust #2 designed to receive the balance of the relevant property [source X]

Form 42.23 Establishment of two marital deduction trusts, with marital trust #1, a QTIP trust, designed to absorb the settlor's unused GST exemption and marital trust #2 designed to receive the balance of the relevant property and to reserve as a source for the surviving spouse's

power to appoint assets [source X]

Form 42.24 Creation of separate and distinct family trust of either pecuniary amount (alternative 1) or fractional share (alternative 2) equal to settlor's unallocated GST exemption, with second trust consisting of the balance (the executor should allocate the GST exemption to the family trust) [source X]

Form 42.25 Clause granting authority to independent trustee to create or revoke general power to beneficiary, with purpose of potentially generating lower estate tax at beneficiary's generation level rather than incurring generation-skipping transfer tax at higher marginal rate [source X]

Form 42.26 Clause to be used in hybrid system combining the discretionary creation of two sets of trusts and the mandatory application of the rights to withdraw to property that has the highest inclusion ratio [source X]

Form 42.27 Clause for payment of charges and taxes of estate by trustee, including taxes imposed on direct skips, but not on other generation-skipping transfers [source X]

# 42 GENERATION-SKIPPING TRANSFER TAX (GSTT) CLAUSES Form 42.21A Generation-Skipping Provisions [source MM]

### **43 GUARDIAN**

Form 43.01 Appointment of guardian for person and estate of minor child [source F]

Form 43.02 Appointment of guardians for person and estate of children [source I]

Form 43.03 Appointment of guardian for person and estate of minor child, appointment of successor guardian, and investment of guardian of estate with powers given executor and trustee by will [source H]

Form 43.04 Appointment of guardian of person and property of minor children [source V]

Form 43.05 Payments for home of guardian [source V] Form 43.06 Comprehensive guardianship clause [source

Y]
Form 43.07 Virtual representation [source P-JKW]
Form 43.08 Virtual representation--another form [source U]

## 44 HOMESTEAD

Form 44.01 Devise of homestead real estate, and substitute gift to issue of testator if devisee does not survive testator [source F]

Form 44.02 Power in executor or trustee to retain homestead or other residence real estate and to permit issue of testator to occupy rent free [source F]

#### **45 HOUSEHOLD EFFECTS**

Form 45.01 Gift to spouse of household effects [source N]

## 46 IN TERROREM CLAUSE AND ALTERNATE DISPUTE

Form 46.01 Beneficiary under will who attacks or contests will not to take [source J]

Form 46.02 Beneficiary under will who objects to probate or contests will not to take

Form 46.03 Incontestability of trust [source P-JKW] Form 46.04 Proscription relating to marriage outside the faith [source Y]

Form 46.05 Dispute resolution through mediation and other forms of ADR [source U]

#### **47 INCOME INTEREST**

Form 47.01 Directive for mandatory accumulation of income [source X]

Form 47.02 Directive for mandatory distribution of net income to spouse [source X]

Form 47.03 Directive for distribution of net income to children in equal shares [source X]

Form 47.04 Gift of net income of trust, with noncumulative power in trustee to invade principal for benefit of income beneficiary [source E]

Form 47.05 Gift of net income of trust, with minimum monthly payment assured if necessary from principal [source J]

Form 47.06 Income received during administration of estate to be added to principal [source J]

Form 47.07 Accrued income not to be apportioned where income beneficiary dies before income is payable to executor or trustee [source H]

Form 47.08 Power in executor to pay to trustees income collected during administration of estate [source I] Form 47.09 Option to retain accumulated income in separate account or add it to principal [source X] Form 47.10 Disposition of income if accumulation unlawful

[source F]
48 INCOMPETENT PERSON OR MINOR

Form 48.01 Assent of guardian, conservator, or committee of person over twenty-one [source K]

Form 48.02 Payment of net income or principal as determined by corporate trustee to or for benefit of incompetent or minor [source G]

Form 48.03 Property to be distributed to natural guardian of incompetent, and property of minor to be put in trust [source C]

Form 48.04 Property to vest in incompetent or minor, but subject to powers in executor or trustee [source H] Form 48.05 Determination of availability and capacity [source U]

Form 48.06 Protection in case of incapacity of settlor of revocable trust [source P-JKW]

Form 48.07 Incapacity defined for purposes of trust [source P-JKW]

## **49 INCORPORATION BY REFERENCE**

Form 49.01 Incorporation into will of specified clauses of will of brother of testator who predeceased him

Form 49.02 Incorporation by reference into will of trust provisions [source P-JKW]

Form 49.03 Incorporation by reference in will of only certain provisions of pour-over trust instrument so as to preserve privacy of trust to which will refers [source P-JKW]

#### **50 INVESTMENTS**

Form 50.01 Trustee exempt from laws and rules respecting investments [source E]

Form 50.02 Trustee exempt from laws, statutes, and rules respecting investments [source C]

Form 50.03 Sales or exchanges of property and investment of trust funds to be made only with consent of spouse of testator [source J]

Form 50.04 Securities may be held in name of trustee or nominee [source J]

Form 50.05 Enlarged investment perspective of trustees [source P-JKW]

#### 51 LEGACY

Form 51.01 Abatement of legacies

Form 51.02 Abatement of legacies proportionately

Form 51.03 Satisfaction of legacy [source H]

Form 51.04 Legacy not to bear interest [source J]

## 52 LIFE ESTATE AND REMAINDER IN REAL PROPERTY

Form 52.01 Devise of life estate to spouse of testator, and remainder to son

Form 52.01A Life estate to spouse of testator, and remainder to son -- Another form [source Y]

Form 52.01B Condition subsequent to remarriage [source YI

Form 52.02 Expenses of maintaining property during lifetime of spouse to be paid from residuary estate or trust of residue

## **52 LIFE ESTATE AND REMAINDER IN REAL PROPERTY**

Form 52.01A Life estate to spouse of testator, and remainder to son -- Another form [source Y]
Form 52.01B Condition subsequent to remarriage [source Y]

#### 53 LIFE INSURANCE AND OTHER DEATH

Form 53.01 Life insurance trust--terms during grantor's life [source U]

Form 53.02 Contingent provision for payment of death costs if insurance proceeds are included in gross estate [source X]

Form 53.03 Collection of death and disability benefits by trustees [source P-JKW]

Form 53.04 Powers and limitations re trust owned life insurance [source P-JKW]

#### 54 LIVING WILLS, HEALTH CARE PROXIES, AND

Form 54.01 Living will [source V]

Form 54.02 Living will--another form [source Z]

Form 54.03 Living will valid in most states [source Y]

Form 54.04 Halachic (Orthodox Jewish) living will [source AA]

Form 54.05 Health care proxy [source Z]

Form 54.06 Medical directive form [source Z]

Form 54.07 Living will and health care proxy [source Z]

#### **55 MARITAL DEDUCTION**

Form 55.01 Simple formula pecuniary marital bequest [source R]

Form 55.01A Pecuniary Marital/Pecuniary Credit Shelter/Residuary Credit Shelter Disposition [source MM] Form 55.01B Pecuniary Marital/Pecuniary GST Exemption/Residuary Bypass Disposition [source MM] Form 55.02 Simple formula pecuniary credit shelter bequest [source R]

Form 55.03 Simple formula fractional credit shelter bequest [source R]

Form 55.04 Simple preresiduary GSTT-QTIP bequest [source R]

Form 55.05 Formula pecuniary credit shelter bequest [source X]

Form 55.06 Pecuniary gift making full use of estate tax rates less than maximum rate [source X]

Form 55.07 Formula pecuniary marital bequest in trust [source X]

Form 55.08 Marital trust if deaths occur close together [source U]

Form 55.09 Formula pecuniary credit shelter bequest where state death tax credit has not been increased along with post-1997 federal credit shelter increase [source R] Form 55.10 Clause providing for additional marital deduction when state applicable exclusion amount is less than federal applicable exclusion amount [source Y] Form 55.21 Effect of disclaimer upon size of marital or credit shelter disposition [source X]

Form 55.22 Gift of real estate to spouse in fee but, if spouse disclaims, in legal life estate--the purpose being to allow the surviving spouse to include the property in or exclude the property from her gross estate, without a

surrendering beneficial enjoyment and with the retention of a power of sale [source X]

Form 55.23 Gift of real estate to spouse in fee but, if spouse disclaims, in legal life estate (to allow surviving spouse to include property in or exclude property from gross estate without surrendering beneficial enjoyment) [source X]

Form 55.24 Alternate marital trust in the event of qualified disclaimer by surviving spouse [source U]

Form 55.31 Protection against short period of survival of surviving spouse--for use with formula marital deduction-credit shelter arrangement (leaving spouse approximately one-half when she has no property) [source XI

Form 55.32 Protection against short period of survival of surviving spouse--for use with formula marital deduction-credit shelter arrangement (particularly to be used when spouse's own estate is less than credit shelter amount) [source X]

Form 55.33 Protection against short period of survival for less wealthy surviving spouse-- for use with simple will [source X]

Form 55.34 Protection against earlier death of less wealthy spouse or where each spouse's estate exceeds the exemption equivalent and represents about one-half of the combined taxable estates: for use with simple will [source x1]

Form 55.41 Marital deduction--life estate--general power of appointment trust

Form 55.42 Power of appointment provision of marital deduction trust exercisable by spouse by written instrument other than will, with gift in default of appointment [source J]

Form 55.43 Power in spouse to withdraw principal of marital deduction trust [source J]

Form 55.44 Authority to pay from principal of marital deduction trust to or for spouse [source J]

Form 55.45 Invasion of principal for benefit of spouse to be from marital deduction trust so long as it remains undistributed [source A]

Form 55.46 General inter vivos power of appointment in spouse of testator exercisable if marital trust falls below certain value [source H]

Form 55.51 Direction to pay income of marital deduction trust to spouse from date of death [source A]

