# PROBATE COURT OF BUTLER COUNTY, OHIO
# JOHN M. HOLCOMB, JUDGE

**IN THE MATTER OF** _____

**CASE NO.** _____

## APPLICATION TO SETTLE A MINOR'S CLAIM

**[R.C. 2111.05, R.C. 2111.182, Sup. R. 67 AND 68]**

[Check applicable boxes, complete applicable blanks, strike inapplicable language, and attach supporting documentation.]

The applicant states that:

_____, is an unemancipated minor, born _____, _____, residing at _____ in this county who on or about _____, _____, suffered personal injury (and damage to this minor's property) by wrongful act, neglect, or default that entitles this minor to maintain an action to recover damages. A copy of the birth certificate is attached.

Attached is a narrative statement in support of the proffered settlement setting forth a description of the occurrence, the injury or damage, the treatment progress and current prognosis by the treating physicians, and other proposed or actual settlements resulting from the same occurrence being paid to persons other than this minor. Counsel will advise at the hearing as to liability and collectability.

☐ There is no legal guardian of the estate, and the Court may authorize the settlement without the appointment of a guardian.

☐ _____ is the legal guardian of the estate. Case No. _____

☐ _____ is (are) the parent☐ and natural guardian☐.

☐ _____ is the person by whom the minor is maintained.

☐ There is a (full) (partial) settlement offer of $ _____ without suit being filed.

☐ There is a (full) (partial) settlement offer of $ _____ after suit was filed; the style of the case, court, and case number being _____.

☐ The proffered settlement should be approved.

☐ Unreimbursed medical and other expenses of $ _____ have been incurred. Attached is a list of such expenses and proposed payees.

☐ A reasonable attorney fee for the attorney's services is $ _____ and reimbursement to the attorney for suit expenses is $ _____. A copy of the attorney's fee contract that has (has not) received prior approval of this Court, subject to modification, and an itemization of suit expenses are attached.

☐ The parent☐, _____, claim $ _____ for damages on account of loss of service of this minor and that claim is included in this settlement offer.

☐ This is a structured settlement. All necessary documents, including a statement of the present value of the settlement, are filed herewith.

**CASE NO.**_____

The applicant requests that:

☐ The Court authorize the applicant to execute a release which shall be effective upon payment of the settlement.

☐ The Court order payment of the above expenses and order that the net amount of $ _____ for the benefit of the minor be:

- ☐ Deposited in the name of the minor with _____ _____, a financial institution, and not to be released until the minor attains the age of majority or upon further order of this Court.
- ☐ Delivered to the legal guardian.
- ☐ Delivered to _____, parent and natural guardian.
- ☐ Delivered to _____, the person by whom the minor is maintained.
- ☐ Structured as set forth in the attached documents.
- ☐ Deposited into a trust, proposed trust attached, for the benefit of the beneficiary until the beneficiary reaches 25 years of age (R.C. 2111.82).

☐ Supplemental forms required by local rule of Court are attached.

| | |
|---|---|
| _____ | _____ |
| Attorney for Applicant | Applicant |
| _____ | _____ |
| Typed or Printed Name | Typed or Printed Name |
| _____ | _____ |
| _____ | _____ |
| Address | Address |
| _____ | _____ |
| Phone Number (include area code) | Phone Number (include area code) |
| _____ | _____ |
| Email Address | Email Address |

Attorney Registration No. _____

## ENTRY SETTING HEARING AND ORDERING NOTICE

The Court sets _____, at _____ o'clock __.m. as the date and time for hearing the above application and orders notice to be given by the applicant, as provided in the Rules of Civil Procedure, to the parents who have not waived notice and (further orders that the minor and parent_ attend the hearing.)

_____
Probate Judge

PRINT

# PROBATE COURT OF BUTLER COUNTY, OHIO
# JOHN M. HOLCOMB, JUDGE

**IN THE MATTER OF** _____

**CASE NO.** _____

## WAIVER AND CONSENT TO SETTLE MINOR'S CLAIM

The undersigned, waive all claims for damages on account of loss of services of said minor, waive notice of the hearing, and consent to and approve the Form 22.0, Application To Settle Minor's Claim, a copy of which is attached hereto.

