

**IN THE COURT OF COMMON PLEAS
DIVISION OF PROBATE
TRUMBULL COUNTY, OHIO**

COUNSEL FEES

- I. Ordinary Legal Services in a Decedent's Estate
- A. Probate Assets According to Inventory or Actual Value
1. Personal Property
4% of first \$200,000.
3% of next \$300,000.
2% of the balance.

Not including the proceeds from the sale of real estate as provided below.
 2. Real Estate – transferred by certificate
2% of first \$25,000.
1% of the balance.
 3. Real Estate sold to Surviving Spouse or per Statutory or Testamentary Power
3% of first \$25,000.
2% of the balance.
 4. Real Estate sold per Land Sale Proceedings
4% of first \$25,000.
3% of the balance.
 5. Non-Probate Assets – Attach separate itemization of legal services rendered relative to non-probate assets. (*Identify service, date, specific non-probate asset, time spent, rate per hour, and total*)
- II. Ordinary Legal Services In Relieving Estate From Administration
- A. Assets to Be Released
1. Fees are not to exceed the following percentages.
Personal Property – 4%
Real Estate – 3%
 2. In the alternative, a separate itemization may be filed. (*Identify service, date, time spent, rate per hour, and total*)
 3. All fees subject to Court review.
- B. Non-Probate Assets

1. Counsel fees on non-probate assets shall not be paid, except for good cause shown, and only after an application has been heard by the Court and allowed by judgment entry.

III. Ordinary Legal Services in Guardianships of Estates and Testamentary Trusts

- A. Counsel fees up to \$500.00 for representing a guardian of the estate or testamentary trustee who has been appointed, filed a bond and inventory, and whose inventory has been approved by judgment entry may be allowed without an itemized statement of legal services performed.
- B. Counsel fees up to \$300.00 for preparing and filing a guardian's or trustee's annual account or trustee's annual account may be allowed without an itemized statement of legal services performed after the account has been approved by judgment entry.
- C. When counsel fees exceed the above amount, an itemized statement of legal services performed shall be filed as provided by County Local Probate Rule 71.2 (B).

IV. Legal Services in Adoption Proceedings

- A. Counsel fees up to \$500.00 for representing petitioners who are subsequently granted a final decree of adoption may be approved without an itemized statement of legal services performed. Counsel fees shall be listed on the petitioner's account form. No fee or retainer shall be taken without prior approval of the Court

V. Legal Services in Name Changes, Birth Corrections, Birth Registrations, Placements and Legitimation Proceedings

- A. Counsel fees up to \$300.00 for representing applicants may be approved without an itemized statement of legal services performed.

VI. Itemized Statement for Legal Services

- A. Counsel fees for legal services performed that are found reasonable and necessary by the Court may be considered at an hourly rate of up to \$125.00 when submitted as provided in County Local Probate Rule 71.2(B) and allowed by judgment entry.