Form 55.52 Authority to pay from general estate sums approximating income from marital deduction trust

Form 55.53 Disposition of undistributed income of marital deduction trust at death of spouse–for use with life estate-power of appointment trust [source A]

Form 55.54 Direction on property in marital deduction trust which might become unproductive [source A]

Form 55.61 Authority to terminate marital deduction trust and pay principal and accrued and undistributed income to spouse [source B]

Form 55.62 Preservation of marital deduction [source B] Form 55.63 Limitation on administrative powers otherwise conferred on executor and trustee to protect marital deduction [source A]

Form 55.64 Questions on principal and income to be resolved in favor of spouse as primary and preferred beneficiary of marital deduction trust [source A]

Form 55.65 Savings clause to state intentions and to attempt to preserve marital deduction [source X]

Form 55.66 Power not exercisable if it will disqualify assets for marital deduction [source H]

Form 55.71 Contingent marital deduction disposition in the event insurance trust is included in gross estate and 100% marital deduction is sought [source X]

Form 55.81 QTIP election to qualify all assets in trust [source X]

Form 55.82 Partial, mandatory QTIP election [source X] Form 55.91 Marital deduction--estate trust [source KK]

#### **55 MARITAL DEDUCTION**

Form 55.01A Pecuniary Marital/Pecuniary Credit Shelter/Residuary Credit Shelter Disposition [source MM] Form 55.01B Pecuniary Marital/Pecuniary GST Exemption/Residuary Bypass Disposition [source MM] Form 55.10 Clause providing for additional marital deduction when state applicable exclusion amount is less than federal applicable exclusion amount [source Y]

#### **56 MINORS**

Form 56.01 Share of minor to be held in trust and to be paid to him on attaining eighteen or to be paid to his personal representative should he die before attaining eighteen [source Q]

Form 56.02 Executor and Trustee given discretionary power over property of minor, to be exempt from requirement of furnishing bond and accounting to court, and to be paid as trustee [source B]

Form 56.03 Payment of net income or principal of trust for benefit of minor, and payment of principal to minor at age of 18 [source G]

Form 56.04 Discretionary payment of principal to minor, or his parent, custodian, or legal guardian [source F] Form 56.05 Discretionary payment to parent of minor, to discharge liability incurred in educating minor, or directly to minor [source E]

Form 56.06 Discretionary payment of income or principal to minor, or his parent, or to person standing in loco parentis [source E]

Form 56.07 Payment of accumulated rents or profits from real estate to minor or representative of his estate [source ET]

Form 56.08 Savings clause to assure qualifications for the I.R.C. § 2503(c) exclusion [source X]

Form 56.09 Distributions from trust to guardian for children [source P-JKW]

#### **57 PARTNERSHIP AND OTHER BUSINESS AGREEMENTS**

Form 57.01 Limited partnership agreement [source EE] Form 57.02 Certificate of limited partnership [source EE] Form 57.03 Deed of gift with respect to the formation of limited partnership [source EE]

Form 57.04 Letter accompanying limited partnership agreement [source EE]

Form 57.05 Operating Agreement of limited liability company [source EE]

Form 57.06 Articles of organization of limited liability company [source EE]

Form 57.07 Deed of gift with respect to the formation of limited liability company [source EE]

Form 57.08 Letter to client accompanying limited liability company agreement [source EE]

Form 57.09 Qualified Family-Owned Business Interest Deduction [source Y]

## **58 PERCENTAGE PAYMENT**

Form 58.01 Monthly gift of percentage of principal to or for spouse of testator [source J]

## 59 PERSONAL PROPERTY

Form 59.01 Gift of tangible personal property to spouse who survives, with substitute gifts if she does not [source K]

Form 59.02 Gift of tangible personal property to spouse, along with applicable policies of insurance covering loss [source E]

Form 59.03 Gift of tangible personal property to spouse who survives, with substitute gift to residuary estate [source I]

Form 59.04 Gift of tangible personal property to spouse, with substitute gift to children of testator who survive him in equal shares as determined by them or by executors if there be disagreement

Form 59.05 Gift of tangible personal property to spouse who survives, with substitute gifts if he does not; detailed procedure by which children can select particular items [source Y]

Form 59.06 Gift of tangible personal property (with stated exceptions) to spouse, with substitute gift to descendants of testator in shares determined by children of testator, or by executor if there be disagreement [source C] Form 59.07 Gift of tangible personal property to spouse, with substitute gift to children of testator who survive him in such shares as they shall agree upon, or if any be minors, in such shares as executor shall determine [source H]

Form 59.08 Gift of tangible personal property to spouse, with substitute gift to child, with request to distribute [source B]

Form 59.09 Gifts of tangible personal property to members of a class [source XI

Form 59.10 Disposition by memorandum, but only if the controlling legislation permits a bypass of the normal requirements of the principal of incorporation by reference [source X]

Form 59.11 Gift of watch to nephew if he survives, with provision for delivery to his parent if nephew is minor at death of testator

Form 59.12 Confirmation of ownership of personal property by spouse

Form 59.13 Tangible personal property -- definition [source YI

Form 59.14 Personal and household effects -- definition [source Y]

Form 59.15 Spouse's personal and household effects in trust -- return to relative of first spouse at death of second spouse [source Y]

#### **59 PERSONAL PROPERTY**

Form 59.13 Tangible personal property -- definition [source YI

Form 59.14 Personal and household effects -- definition [source Y]

Form 59.15 Spouse's personal and household effects in trust -- return to relative of first spouse at death of second spouse [source Y]

## 60 POUR-OVER AND POUR-BACKS

Form 60.01 Pour-over of residue to trust created by testator

Form 60.02 Gift of residue to trustee of inter vivos trust for trust purposes (``pour-over" provision) [source I]
Form 60.03 Pour-over of residue to trust created by spouse [source D]

Form 60.04 Pour-over to trust--another form [source P-

Form 60.05 Pour-over of residue to revocable trust, and alternatively, to second trust, if beneficiary of first trust does not survive; further alternative provision if pour-over fails [source U]

Form 60.06 Pour-over back-up system for pour-over inadvertently revoked or that might otherwise fail [source X]

Form 60.07 Pour-over back-up system for pour-overs inadvertently revoked or that might otherwise fail (to be used if state applies incorporation by reference) [source X] Form 60.08 Pour-back from revocable trust to probate estate [source X]

## 61 POWERS OF APPOINTMENT

Form 61.01 Special testamentary power of appointment in child of testator [source E]

Form 61.02 Special power of appointment in child, exercisable by deed or will, with provision for release and methods of release [source G]

Form 61.03 Special inter vivos power of appointment in spouse of testator and gift in default of appointment [source J]

Form 61.04 Special power of appointment with appointees limited to descendants [source X]

Form 61.05 Special power of appointment with appointees anyone but wife, her estate, creditors, and creditors of her estate [source X]

Form 61.06 Special power of appointment exercisable by will, with power to appoint to descendants after power holder's death [source X]

Form 61.07 Special power of appointment exercisable by will, with power to appoint broadly after power holder's death [source X]

Form 61.11 Power in independent trustee to create general power in child, thereby introducing flexibility in distributional scheme and in subjecting transfer to estate tax or generation-skipping transfer tax [source X] Form 61.12 Testamentary power of appointment granted to child who predeceases distribution of pot trust [source X]

Form 61.13 General testamentary power of appointment in spouse of testator, and gift in default of appointment [source G]

Form 61.13A Lifetime power of appointment in spouse of testator, required to be exercised by instrument executed during life, and gift in default of appointment [source Y] Form 61.14 General testamentary power of appointment in spouse of testator, and gift in default of appointment [source H]

Form 61.15 General testamentary power of appointment, and gift in default of appointment [source F]

Form 61.16 Exercise of powers of appointment, including in cases of conflicting revocable appointments and in favor of persons born or adopted after exercise [source U] Form 61.17 Exercise of testamentary power created by

Form 61.17 Exercise of testamentary power created by father through exercise of power created by grandfather in his will [source O]

Form 61.21 Gift in default of limited power of appointment to principal of another trust [source E]

Form 61.22 Gift in default of appointment to children and grandchildren of testator where child of testator fails to exercise power, with perpetuities savings clause [source El

Form 61.23 "Hotchpot" clause [source K]

Form 61.31 Exercise of any testamentary power of appointment [source J]

Form 61.32 Exercise of power of appointment created by testamentary trust of father of testator [source J]
Form 61.33 Exercise of general testamentary power created by spouse to extent necessary to pay death taxes attributable to possession of such power [source B]
Form 61.41 Release of power by donee, and method of release [source K]

Form 61.42 Release of power by donee, and method of release--another form [source H]

Form 61.42A Refusal to exercise power [source Y]

Form 61.51 Method of exercise of powers of appointment-comprehensive provisions [source P-JKW]

Form 61.52 Method of exercise of power, including creation of new power [source K]

Form 61.53 Method of exercise of power, including creation of new power--another form [source H]

#### **61 POWERS OF APPOINTMENT**

Form 61.13A Lifetime power of appointment in spouse of testator, required to be exercised by instrument executed during life, and gift in default of appointment [source Y] Form 61.42A Refusal to exercise power [source Y]

## 62 POWERS OF ATTORNEY

Form 62.01 General power of attorney with durable power of attorney clause [source V]

Form 62.02 General power of attorney with durable power of attorney--another form [source Y]

Form 62.03 Springing general power of attorney clause [source Z]

Form 62.04 Springing durable power of attorney [source Y] Form 62.05 Springing power of attorney clause (New York) [source Z]

Form 62.06 Durable power of attorney permitting attorney-in-fact to fund a revocable trust [source Z]

Form 62.07 Durable General Power of Attorney Effective at a Future Time [New York Statutory Short Form] [source Z] Form 62.08 Alternative standard for springing durable power of attorney - ``Inability to Act" [source Y]

## **62 POWERS OF ATTORNEY**

Form 62.08 Alternative standard for springing durable power of attorney - ``Inability to Act" [source Y]