_____
Typed Name

_____
Typed Name

_____
Typed Name

_____
Typed Name

_____
Typed Name

_____
Typed Name

# PROBATE COURT OF BUTLER COUNTY, OHIO
# JOHN M. HOLCOMB, JUDGE

**IN THE MATTER OF** _____

**CASE NO.** _____

## ENTRY APPROVING SETTLEMENT OF A MINOR'S CLAIM

Upon hearing the application to approve and distribute the settlement of the claim of the minor, the Court: [check whichever of the following are applicable]

☐ Approves the proffered settlement of $ _____;

☐ Orders payment of $ _____ for medical and other expenses, as follows:

_____
_____;

☐ Orders payment of $ _____ to the attorney for reimbursement of suit expenses and $ _____ for attorney fees for service rendered with respect to this matter;

☐ Orders payment of $ _____ to the parent_, _____, for damages on account of loss of service of this minor;

☐ Authorizes the applicant to execute a release, which shall be effective upon payment of the settlement;

☐ Orders that the net amount of $ _____, for the benefit of the minor be:

- ☐ Deposited in the name of the minor and not to be released until the minor attains the age of majority or upon further order of this Court with Form 22.3 Verification of Receipt and Deposit filed with the Court;
- ☐ Delivered to the legal guardian of the estate of this minor;
- ☐ Delivered to _____, parent ☐ and ☐ natural guardian;
- ☐ Delivered to _____, the person by whom the minor is maintained;
- ☐ Structured as set forth in the documents attached to the application;
- ☐ Deposited into a trust, for the benefit of the beneficiary until the beneficiary reaches 25 years of age. (R.C. 2111.182).

☐ Orders the applicant and the attorney to report on their distribution of the proceeds within 30 days of the date of this entry;

☐ Further orders _____
_____

_____ _____
Date Probate Judge

**FORM 22.2 - ENTRY APPROVING SETTLEMENT OF A MINOR'S CLAIM**

**Amended: January 1, 2023**
**Discard all previous versions of this form**



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# PROBATE COURT OF BUTLER COUNTY, OHIO
## JOHN M. HOLCOMB, JUDGE

**IN THE MATTER OF** _____

**CASE NO.** _____

## VERIFICATION OF RECEIPT AND DEPOSIT

Pursuant to Court order, the sum of $ _____ was deposited with

_____ on the _____ day of _____ , _____

as evidenced by the Savings/Certificate of Deposit Account Number _____.

This account is held solely in the name of _____ , a minor,

whose Social Security Number is _____.

**By accepting said deposit for said minor, this institution agrees that said deposit, together with accumulated interest, shall be held and no part thereof released until minor attains the age of majority or upon further order of this Court.**

_____
Financial Institution

By _____
Authorized Officer

_____
Typed or Printed Name

_____
Phone Number

_____
Date

# PROBATE COURT OF BUTLER COUNTY, OHIO
# JOHN M. HOLCOMB, JUDGE

**IN THE MATTER OF** _____

**CASE NO.** _____

## REPORT OF DISTRIBUTION MINOR'S CLAIM

Pursuant to Entry filed _____, _____, the proceeds have been paid as shown below and on the accompanying vouchers.

Gross Proceeds $_____

Less:
Medical expenses $ _____
Reimbursement of suit expenses to_____
_____ $ _____
Attorney fees to _____ $ _____
Loss of service to _____ $ _____
Other: _____ $ _____
Total $ _____

Net Proceeds

☐ Deposited pursuant to R.C. 2109.13
Form 22.3 attached $ _____

☐ Delivered to _____,
legal guardian of the estate $ _____

☐ Delivered to _____,
parent ☐ and natural guardian ☐ $ _____

☐ Delivered to _____,
the person by whom the minor is maintained $ _____

☐ Structured - see documents previously filed $ _____

☐ Deposited into a trust, for the benefit of the beneficiary until the beneficiary reaches 25 years of age. (R.C. 2111.182)

Balance $ _____

_____ _____
Attorney for Applicant Applicant

Attorney Registration No. _____

## ENTRY

The above report of distribution is hereby approved, and the applicant is discharged from further responsibility.

_____ _____
Date Probate Judge

**FORM 22.4 - REPORT OF DISTRIBUTION AND ENTRY MINOR'S CLAIM**

**Amended Effective: January 1, 2023**
**Discard all previous versions of this form**



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# PROBATE COURT OF BUTLER COUNTY, OHIO
## JOHN M. HOLCOMB, JUDGE

**IN THE MATTER OF THE MINOR SETTLEMENT OF: _____**

**CASE NO: _____**

## SCHEDULING ORDER – MINOR SETTLEMENT

It is hereby ORDERED that:

1. A ***Report of Distribution and Entry (Form 22.4)*** is due on _____.

2. If net proceeds of less than $25,000 were deposited pursuant to R.C. 2109.13, ***Verification of Receipt and Deposit (Form 22.3)*** is due on _____.

3. If net proceeds were invested in an annuity, ***signed annuity contract*** is due on _____.

4. Counsel responsible for complying with this order: _____ _____ _____ Phone: _____

**The applicant will not be discharged from responsibility until items stated in this order are filed with the court.**

SO ORDERED,

_____
John M. Holcomb, Judge

The forms cited above are available at www.butlercountyprobatecourt.org under "Probate Forms" and then "Minor Settlement." Forms may be mailed to Butler County Probate Court, 101 High Street, Hamilton, OH 45011 or personally delivered to the court during business hours (8:30AM – 4:30PM). For questions, call (513) 887-3294.