

PROBATE COURT OF BUTLER COUNTY, OHIO

IN THE MATTER OF: _____

Case No. _____

APPLICATION TO SETTLE A CLAIM OF AN ADULT WARD

[R.C. 2111.18, Sup.R. 69]

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

The applicant states that: _____, is an adult ward residing at _____ in this county who on or about _____, suffered personal injury and/or damage to property by wrongful act, neglect, or default that entitles this person to maintain an action to recover damages.

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 the persons other than this ward. Counsel will advise at the hearing as to liability and collectability.

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.

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

Case No. _____

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 ward be:
 - Deposited in the name of the ward with _____, a financial institution, in a restricted account and not be released without written order of this Court.
 - Delivered to guardian of the estate.
 - Structured as set forth in the attached documents.
 - Other: _____
- 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)

Attorney Registration No. _____

ENTRY SETTING HEARING AND ORDERING NOTICE

The court sets _____, at _____ o'clock AM/PM 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 all interested parties.

JOHN M. HOLCOMB, PROBATE JUDGE

PROBATE COURT OF BUTLER COUNTY, OHIO

IN THE MATTER OF: _____

CASE NO. _____

ENTRY APPROVING SETTLEMENT OF A CLAIM OF AN ADULT WARD

Upon hearing the application to approve and distribute the settlement of the claim of the adult ward, 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 \$ _____ for attorney fees for service rendered and \$ _____ to the attorney for reimbursement of suit expenses with respect to this matter;
- 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 ward be:
 - Deposited in the name of the ward with _____, a financial institution, in a restrictive account and not be released without written order of this Court with BCPC Form 22.3-A Verification of Receipt and Deposit filed with the Court;
 - Delivered to the guardian of the estate;
 - Structured as set forth in the documents attached to the application;
 - Other: _____.
- Orders the applicant and the attorney to report on their distribution of the proceeds within thirty days of the date of this entry;
- Further orders _____

Date

John M. Holcomb, Probate Judge

PROBATE COURT OF BUTLER COUNTY, OHIO

IN THE MATTER OF: _____

CASE NO. _____

**VERIFICATION OF RECEIPT AND DEPOSIT
FOR AN ADULT WARD**

Pursuant to Court order, the sum of \$ _____ , was deposited with
_____, on the _____ day of _____ , _____
as evidenced by Savings/Certificate of Deposit Account Number _____
This account is held solely in the name of _____
an adult ward, whose Social Security Number is _____ .

**By accepting said deposit for the adult ward, this institution agrees that said deposit,
together with accumulated interest, shall be held and no part thereof released except
upon order of this court.**

Financial Institution

By _____
Authorized Officer

Typed or Printed Name

Phone Number

Date

PROBATE COURT OF BUTLER COUNTY, OHIO

IN THE MATTER OF: _____

CASE NO. _____

REPORT OF DISTRIBUTION

Pursuant to the Entry filed on _____, 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 _____ \$ _____

Other: _____ \$ _____

Total \$ _____

Net Proceeds

Deposited pursuant to R.C. 2109.13
BCPC Form 22.3A attached \$ _____

Delivered to _____
legal guardian of the estate \$ _____

Structured – see documents previously filed \$ _____

Other: _____ \$ _____

Balance \$ _____

Attorney for Applicant

Applicant

Attorney Registration No. _____

ENTRY

The above report of distribution is hereby approved.

Date

John M. Holcomb, Probate Judge