#### **63 PREMARITAL AGREEMENTS**

Form 63.01 Antenuptial agreement [source V]

## **64 PRINCIPAL AND INCOME**

Form 64.01 No distribution of principal permitted by trustee [source X]

Form 64.02 Income arising from general estate during administration shall be treated as income [source H] Form 64.03 Allocation of dividends other than cash [source H]

Form 64.04 Ordinary cash dividends allocated to principal [source H]

Form 64.05 Power in corporate executor or trustee to provide from income for amortization of premium paid on purchase of security and for reserve for depreciation, obsolescence, or deterioration [source H]

Form 64.06 Allocation of proceeds of sale of property constituting principal [source H]

Form 64.07 Allocations made by corporate executor or trustee to be binding on persons having any interest under will [source H]

Form 64.08 Allocation of payments from interests in oil, gas, mineral or other natural resources or patents or inventions [source H]

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Allowance (Entry Setting Hearing and Ordering Notice; Entry on Apportionment)

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Form ETF 1-B Resident decedent's nontaxable estimate of property for a gross estate which does not exceed \$5,000,

\$10,000 or \$25,000 (Rev. 2-89) (O.R.C. 5731.21)

Form ETF 2 Resident estate tax return--Applicable to date of death on or after January 1, 2002 (Rev. 12-01) (O.R.C. 5731.21)

Form ETF 2 Ohio estate tax return for all resident filings for dates of death January 1, 2001-December 31, 2001 (Rev. 1-01)

Form ETF 2 Ohio estate tax return for all resident filings for dates of death on or after January 1, 2002 (Rev. 12-01)

Form ETF 2-X Amended Ohio estate tax resident return (used to report supplemental assets or to apply for a refund) (Rev. 7-03) (O.R.C. 5731.21)

Form ETF 3 Ohio resident additional tax return (Rev. 7-03) (O.R.C. 5731.18)

Form ETF 3-G Ohio resident generation-skipping transfer tax return (Rev. 7-03) (O.R.C. 5731.181)

Form ETF 3-N Ohio non-resident additional tax return (Rev. 7-03) (O.R.C. 5731.19)

Form ETF 4 Ohio non-resident estate tax return (Rev. 7-03) (O.R.C. 5731.19)

Form ETF 5 Ohio estate tax and additional tax return filing notice (Rev. 7-03) (O.R.C. 5731.21)

Form ETF 7 Adjustment and administrative conference notice-Applicable to date of death after 6-30-83 (Rev. 11-88) (O.R.C. 5731.26)\*

Form ETF 7-C Adjustment and administrative conference notice (O.R.C. 5731.26)\*
Form ETF 7-P Penalty notice pursuant to Sec. 5731.22

O.R.C.-Applicable to date of death after 6-30-83 (O.R.C. 5731.22)

Form ETF 7-X Adjustment and hearing notice (O.R.C. 5731.26)

Form ETF 8 Certificate of determination of Ohio estate or additional tax (O.R.C. 5731.27)\*

Form ETF 8-A Report of issuance of refund for overpayment of Ohio estate tax (O.R.C 5731.27)\* Form ETF 8-C Certificate of determination of disallowance of refund (O.R.C. 5731.28)\* Form ETF 8-D Certificate of determination of Ohio estate tax by tax commissioner under O.R.C. Section 5731.21(B) (O.R.C. 5731.21)\* Form ETF 9 Federal agreement (O.R.C. 5731.26)\* Form ETF 9-A Federal agreement--Unlisted assets or debts (O.R.C. 5731.26)\* Form ETF 10 Certificate of determination of final Ohio estate tax liability for a taxable estate (Rev. 1-93) (O.R.C. Form ETF 12 Application for consent to transfer property or other interest of a resident decedent (Rev. 7-03) (O.R.C. 5731.39) Form ETF 12-A Application for consent to transfer property or other interest of non-resident decedent (Rev. 6-03) (O.R.C. 5731.40) Form ETF 13 Application for consent to transfer the proceeds of insurance contracts, employer death benefits and retirement plans for resident and non-resident decedents (Rev. 7-03) (O.R.C. 5731.39) Form ETF 14 Consent to transfer (Rev. 7-03) (O.R.C. 5731.39) Form ETF 14-A Non-resident tax release, Instructions for ETF 12-A (Rev. 7-03) Form ETF 17 Ohio estate and additional tax estimated payment notice (Rev. 7-03)(O.R.C. 5731.23) Form ETF 17-A Ohio estate and additional tax estimated payment notice-Payment under protest (Rev. 4-87) (O.R.C. 5731.23) Form ETF 18 Close corporation valuation form (Rev. 7-03) (O.R.C. 5731.01) Form ETF 19 Certificate of payment of Ohio estate taxes (O.R.C. 5731.33)\* Form ETF 20 Affidavit substantiating decedent's state of domicile at death (Rev. 5-96) (O.R.Č. 5731.31) Form ETF 21 Application for certificate of release of Ohio estate tax lien (Rev. 7-03) (O.R.C. 5731.37) Form ETF 22 Certificate of estate tax payment and real property disclosure for dates of death on or after November 8, 1990 (Rev. 7-03) (O.R.C. 5731.21) Form ETF 24 Application for extension of time to file Ohio estate tax return (Rev. 7-03) (O.R.C. 5731.21) Form ETF 25 Request for Ohio estate tax forms (Rev. 7-03) Form ETF 30 Exceptions to Ohio estate tax resident

Form ETF 30 Exceptions to Ohio estate tax residen decedent's nontaxable estimate of property (O.R.C. 5731.20)\*

Form ETF 34 Qualified farm property valuation election application (Rev. 7-03) (O.R.C. 5731.011)

Form ETF 35 Worksheet for developing the value of qualified farm property (Rev. 7-03) (O.R.C. 5731.011)

Form ETF 36 Qualified farm property annual report for estate tax valuation (Rev. 7-03) (O.R.C. 5731.011)

Form ETF 36-A Certificate of subordination of Ohio estate tax lien (Rev. 12-83) (O.R.C. 5731.37)

Form ETF 40-A Annual report for closely held business Interests qualifying for installment payments pursuant to O.R.C. 5731.231 (Rev. 8-85)

Form ETF 41 Application for extension of time to pay Ohio estate tax-Applicable to date of death on or after July 1986 (Rev. 7-03) (O.R.C. 5731.25)

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#### Anderson's Ohio Family Law

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Form 2.01 Application for registration of birth

Form 2.02 -- Journal entry

Form 2.03 -- Supporting affidavits

Form 2.04 -- Entry on hearing, and appointment of special master commissioner

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Form 3.02 Petition for adoption of minor (SPF 18.0)

Form 3.03 Judgment entry setting hearing and ordering notice (SPF 18.1)

Form 3.04 Notice of hearing on petition for adoption (SPF 18.2)

Form 3.05 Consent to adoption (SPF 18.3)

Form 3.06 Judgment entry finding consent not required

Form 3.07 Interlocutory order of adoption (SPF 18.5)

Form 3.08 Final decree of adoption (after interlocutory order) (SPF 18.6)

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Form 5.01 Service of summons on minors check list

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Form 5.05 Application for authority to settle claim for personal injuries to a minor without appointment of a guardian

Form 5.06 Entry authorizing settlement of claim for personal injuries to minor without appointment of a guardian

Form 5.07 Application for finding that minor is emancipated Form 5.08 Notice of hearing on application that minor is emancipated and authority to settle claim

Form 5.09 Entry finding that minor is emancipated and authorizing settlement of claim without the appointment of a guardian

Form 5.10 Application for change of name of minor

Form 5.11 Consent to change of name (SPF 21.4)

Form 5.12 Notice of hearing on change of name (SPF

#### 21.5)

Form 5.13 Consent to change of name (SPF 21.4)

Form 5.14 Application for appointment of guardian of minor (SPF 16.0)

Form 5.15 Affidavit (SPF 16.1)

Form 5.16 Selection of guardian by minor over fourteen years of age (SPF 16.2)

Form 5.17 Notice of hearing for appointment of guardian of minor (to minor over age 14) (SPF 16.3)

Form 5.18 Notice of hearing on application for

appointment--guardian of minor-to parent, known next of kin and person having custody (SPF 16.4)

Form 5.19 Judgment entry-appointment of guardian of minor (SPF 16.5)

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# Forms—Marriage License

Form 8.01 Consent by parent or guardian nonresident of or absent from the county

Form 8.02 Judgment entry-appointment of guardian of minor (SPF 16.5)

Form 8.03 Certificate of marriage

Form 8.04 License and permission to perform marriage

Form 8.05 Marriage return

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Form 10.02 Complaint for annulment

Form 10.03 Complaint by minor for annulment

Form 10.04 Decree annulling marriage

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Form 16.02 Antenuptial agreement, consideration to be paid to wife at marriage

Form 16.03 Antenuptial agreement, specifying amount to be paid to wife on death of husband

Form 16.04 Antenuptial agreement, each party owning property and relinquishing all rights in estate of the other Form 16.05 Complaint to set aside antenuptial agreement

Form 16.06 Antenuptial agreement--generally

#### Breakdown of Marriage

#### Conciliation Procedure

Form 17.01 Petition for conciliation of marital controversy

# Dissolution of Marriage

Form 18.01 Petition for dissolution of marriage with waiver

Form 18.02 Affidavit in compliance with RC § 3109.27

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Form 18.04 Judgment entry: decree of dissolution

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Form 19.01 Client information form

Form 19.02 Separation agreement

Form 19.03 Separation agreement (another form)

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#### **Procedure in Divorce Cases**

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Form 22.02 Divorce proceeding check list

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Form 22.04 Judgment entry-appointment of guardian of minor (SPF 16.5)

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Form 22.06 Allegation and prayer for injunction

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Form 22.08 Entry ordering custodian of property to transfer or deliver

