

Checklist
Terminating a Testamentary Trust Set Forth in a Will

Fees:

Court Costs: \$10.00

Requirements

An estate proceeding with will must be pending in this court. The decedent's will must have a provision for the creation of a testamentary trust for personal or real property. The reasons for termination must also comply within the standards set forth in R.C. §2109.62. This action cannot be used to terminate a revocable living trust, or other trust described in Chapter 5801 of the Ohio Revised Code.

***Note: All paperwork must be typed. We will not accept handwritten documents.
All filings must be single-sided. We will not accept double-sided originals.
Please do not staple original paperwork. We cannot accept filings with staples.***

Initial filing

- Motion to Terminate Testamentary Trust Set Forth in Decedent's Will (GC Form 78.2-H)
 - The Fiduciary must serve a copy of the Motion on all parties who have not waived, by **ordinary mail**.
- copy of Decedent's Will establishing the trust agreement
- Waiver of Notice and Consent to Termination of Testamentary Trust Set Forth in Decedent's Will (GC Form 78.2-I) *if applicable*
 - All parties who sign the Waiver, **do not** have to be served with Notice of Hearing
- Notice of Hearing on Motion to Terminate Testamentary Trust Set Forth in Decedent's Will (GC Form 78.2-J) *if applicable*
- Entry Setting Hearing on Motion to Terminate Testamentary Trust Set Forth in Decedent's Will (GC Form 78.2-K)
- Judgment Entry Terminating Testamentary Trust Set Forth in Decedent's Will (GC Form 78.2-L)