

TRUMBULL COUNTY PROBATE COURT
WRONGFUL DEATH SETTLEMENT CHECKLIST
(Effective 6/1/00)

- ___ 1. Application to approve settlement and distribution of wrongful death and survival claims (SPF 14.0) (effective date of 10/1/98)
- ___ 2. Waiver and Consent - Wrongful Death and Survival Claims (SPF 14.1) (effective date of 4/97). Be sure to include waivers from all beneficiaries - including parents, children and siblings of the decedent. (R.C. 2125.02)
- ___ 3. Statement of facts, including the following:
- ___ brief statement/narrative regarding death, including all insurance coverage and limits of each of the parties
 - ___ the amount to be received in settlement of the claim and the amount, if any, to be received in the settlement of the right of action for conscious pain and suffering.
 - ___ the proposed allocation of compensation to be received in settlement of the action for wrongful death
 - ___ other proposed or actual settlements resulting from the same occurrence being paid to persons other than the decedent
- ___ 4. Itemized statement of litigation expenses
- ___ 5. Attorney contingent fee agreement (and journal entry if agreement has been approved)
- ___ 6. Proposed entry approving settlement or distributing wrongful death assets (SPF 14.2) (effective date 4/97)
- ___ 7. If wrongful death beneficiaries include persons not listed on SPF 1.0 Surviving Spouse, Next of Kin, Legatees and Devisees form filed earlier in the estate, a "Wrongful Death Beneficiaries" list must be provided that gives address and relationship to decedent. Note that R.C. 2125.02 includes parents and siblings of decedent as beneficiaries as well as children and spouse. These persons must receive notice of the hearing.
- ___ 8. Filing fee of \$71.00

NOTE - Report of distribution of wrongful death proceeds (SPF 14.3) is to be filed after settlement is approved.