Form 22.09 Motion for temporary restraining order Form 22.10 Protection order notice to NCIC (SupR Form 10-A)

Form 22.11 General information about domestic violence protection orders (SupR Form 10.01-A)

Form 22.12 Procedures for obtaining a domestic violence civil protection order (``CPO") (SupR Form 10.01-B) Form 22.13 Instructions for completing the petition for a

domestic violence civil protection order (SupR Form 10.01-

Form 22.14 Petition for domestic violence civil protection order (SupR Form 10.01-D) Form 22.15 Instructions for completing the information for

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Form 22.17 Warning concerning the attached domestic violence protection order (SupR Form 10.01-G)

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Form 22.19 Domestic violence full hearing civil protection order (SupR Form 10.01-I)

Form 22.20 Consent agreement and domestic violence civil protection order (SupR Form 10.01-J) Form 22.21 Temporary restraining order

Form 22.22 Entry making minor children parties defendant Form 14.06 Order -- treatment, care, or protection Form 22.23 Order appointing guardian ad litem Form 14.07 Entry -- granting motion for predispositional interim custody Form 22.24 Answer and counterclaim in divorce action Form 14.08 Entry -- placing predispositional interim orders Form 22.25 Reply to counterclaim Form 14.09 Agreement for temporary custody of child **Decree For Divorce** Form 14.10 Permanent surrender of child Form 23.01 Decree for divorce **Spousal Support** Counsel and Guardian Ad Litem Form 24.01 Motion for temporary support-Cuyahoga Form 15.01 Entry -- appointing guardian ad litem Discovery County Form 24.02 Motion for temporary support-Franklin County Form 16.01 Pre-trial check list Form 24.03 Motion for temporary support-Hamilton County Form 16.02 Stipulation of agreed facts Form 16.03 Request for discovery Form 24.04 Qualified domestic relations order (dissolution) Form 24.05 Qualified domestic relations 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for shared liability for health car temporary commitment Form 27.11 Health care verification Form 21.07 Motion -- requesting modification of temporary Form 27.12 Order terminating withholding order commitment to permanent commitment Volume 2 Juvenile Law Form 21.08 Motion -- modify temporary commitment to **Chapter FORMS Parentage Proceedings** long-term foster care Form 10.01 Complaint Form 21.09 Entry -- annual court review of a child in long-Form 10.02 Answer term foster care, permanent commitment, or agreement for the surrender of permanent custody Form 10.03 Motion -- order genetic tests Form 10.04 Judgment entry Form 10.05 Acknowledgment of paternity affidavit **Anderson's Ohio Domestic Relations Practice** Form 10.06 Request for paternity determination and **Manual** notification to central paternity registry **Chapter 1 Introduction** Form 10.07 CSEA administrative order paternity finding Client Information Form inconclusive Fee Agreement Letter Form 10.08 Putative father registry form 2 Dissolution Proceedings Form 10.09 Application for search of Ohio putative father Separation agreement Petition for dissolution R.C. § 3109.27 Affidavit Form 10.10 Response to persons requesting search of putative father registry Decree of Dissolution Form 10.11 Ohio putative father registry response to the National Medical Support Notice (NMSN) court 3 Divorce Proceedings Complaint for divorce Form 13.01 Complaint --delinquency, unruly cases Answer and counterclaim Form 13.02 Complaint --neglect, dependency or abuse Reply to Counterclaim cases Motion for temporary restraining order Form 13.03 Custody affidavit Affidavit in support of motion for temporary restraining Form 13.04 Written request for service Form 13.05 Affidavit for service by publication Temporary restraining order Form 13.06 Warrant Child Support Worksheet--Residential/Shared Parenting Form 13.07 Summons -- delinquency, unruly cases Child Support Worksheet--Split Parental Rights Form 13.08 Summons -- neglect, dependency or abuse Motion and Affidavit for Temporary Order cases

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Ohio

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Form 14.03 Motion -- predispositional interim orders Form 14.04 Motion -- order for predispositional interim

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4 Allocation of Parental Rights and Responsibilities Shared parenting plan worksheet

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Notice to take deposition Decree of divorce

Shared parenting plan (separate) Shared parenting plan and agreement (joint) Motion for shared parenting and to adopt plan

First Interrogatories (and Request for Production)

Shared Parenting Decree Form FR:6 CHILD SUPPORT COMPUTATION WORKSHEET Chapter 5 Post-Decree Issues Relating to Children SPLIT PARENTAL RIGHTS AND Motion to modify child support **RESPONSIBILITIES** Motion to modify parenting time Type of Forms Motion to Change Time Allocation Type of Forms Motion to change allocation of parental rights and A. Case Definition and Track Assignment responsibilities--Shared B. Track Schedules Motion to change allocation of parental rights and Appendix A responsibilities --Appendix B Motion to change allocation of parental rights and Form HA:1 Family File Questionnaire (Form No. 1.1, responsibilities (change December 1999) Motion for contempt Form HA:2 Affidavit in Compliance with 3109.27 of the Chapter 6 Other Domestic Relations Matters Ohio Revised Code (Form No. 2.1, July 2001) Prenuptial Agreement Form HA:3 Final Decree of Shared Parenting (Form No. Qualified domestic relations order (dissolution) 2.3, November 1999) Qualified domestic relations order (divorce) Form HA:4 Standard Parenting Order (Form No. 2.7, June Qualified Court Order (Civil Service Retirement) Power of Attorney to Delegate Authority Over Child to Form HA:5 Agreed Change of Residential Parent and Custodian (Form No. 2.16, January 2003) Grandparent Legal Caretaker Authorization Affidavit Form HA:6 Motion for Temporary Orders (Form No. 3.2, Appendix—Official Forms January 2003) Form CU:1 Affidavit of Residential Parent and Legal Form HA:7 Notice of Service (Form No. 3.4, October 1999) Custodian Form HA:8 Property Statement (Form 4.1, July 2001) Form HA:9 Waiver of Financial Disclosure Affidavit (Form Form CU:2 Notarized Affidavit Form CU:3 Motion to Correct Arrearages 7.1, October 1999) Form HA:10 Financial Disclosure Affidavit (Form 7.2, Form CU:4 Answer and Counterclaim Form CU:5 Answer of Defendant October 1999) Form CU:6 Case Designation Form Form HA:11 Áffidavit of Income, Expenses and Financial Form CU:7 Complaint for Divorce Disclosure (Form No. 7.3, July 2001) Form CU:8 Judgment Entry for Dissolution by Judge Form HA:12 Child Support Computation Worksheet--Sole Form CU:9 Judgment Entry for Dissolution by Magistrate Residential Parent or Shared Parenting Order (Form No. 7.5A, September 2001) Form CU:10 Judgment Entry for Dissolution Without Form HA:13 Child Support Computation Worksheet--Split Form CU:11 Judgment Entry for Divorce with a Separation Parental Rights and Responsibilities (Form No. 7.6A, Agreement by Judge March 2001) Form HA:14 Unemployment/Notice Order (Form No. 7.10, Form CU:12 Judgment Entry for Divorce with a Separation Agreement by Magistrate January 2003) Form CU:13 Judgment Entry for Divorce with Children by Form HA:15 Entry Terminating Withholding Order (Form No. 7.12, August 2001) Form HA:16 Agreed Entry (Parenting and Support) (Form Form CU:14 Judgment Entry for Divorce with a Separation Agreement Without Children by Judge No. 7.14, January 2003) Form CU:15 Health Investigation Form Form HA:17 Agreed Entry (Support) (Shared Parenting) Form CU:16 Income and Expenses for Cuyahoga County (Form 7.15, June 2001) **DDR Cases** Form HA:18 Order/Notice to Withhold Income for Child Form CU:17 Judgment Entry for Continuance Support and Spousal Support (Ohio Revised Code Form CU:18 Agreed Judgment Entry to Correct Arrearages ) (Form HCDHS 4047, January 2003) 3121.03 Form CU:19 Motion for Continuance Form HA:19 Data Form (Form HCDHS 4905, January Form CU:20 Motion to Modify Child Support 2003) Form CU:21 Motion to Modify Allocation of Parental Rights Form HA:20 Group Health Insurance Affidavit (Form No. and Responsibilities 7.16, October 1999) Form CU:22 Motion to Show Cause Form HA:21 Qualified Medical Child Support Order O.R.C. Form CU:23 Motion for Support Pendente Lite 3113.217 (Form No. 7.17, December 2002) Form CU:24 Order to Terminate Withholding Form HA:22 Shared Liability--Health Care (Form 7.20, Form CU:25 Petition for Dissolution of Marriage January 2003) Form CU:26 Judgment Entry to Post Bond Form HA:23 Health Care Verification (Form 7.21, January Form CU:27 Child Support Computation Split Parental Rights and Responsibilities Form HA:24 Request for Merits Setting Entry (Form 9.1, Form CU:28 Notice of Intent to Relocate October 1999) Form CU:29 Child Support Computation Worksheet Split Form HA:25 Waiver of Representation (Form No. 9.2, Parental Rights and Responsibilities Form B October 1999) Form CU:30 Child Support Computation Sole Residential Form HA:26 Waiver of Service of Summons (Form No. 9.3, Parent or Shared Parenting Order June 2000) Form CU:31 Pretrial Statement and Affidavit Form HA:27 Affidavit for Citation (Form 13.1, July 2001) FINANCIAL DISCLOSURE/AFFIDAVIT OF INDIGENCY Form HA:28 Summons (Form 13.2, July 2001) MAGISTRATE'S STATUS CONFERENCE ORDER Court Costs ALLOCATION OF PARENTAL RIGHTS AND PRE-TRIAL STATEMENT/AFFIDAVIT OF PLAINTIFF/DEFENDANT

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Form MO:3 Application for Child Support Service Form MO:4 Child Support Computation Worksheet

Form MO:5 Child Support Guidelines Form MO:6 Determination of Paternity

Form MO:7 Entry of Permission to Report Court

**Proceedings** 

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Form JFS:1 IV-D Case Summary (JFS 07001 (Rev. 9/01))

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Form JFS:4 Lien on Personal Property (JFS 07007 (1/98))

Form JFS:5 Rights and Responsibilities of the Custodial

Parent Receiving Child Support Services (JFS 07012 (Rev. 9/01))

Form JFS:6 Intercounty Child Support Communications

Referral (JFS 07036 (Rev. 4/92))

Form JFS:7 Notice of Case Status (JFS 07046 (Rev. 4/93))

Form JFS:8 Notice of Administrative Mistake-of-Fact

Hearing (JFS 07052 (11/01))

Form JFS:9 Application for Child Support Services Non-

public Assistance Applicant (JFS 07076 (Rev. 5/01))

Form JFS:10 Information to Consumer Reporting Agency (JFS 07098 (Rev. 1/98))

Form JFS:11 Notice of Default Hearing (JFS 07097 (Rev.

Form JFS:12 Notice to Withhold Income (JFS 04047 (11/01))

Form JFS:13 Addendum Withholding Notice to Parties to a

Support Order (JFS 04048 (11/01))

Form JFS:14 Advance Notice to Obligor of Default and

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Form JFS:15 Financial Institution Account Access

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Form JFS:18 Financial Institution Account Withdrawal

Directive (JFS 04055 (10/01))

#### **Real Estate**

# **Anderson's Ohio Residential Real Estate Manual**

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#### 2 Contract of Sale

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Form 3.12 Notice of Right to Cancel (Rescission)

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Form 8.6 Title Standards

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Form 10.14 City of Cleveland Certificate

Form 10.15 Privacy Policy Notice

Form 10.16 Certification For No Information Reporting

Form 10.17 Solicitation of Taxpayer Identification Number

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#### 12 Condominiums; Owners' Associations

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Form 14.6 Affidavit For Mechanic's Lien (Ohio Revised

Code Section 1311.06)
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#### **School Law**

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Form 1.02 Waiver for conditional employment pending criminal record check

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Form 5.13 Order approving disclosure statement and fixing time for filing acceptances or rejections of plan, combined with notice thereof (Official Bankruptcy Form 13)

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Form 5.23 Interim application for allowance of compensation and reimbursement of expenses (Form 2016-1(a)(1)(A))

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Form 5.25 Motion for entry of an administrative order pursuant to 11 U.S.C. §§ 105 and 331 establishing procedures for monthly compensation and reimbursement of expenses of professionals (Form 2016-1(a)(1)(F))

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Form 10.8 Report of sale

Form 10.9 Notice to consignee's creditors

# **Chapter 11 WAREHOUSE RECEIPTS**

Form 11.1 Negotiable warehouse receipt

Form 11.2 Nonnegotiable warehouse receipt and contract

Form 11.3 Delivery order

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Form 12.1 Bill of sale; general form

Form 12.2 Bill of sale by corporation of fixtures, lease, goodwill and stock; with agreement not to compete

Form 12.3 Bill of sale by trustee in bankruptcy

Form 12.4 Bill of sale of growing crop

Form 12.5 Negotiable bill of lading

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Form 12.7 Contract terms and conditions

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Form 13.2 Notice of commencement (private improvement)

Form 13.3 Notice of furnishing (private improvement)

Form 13.4 Notice to commence suit (private project)

Form 13.5 Notice of commencement (public improvement)

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Form 13.7 Claim affidavit (public improvement)

Form 13.8 Notice of intention to dispute claim (public improvement)

Form 13.9 Owner's affidavit of full payment

Form 13.10 Application for discharge of mechanics' lien

Form 13.11 Bond to discharge mechanics' lien

Form 13.12 Order approving bond discharging lien

Form 13.13 Complaint to foreclose mechanics' lien, and for breach of contract and unjust enrichment

Form 13.14 Complaint against bond, under Prompt

Payment Act, and for breach of contract and unjust enrichment

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Form 14.2 Indemnity

Form 14.3 General agreement of indemnity to surety company against liability on bonds in judicial proceedings, etc.

Form 14.4 Agreement,

Form 14.5 Notice of cancellation.

Form 14.6 Disclosure document,

Form 14.7 Disclosure required by law,

Form 14.8 Potential income statement,

Form 14.9 Contract between publisher and author for

publication of book, on royalty

Form 14.10 Subscription agreement--short form

Form 14.11 Subscription agreement--individual form

Form 14.12 Subscription agreement for endowment of a church

Form 14.13 General collateral loan agreement between

bank and customer

Form 14.14 Term loan agreement for bank loan

Form 14.15 Party wall agreement

Form 14.16 Partition fence agreement

Form 14.17 Agreement between adjoining owners, fixing

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Form 14.18 Contract for stone sidewalk

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Form 14.21 Termination clauses

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Form 14.24 Force majeure clause

Form 14.25 Force majeure clause--another form

Form 14.26 Clause as to construction of contract

Form 14.27 Clause as to conversion of foreign currency into United States dollars

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Form 14.30 Liquidated damage clauses; consent to

equitable remedies

Form 14.31 Clause binding personal representatives and assigns

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Form 14.33 Clause prohibiting assignment of contract

Form 14.34 Resolution of directors of corporation authorizing contract, with certificate of secretary

Form 14.35 Covenant not to sue

Form 14.36 Clause as to confidentiality

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Form 14.38 Clause as to effect of waiver of performance

#### **15 GUARANTIES**

Form 15.1 Guaranty for goods to be sold (single transaction)

Form 15.2 Guaranty for goods to be sold during specified

Form 15.3 Continuing guaranty for goods to be sold, requiring notice of non-payment

Form 15.4 Continuing guaranty of payment for goods--long form

Form 15.5 Guaranty of present and future indebtedness for goods sold

Form 15.6 Guaranty to a bank

Form 15.7 General letter of guaranty

Form 15.8 Guaranty of existing debt, in consideration of extension of time

Form 15.9 Guaranty of existing debt in consideration of

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Form 15.10 Guaranty of existing debt and performance of a contract

Form 15.11 Guaranty of performance of contract, indorsed

Form 15.12 Guaranty of performance, indorsed on

contract--another form

Form 15.13 Guaranty on back of note

Form 15.14 Guaranty of payment, indorsed on instrument

Form 15.15 Guaranty of collectibility, indorsed on instrument

Form 15.16 Guaranty to commission merchants of advances for freight, etc.

Form 15.17 Guaranty, by several bankers, pro rata, for merchandise sold

Form 15.18 Clause fixing liability of several guarantors at stated amounts, as between themselves

Form 15.19 Clause, extension of time, etc., not to release guarantor

Form 15.20 Clause waiving demand and notice

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Form 15.23 Notice to guarantor, of non-payment

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Form 16.1 Short form of assignment, endorsed on instrument

Form 16.2 Assignment of claim with covenant as to amount due

Form 16.3 Assignment of non-negotiable bond, endorsed on bond

Form 16.4 Assignment of part of claim

Form 16.5 Assignment by corporation of accounts as security for loan

Form 16.6 Notice of assignment, given by assignee to debtor

Form 16.7 Notice of assignment, given by assignor to debtor

Form 16.8 Notice of partial assignment, given by assignee Form 16.9 Assignment of claim for unliquidated damages

Form 16.10 Assignment of part of claim on which suit is pending

Form 16.11 Assignment of stock in corporation endorsed on certificate

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Form 16.14 Assignment of shares of stock in corporation subject to pledge

Form 16.15 Assignment of judgment

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Form 16.17 Assignment of a judgment, endorsed on transcript

Form 16.18 Assignment of various property listed in schedule

Form 16.19 Assignment of contract, endorsed on copy, to corporation

Form 16.20 Assignment of part of money due under contract

Form 16.21 Assignment of legacy

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Form 16.23 Assignment of annuity, payable under will, to residuary legatees

Form 16.24 Assignment of literary work before copyright

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Form 16.26 Assignment of life insurance policy as security for loan

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Form 17.2 Agreement between corporation and its general manager

Form 17.3 Alternate provisions for deferred compensation

Form 17.4 Branch manager's agreement

Form 17.5 Contract between manufacturer and research engineer

Form 17.6 Agreement by employee to assign inventions Form 17.7 Contract between clerk, salesman, or cashier and employer

Form 17.8 Contract between manufacturer and salesman, on commission, with advances for expenses, guaranty of earnings, and bonus

Form 17.9 Agreement to care for relative, partial

compensation to be made by will

Form 17.10 Consulting agreement

Form 17.11 Collective bargaining agreement

Form 17.12 Miscellaneous clauses for collective bargaining agreements

Form 17.13 Letter of agreement between broadcasting corporation and announcer as to terms of employment Form 17.14 Agreement by employee to repay training expenses

Form 17.15 Duration clauses

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Form 17.19 Discharge clause

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Form 17.21 Deposit by salesman as security for return of samples

Form 17.22 Non-competition clause--simple form

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Form 17.24 Specific performance clause

Form 17.25 Trade secrets clause

Form 17.26 Notice by employer of termination of contract Form 17.27 Notice of discharge

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Form 18.1 Secrecy clause for employment contract--simple form

Form 18.2 Secrecy clause for employment contract

Form 18.3 Secrecy clause for agreement between owner of trade secret and manufacturer

Form 18.4 Notice of secrecy for contractor's proposal

Form 18.5 Notice of secrecy for technical drawings

Form 18.6 Secrecy agreement with prospective licensee of trade secret

Form 18.7 Trade secret license agreement

#### 24 FAMILY LAW

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Form 24.2 Fee agreement letter

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Form 24.6 Affidavit of income, expenses and financial disclosure (Hamilton County)

Form 24.7 Affidavit of income, expenses, and financial disclosure (Montgomery County)

Form 24.8 Financial disclosure affidavit (Hamilton County)

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Form 24.10 Affidavit in compliance with R.C. 3109.27 (Hamilton County)

Form 24.11 Affidavit in compliance with R.C. 3109.27 (Butler County)

Form 24.11.1 Affidavit in compliance with R.C. 3109.27 (Franklin County)

Form 24.12 Complaint for divorce

Form 24.12.1 Complaint for divorce (Cuyahoga County) Form 24.12.2 COURT OF COMMON PLEAS DIVISION OF

DOMESTIC RELATIONS MONTGOMERY COUNTY, OH

Form 24.13 Property statement (Hamilton County)

Form 24.14 Motion and affidavit for temporary order without oral hearing pursuant to Civil Rule 75(N) (Hamilton County)

Form 24.15 Notice of service for 75(N) filings (Hamilton County)

Form 24.16 Motion for temporary support with notice, affidavit, and answer (Cuyahoga County)

Form 24.17 Motion for temporary restraining order Form 24.55 Dependent health care order - mother Form 24.18 Affidavit in support of motion for temporary (Clermont County) Form 24.56 Qualified medical child support order (Hamilton restraining order Form 24.19 Temporary restraining order County) Form 24.20 Answer and counterclaim Form 24.57 Judgment entry decree of divorce Form 24.20.1 Answer of defendant (Cuyahoga County) Form 24.58 Form 24.21 Reply to counterclaim Form 24.59 Parenting proceeding information and Form 24.22 Request for production of documents application for Title IV-D services (Cuyahoga County) Form 24.23 Notice of deposition (of party) Form 24.60 Petition for dissolution of marriage with waiver Form 24.24 Interrogatories Form 24.25 Sole residential parent or shared parenting Form 24.60.1 Petition for dissolution of marriage worksheet (Hamilton County) Form 24.61 Decree of dissolution of marriage Form 24.61.1 Judgment of divorce (Cuyahoga County) Form 24.25.1 Child support computation for sole residential parent or shared parenting order (Cuyahoga County) Form 24.62 Separation agreement Form 24.26 Split parenting rights and responsibilities Form 24.63 Complaint to enforce separation agreement worksheet (Hamilton County) Form 24.64 Complaint to set aside separation agreement Form 24.65 Notice of intent to relocate (Cuyahoga County) Form 24.27 Form 24.66 Notice of relocation (Hamilton County) Form 24.28 Form 24.29 Deduction order (Franklin County) Form 24.66.1 Notice of intent to relocate (Summit County) Form 24.30 Addendum withholding notice to parties to Form 24.67 Summons and order to appear (Franklin support order (Clermont County) Form 24.31 Order for cash bond (Franklin County) Form 24.68 Affidavit for citation (Hamilton County) Form 24.31.1 Judgment entry order to post bond Form 24.69 Summons--citation and notice (Hamilton (Cuyahoga County) County) Form 24.32 Order to seek employment (Cuyahoga County) Form 24.70 Motion to modify support Form 24.33 Order to seek employment (Franklin County) Form 24.71 Agreed change of residential parent and legal Form 24.34 custodian (Hamilton County) Form 24.72 Motion to change allocation of parental rights Form 24.35 Order terminating withholding (Cuyahoga and responsibilities Form 24.36 Order terminating withholding (Franklin Form 24.73 Motion to terminate shared parenting plan and County) to be named residential parent Form 24.37 Entry terminating support deduction order Form 24.74 Motion for rule of contempt (Hamilton County) Form 24.74.1 Motion to Correct Arrearages Form 24.37.1 Motion to correct arrearages (Cuyahoga Form 24.74.2 Judgment Entry Form 24.75 Prenuptial Agreement Form 24.37.2 Judgment entry for motion to correct Form 24.76 Petition for conciliation of marital controversy arrearages (Cuyahoga County) Form 24.77 Qualified domestic relations order (dissolution) Form 24.38 ALLOCATION OF PARENTAL RIGHTS AND Form 24.78 Qualified domestic relations order (divorce) RESPONSIBILITIES PARENTING SCHEDULE FOR Form 24.79 Motion for continuance (Hamilton County) Form 24.80 Request for merit setting (Hamilton County) Form 24.39 Motion for shared parenting Form 24.40 Shared parenting plan (O.R.C. 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County) 3109.04(D)(1)(a)(i)) Form 10-A Protection order notice to NCIC Form 24.41.1 Shared parenting plan (Hamilton County) Form 10.01-A General Information About Domestic Form 24.42 Shared parenting decree (Hamilton County) Violence Protection Orders Form 24.43 Standard order of visitation (Montgomery Form 10.01-B Procedures for Obtaining a Domestic Violence Civil Protection Order (``CPO") Form 24.44 Standard visitation guidelines (Cuyahoga Form 10.01-C Instructions for Completing the Petition for a Domestic Violence Civil Protection Order County) Form 24.44.1 Standard Guidelines for Parenting Time Form 10.01-D Petition for Domestic Violence Civil (Butler County) **Protection Order** Form 24.45 Model visitation schedule (Franklin County) Form 10.01-E Instructions for Completing the Information Form 24.45.1 Standard parenting order (Hamilton County) for Parenting Proceeding Affidavit Form 10.01-F Information for Parenting Proceeding Form 24.45.2 Affidavit of residential parent and legal custodian (Cuyahoga County) Form 24.46 Health insurance investigation form (Cuyahoga Form 10.01-G Warning Concerning the Attached Domestic Violence Protection Order Form 24.47 Health insurance disclosure affidavit (Franklin Form 10.01-H Domestic Violence Ex Parte Civil Protection Form 24.48 Group health insurance affidavit (Hamilton Form 10.01-I Domestic Violence Full Hearing Civil Protection Order Form 24.48.1 Health care verification Form 10.01-J Consent Agreement and Domestic Violence Form 24.49 Shared liability for medical and health care Civil Protection Order Form 10.02-A Criminal Temporary Protection Order needs (no insurance available) (Cuyahoga County) Form 24.50 Order shared liability for medical and Form 10.03-A Criminal Stalking Protection Order Form 10.03-B Motion for Criminal Stalking Protection healthcare needs (No insurance available) (Hamilton County) Order Form 24.51 Dependent health care order - shared liability -Form 10.03-D Petition for Criminal Stalking Protection no insurance available (Clermont County) Order Form 24.52 Order--health insurance coverage (Cuyahoga Form 10.03-E Civil Stalking Protection Order Form 10.03-F Civil Stalking Protection Order County) Form 24.53 Dependent health care order (Hamilton Form 10.03-G Instructions for completing the Petition for a Civil Stalking Protection Order

25 ADMINISTRATION OF DECEDENTS' ESTATES

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Form 24.54 Dependent health care order - father and

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Form SPF 2.0 Application to Probate Will (Waiver of Notice Form SPF 12.0 Application for Certificate of Transfer of Probate of Will; Entry Admitting Will to Probate; Form SPF 12.1 Certificate of Transfer Certificate of Waiver of Notice) Form SPF 13.0 Fiduciary's Account (Entry Setting Hearing) Form SPF 2.1 Waiver of Notice of Probate of Will Form SPF 13.1 Receipts and Disbursements Form SPF 2.2 Notice of Probate of Will Form SPF 13.2 Assets Remaining in Fiduciary's Hands Form SPF 13.3 Entry Approving and Settling Account Form SPF 2.3 Entry Admitting Will to Probate Form SPF 2.4 Certificate of Service of Notice of Probate of Form SPF 13.4 Waiver of Partial Account Form SPF 13.5 Notice of Hearing on Account Form SPF 3.0 Appointment of Appraiser Form SPF 13.6 Certificate of Termination (Entry) Form SPF 4.0 Application for Authority to Administer Estate Form SPF 13.7 Waiver of Notice of Hearing on Account (Waiver of Right to Administer; Entry Setting Hearing and Form SPF 13.8 Application to Extend Administration Form SPF 13.81 Application for Additional Extension to Ordering Notice) Form SPF 4.1 Supplemental Application for Ancillary Administer Estate Administration Form SPF 13.9 Certification of Service of Account to Heirs Form SPF 4.2 Fiduciary's Bond or Beneficiaries Form SPF 4.3 Waiver of Right to Administer Form SPF 14.0 Application to Approve Settlement and Form SPF 4.4 Notice of Hearing on Appointment of Distribution of Wrongful Death and Survival Claims Form SPF 14.1 Waiver and Consent--Wrongful Death and Fiduciary Form SPF 4.5 Entry Appointing Fiduciary; 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Waiver of Notice of Taking of Inventory; Waiver Form SPF 15.8 Guardian's Account (Entry Setting Hearing) of Notice of Hearing on Inventory; Entry Setting Hearing) Form SPF 15.81 Bank Certificates Form SPF 5.11 Entry Granting Summary Release from Form SPF 15.9 Oath of Guardian Administration Form SPF 6.1 Schedule of Assets Form SPF 16.0 Application for Appointment of Guardian of Form SPF 6.2 Waiver of Notice of Hearing on Inventory Minor Form SPF 6.3 Notice of Hearing on Inventory Form SPF 16.1 Affidavit Form SPF 6.4 Entry Setting Hearing on Inventory Form SPF 16.2 Selection of Guardian by Minor over Form SPF 6.5 Entry Approving Inventory Fourteen Years of Age Form SPF 7.0 Notice to Administrator of Estate Recovery Form SPF 16.3 Notice of Hearing for Appointment of Program Guardian of Minor (to Minor over Age 14) Form SPF 7.1 Application for Family Allowance (Entry) Form SPF 7.2 Application for Apportionment of Family Form SPF 16.4 Notice of Hearing on Application for Appointment--Guardian of Minor--to Parent, Known Next of Allowance (Entry Setting Hearing and Ordering Notice; Kin and Person Having Custody Entry on Apportionment) Form SPF 16.5 Judgment Entry--Appointment of Guardian Form SPF 8.0 Citation to Surviving Spouse to Elect to Take of Minor Form SPF 17.0 Application for Appointment of Guardian of Under or Against Will Form SPF 8.02 Entry Dispensing with Citation to Surviving Alleged Incompetent Form SPF 17.03 Application for Appointment of Emergency Spouse Form SPF 8.1 Election of Surviving Spouse to Take Under Guardian Form SPF 17.04 Judgment Entry Appointing Emergency Will Form SPF 8.2 Election of Surviving Spouse to Take Guardian Against Will Form SPF 17.05 Judgment Entry Continuing Appointment Form SPF 8.3 SUMMARY OF GENERAL RIGHTS OF of Emergency Guardian Form SPF 17.1 Statement of Expert Evaluation SURVIVING SPOUSE Form SPF 8.4 CERTIFICATE OF SERVICE AND NOTICE Form 17.3 NOTICE TO PROSPECTIVE WARD OF OF CITATION TO SURVIVING SPOUSE TO EXERCISE APPLICATION AND HEARING **ELECTIVE RIGHTS** Form SPF 17.4 Notice of Hearing for Appointment of Form SPF 8.5 RETURN FOR CERTIFICATE OF SERVICE Guardian of Alleged Incompetent Person OF CITATION TO SURVIVING SPOUSE TO EXERCISE Form SPF 17.5 Judgment Entry--Appointment of Guardian **ELECTIVE RIGHTS** for Incompetent Person Form SPF 17.7 Guardian's Report Form SPF 9.0 Application to Sell Personal Property Form SPF 9.1 Entry Authorizing Sale of Personal Property Form SPF 17.8 Investigator's Report Form SPF 18.0 Petition for Adoption of Minor

Form SPF 9.2 Notice of Sale of Personal Property

Form SPF 9.4 Application for Sale/Transfer of Motor Vehicle

Form SPF 10.0 Application to Distribute in Kind

Form SPF 10.1 Entry Approving Distribution in Kind

Form SPF 10.2 Notice of Hearing on Application to

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Form SPF 10.3 Entry Approving Distribution in Kind

Form SPF 10.4 Notice to Distribute

Form SPF 11.0 Consent to Power to Sell Real Estate

Form SPF 18.5 Interlocutory Order of Adoption Form SPF 18.6 Final Decree of Adoption (After Interlocutory Order)

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Ordering Notice

**REQUIRED** 

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Form SPF 18.7 Final Decree of Adoption (Without Form 13 Application for consent to transfer the proceeds of Interlocutory Order) Insurance contracts, employer death benefits and Form SPF 18.8 Adoption Certificate for Parents Form SPF 18.9 Petitioner's Account retirement plans for resident and non-resident decedents (O.R.C. 5731.39) Form SPF 19.0 Petition for Adoption of Adult Form 14 Consent to transfer (Estate Tax Form 14, Rev. 2-Form SPF 19.1 Final Order for Adoption of Adult 99) (O.R.C. 5731.39) Form SPF 20.0 Application for Appointment of Conservator Form SPF 20.1 Judgment Entry--Appointment of Form 14-A Non-resident tax release, Instructions for ETF 12-A (Estate Tax Form 14-A, Rev. 2-99) Conservator Form 15 Inventory of safe deposit box (Estate Tax Form Form SPF 20.2 Letters of Conservatorship 15, Rev. 4-98) (O.R.C. 5731.39) Form 17 Ohio estate and additional tax estimated payment Form SPF 21.0 Application for Change of Name of Adult Form SPF 21.1 Judgment Entry - Change of Name of notice (Estate Tax Form 17, Rev. 3-99) (O.R.C. 5731.23) Form 17-A Ohio estate and additional tax estimated Form SPF 21.2 Application for Change of Name of Minor payment notice--Payment under protest (Estate Tax Form Form SPF 21.3 Judgment Entry - Change of Name of 17-A, Rev. 4-87) (O.R.C. 5731.23) Minor Form 18 Close corporation form (Estate Tax Form 18, Rev. 6-88) (O.R.C. 5731.01) Form SPF 21.4 Consent to Change of Name Form SPF 21.5 Notice of Hearing on Change of Name Form 19 Certificate of payment of Ohio estate taxes Form SPF 22.0 Application to Settle a Minor's Claim (Estate Tax Form 19) (O.R.C. 5731.33)\* Form SPF 22.1 Waiver and Consent to Settle Minor's Form 20 Affidavit substantiating decedent's state of domicile at death (Estate Tax Form 20, Rev. 5-96) (O.R.C. Form SPF 22.2 Entry Approving Settlement of a Minor's 5731.31) Form 21 Form SPF 22.3 Verification of Receipt and Deposit Form 22 Form SPF 22.4 Report of Distribution and Entry Minor's Form 24 Form 25 Form 1-B Resident decedent's nontaxable estimate of Form 30 Exceptions to Ohio estate tax resident decedent's property for a gross estate which does not exceed \$5,000, nontaxable estimate of property (Estate Tax Form 30) \$10,000 or \$25,000 (Estate Tax Form 1-B, Rev. 2-89) (O.R.C. 5731.20)\* (O.R.C. 5731.21) Form 34 Form 2 Resident estate tax return--Applicable to date of Form 34-A Instructions for completing qualified farm death on or after 1-1-02 (Estate Tax Form 2, Rev. 4-04) property valuation election notifications on E.T. Forms 2 Form 2b Resident estate tax return--Applicable to date of and 34 (Estate Tax Form 34-A, Rev. 3-84) (O.R.C. death after 7-1-93 (Estate Tax Form 2, Rev. 3-00) 5731.011) Form 2X Amended resident estate tax return (Estate Tax Form 35 Form 2X, Rev. 7-03) Form 36 Form 3 Form 36-A Certificate of subordination of Ohio estate tax Form 3-G lien (Estate Tax Form 36-A, Rev. 12-83) (O.R.C. 5731.37) Form 3-N Form 40-A Annual report for closely held business interests qualifying for installment payments pursuant to Form 4 Form 5 Ohio estate tax and additional tax return filing O.R.C. 5731.231 (Estate Tax Form 40-A, Rev. 8-85) notice (Estate Tax Form 5, Rev. 3-99) (O.R.C. 5731.21) Form 41 **26 WILLS AND TRUSTS** Form 7 Adjustment and administrative conference notice--Applicable to date of death after 6-30-83 (Estate Tax Form Form 26.1 Basic simple will form 7, Rev. 11-88) (O.R.C. 5731.26)\* Form 26.2 Taxes apportioned against non-probate property Form 7-X Adjustment and hearing notice (Estate Tax Form Form 26.3 Contribution towards taxes from QTIP trust 7-X) (O.R.C. 5731.26)\* Form 26.4 General disposition of tangible personal Form 7-C Adjustment and administrative conference property (Estate Tax Form 7-C) (O.R.C. 5731.26)\* Form 26.5 Separate letter relating to disposition of tangible Form 7-P Penalty notice pursuant to Sec. 5731.22 O.R.C.personal property - Applicable to date of death after 6-30-83 (Estate Tax Form 26.6 Bequests of specific items of tangible personal Form 7-P) (O.R.C. 5731.22)\* Form 8 Certificate of determination of Ohio estate or Form 26.7 Residential property to surviving spouse additional tax (Estate Tax Form 8) (O.R.C. 5731.27)\* Form 26.8 Residential property to named multiple Form 8-A Report of issuance of refund for overpayment of beneficiaries Ohio estate tax (Estate Tax Form 8-A) (O.R.C 5731.27)\* Form 26.9 Residential property to a class of multiple Form 8-C Certificate of determination of disallowance of beneficiaries refund (Estate Tax Form 8-C) (O.R.C. 5731.28)\* Form 26.10 Legacies of specific sum--Various Form 8-D Certificate of determination of Ohio estate tax contingencies by tax commissioner under O.R.C. Section 5731.21(B) Form 26.10.1 Addition to trust agreement-Short form (Estate Tax Form 8-D) (O.R.C. 5731.21)\* Form 26.11 Legacy of specific sum by last to die of Form 9 Federal agreement (Estate Tax Form 9) (O.R.C. husband and wife Form 26.12 Designation of specific custodian 5731.26)\* Form 9-A Federal agreement--Unlisted assets or debts Form 26.13 Authorization to designate custodian (Estate Tax Form 9-A) (O.R.C. 5731.26)\* Form 26.14 Designation of successor custodian Form 10 Certificate of determination of final Ohio estate Form 26.15 Appointment clause applicable to co-executors tax liability for a taxable estate (Estate Tax Form 10, Rev. Form 26.16 Decisions of co-executors 1-93) (O.R.C. 5731.27)\* Form 26.17 Liability of co-executors Form 12 Application for consent to transfer property or Form 26.18 QTIP election other interest of a resident decedent (Estate Tax Form 12, Form 26.19 Pour over will to inter vivos trust agreement Rev. 3-99) (O.R.C. 5731.39) Form 26.20 Spouse for whom marital deduction trust is Form 12-A Application for consent to transfer property or created--Spouse does not have his/her own trust other interest of non-resident decedent (Estate Tax Form agreement

Form 26.21 Spouse for whom marital deduction trust is

created--Spouse has his/her own trust agreement

Form 26.22 Basic marital trust

Form 26.23 Basic trust agreement

12-A, Rev. 2-99) (O.R.C. 5731.40)

14, Rev. 5-95) (O.R.C. 5731.39)

Form 12-14 Application for consent to transfer property or

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Form 26.24 Basic testamentary trust

Form 26.25 Authorizing distributions to spouse, children and issue

Form 26.26 Authorizing distribution of principal for the purchase of a home and the establishment of a business in addition to general standard

Form 26.27 Fractional marital deduction formula providing for equalization of spouses' estates in the event of proximate deaths

Form 26.28 Pecuniary credit shelter formula providing for equalization of spouses' estates in the event of proximate deaths

Form 26.29 Pecuniary marital deduction formula Form 26.30 Pecuniary marital deduction-Fifty percent (50%) of adjusted gross estate reduced by aggregate value of items passing to spouse

Form 26.31 Administration and distribution of trust estate-Introductory Paragraph

Form 26.32 Basic power of appointment marital trust Form 26.33 Alternative clause granting spouse a noncumulative power to withdraw a specified sum annually Form 26.34 Qualified terminable interest property (QTIP) marital trust

Form 26.35 Distributions of principal during spouse's life for the purchase of a home and the establishment of a business (unequal distributions during spouse's life to be equalized upon spouse's death)

Form 26.36 All net income and discretionary principal to spouse during life

Form 26.37 Discretionary income and principal to spouse during life

Form 26.38 Spouse to occupy residence held in trust Form 26.39 Spouse's lifetime five/five power over family trust

Form 26.40 The family trust--Outright distribution to children upon spouse's death or settlor's death if spouse does not survive--Hold in trust for issue until age twenty-one (21)

Form 26.41 The family trust--Outright distribution to children upon spouse's death or settlor's death if spouse does not survive--Hold in trust for issue under age thirty (30)--Discretionary income and principal until age twenty-one (21), net income and discretionary principal after age twenty-one (21)

Form 26.42 The family trust--Mandatory distributions of principal to issue at ages twenty-five (25) and thirty (30) Form 26.43 Equalization clause to account for distributions to children from life insurance proceeds

Form 26.44 Discretionary net income and principal to beneficiary during life (no age restriction)

Form 26.45 Entire net income and discretionary principal to beneficiary during life (no age restriction)

Form 26.46 Discretionary income and principal before age twenty-one (21), entire net income and discretionary principal after age twenty-one (21)--Distributions for the purchase of a home and the establishment of a business Form 26.47 Distribution of beneficiary's entire share at age thirty (30)

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Form 26.50 Annual distribution to beneficiary of fixed sum of principal, balance of share at age forty (40)

Form 26.51 Special testamentary power of appointment to

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Form 39.13 Notice of lien of encumbrance

Form 39.14 Notice of work or labor performed or material furnished

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Form 41.9 To release dower and sell, mortgage or lease all real estate in county; terms and price discretionary with husband [or wife] of principal

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Form 41.13 To lease all real estate in county, rent and terms discretionary

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Form 41.16 To collect rents, all property in county

Form 41.17 By debtor, authorizing creditor to collect rents and apply on claim

Form 41.18 To collect debts, make and indorse checks, notes and other contracts, collect rents, prosecute and defend actions, insure property, borrow money on

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Form 41.19 To sign documents at real estate closing

Form 41.20 Durable power of attorney

Form 41.21 Nomination of potential guardian

Form 41.22 Durable general power of attorney

Form 41.23 Durable limited power of attorney

Form 41.24 Durable power of attorney for health care-acknowledged

Form 41.25 Durable power of attorney for health care-witnessed

Form 41.26 Durable power of attorney for health care with reference to living will declaration--acknowledged

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Form 42.6 Clause in escrow agreement, instructing

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Form 42.8 Contract between agent and owner for

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Form 42.9 Contract by broker to procure new location and additional capital for manufacturer

Form 42.10 Residential property disclosure form

Form 42.11 Dual agency disclosure statement

Form 42.12 Disclosure of agency relationship

Form 42.13 Lead-based paint disclosure

Form 42.14 Lead-based paint inspections

Form 42.15 FIRPTA affidavit

Form 42.16 Nonresident alien land registration\*

# Anderson's Legal Forms

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Form 9007 Chapter 7 Debtors Packet

Form 9011 Chapter 11 Debtors Packet

Form 9013 Chapter 13 Debtors Packet

Form 9014 Proof of Claim and Power of Attorney

Form 9017 Notice of Appeal

Form 9018 Notice of Motion or Objection

Form 9019 Notice of Objection to Claim

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Form 10 Proposal (Contractors)

Form 11 Building Contract

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Form 3111 Agreement, General Form

#### Corporations

Form 100 Ohio Corporation Record Book-For Profit

Form 100A Ohio Corporation Record Book-Not For Profit

Form 103 Ohio Stock Certificate-punched

Form 105 Ohio Stock Certificate-with stub

Form 106B Corporation Record Book Sheet-printed

Form 80 Stock, Assignment Spearate from Shares

Form 201 Kentucky Corporation Record Book

Form 202 Kentucky Stock Certificate Form 302 Delaware Stock Certificate

Form 301 Delaware Corporation Record Book

#### Depositions

Form 3411 Notice to Take Deposition

#### Garnishments

Form 419 Notice of Court Proceeding to Collect Debt

Form 420 Affidavit and Order in Support of Garnishment of Personal Earnings

Form 421 Notice to the Judgment Debtor of Garnishment of Wages

Form 422 Request for Hearing Form

Form 422A Affidavit of Balance Due; Notice; Request for Hearing

Form 423 Interim Report and Answer of Garnishee

Form 424 Final Report and Answer of Garnishee

Form 425 Motion of Judgment Creditor for Order of Garnishment of Property Other than Personal Earnings

Form 426 Affidavit in Support of Motion for Order of Garnishment of Property Other than Personal Earnings Form 427 Order and Notice of Garnishment of Property

Other Than Personal Earnings and Answer of Garnishee Form 428 Notice to the Judgment Debtor of Garnishment of Property Other than Personal Earnings

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Form 36A Residential Lease-Double Sheet Form 37 Lease (Commercial Only)-Single Sheet Form 37A Residential Lease-Single Sheet

**Limited Liability Companies** 

Form 600 Limited Liability: Articles of Organization

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Form 500 Marriage Dissolution Packet

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Form 45 Certificate of Materialmen

Form 4611 Affidavit for Mechanic's Lien

Form 4711 Notice of Commencement

Form 48 Waiver of Lien

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Form 5011 Mechanic's Lien Release-Private Project Form 5011A Mechanic's Lien Release-Public Project

Form 7511 Affidavit in Proof of Claim

Form JCC-1 Prime Contractor Application for Payment and

Form JCC-2 Subcontractor Affidavit and Waiver of Liens Form JCC-3 Subcontractor Final Affidavit and Waiver of

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Form 51 Mortgage with Dower Clause-Double Sheet

Form 52 Mortgage with Dower Clause-Single Sheet

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Form 53 Mortgage without Dower

Form 57 Mortgage Note

Form 5811 Mortgage Release of Satisfaction

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Transactions)

Form 13 Installment Note (Consumer Loans or

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Form 15 Cognovit Note

Form 15A Cognovit Note, Installment Payments

Form 64 Promissory Note

**Powers of Attorney** 

Form 73 Power of Attorney with Acknowledgment

Form 7311A Ohio Power of Attorney with

Acknowledgment

Form 7911 Ohio Durable Power of Attorney for Health

Care-Acknowledged

Form 7911A Ohio Durable Power of Attorney for Health

Care-Witnessed

Form 9711 Ohio Durable Power of Attorney for Health

Care-Acknowledged with Reference to Living Will

Form 9711A Ohio Durable Power of Attorney for Health

Care-Witnessed with Reference to Living Will

**Probate** 

Form 109 Probate Time Schedule

**Real Estate** 

Form 16A Land Installment Contract

Form 17 Contract for Sale of Real Estate

Form 1811 Residential Property Disclosure

Form 19 Contract to Purchase Real Estate

Form 21 Warranty Deed with Dower Clause-Double Sheet

Form 22 Warranty Deed with Dower Clause-Single Sheet

Form 22S Warranty Deed General-Statutory

Form 23 Warranty Deed without Dower Clause-Double Sheet

Form 23S Survivorship Deed with Dower Clause-Single

Sheet Form 24 Warranty Deed without Dower Clause-Single

Sheet

Form 25 Limited Warranty Deed with Dower Clause Form 25S Limited Warranty Deed-Statutory

Form 26 Quitclaim Deed with Dower Clause-Double Sheet

Form 27 Quitclaim Deed with Dower Clause-Single Sheet

Form 27S Quitclaim Deed-Statutory

Form 29 Deed by Administrator, Executor, Guardian-Public

Form 30 Deed by Administrator, Executor, Guardian-Private Sale

Form 30A Administrator's or Executor's Deed-General Power of Sale

Form 31 Administrator's or Executor's Deed under Will

Form 31S Fiduciary Deed-Statutory

Form 32A General Warranty Deed by a Corporation

Form 33S Transfer on Death Deed-Statutory

Form 6711 Complaint, Forcible Entry & Detainer

Form 6811 Notice to Leave the Premises-Commercial

Form 6811A Notice to Leave the Premises-Residential

Form 7011 Option Contract for the Purchase of Land

Sales

Form 7 Bill of Sale

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Form 4311 Blanket Certificate of Exemption

Form 4411 Construction Contract Exemption Certificate

UCC

Form UCC-1 Financing Statement

Form UCC-1ad Financing Statement-Addendum

Form UCC-1ap Financing Statement-Amendment

Additional Party

Form UCC-3 Financing Statement-Amendment

Form UCC-3ad Financing Statement-Amendment

Addendum

Form UCC-3ap Financing Statement-Amendment

Additional Party

Form UCC-4 Security Agreement-Equipment or Consumer

Goods as Collateral

Form UCC-5 Correction Statement

Form UCC-11 Information Request

Wills

Form 81 Will-Double Legal Sheet

Form 8111 Will-Double Letter Sheet

Form 82 Will-Single Legal Sheet

Form 8211 Will-Single Letter Sheet

Form 83 Will, Heading Only-Double Legal Sheet

Form 8311 Will, Heading Only-Double Letter Sheet

Form 84 Will, Heading Only-Single Legal Sheet Form 8411 Will, Heading Only-Single Letter Sheet

Form 8411A Will, Codicil

Form 8411C Will, Continuation Sheet

Form 9611 Living Will Declaration, Acknowledged

Form 9611A Living Will Declaration, Witnessed