

**TRUMBULL COUNTY PROBATE COURT  
WRONGFUL DEATH CHECKLIST  
NON-ASBESTOS RELATED CASES**

- Application to Enter into Contingent Fee Agreement (App. D), including copy of fee agreement, if not previously filed
- Application to Approve Settlement and Distribution of Wrongful Death and Survival Claims (SPF 14.0)
- Waiver and Consent – Wrongful Death and Survival Claims (SPF 14.1)
- Statement of Subrogation Claims. Include documentation concerning all subrogation claims and/or waivers or settlement of claims.
- Narrative statement in support of settlement, including:
  - Relevant biographic information
  - Circumstances of occurrence causing death, including:
    - cause, nature, and extent of injuries
    - conscious pain and suffering
    - diagnosis and treatment received, if any
    - accident/police report, if any
  - Identification of all insurance coverage and policy limits
  - Terms of proposed settlement, including:
    - Amounts of proposed settlement, allocation, and distributions to beneficiaries
    - Whether settlement is full or partial settlement
    - Any funeral, burial, and last illness expenses
    - Identity of all parties to the settlement
    - Any other proposed or actual litigation or settlements resulting from same occurrence
    - Where funds are to be paid from different sources, a chart setting forth the names of the defendants, the gross amount received, the amount of attorney fees, the amount of expenses, and net proceeds
    - Where a structured settlement is proposed, supporting documentation, present-day value, rating of annuity company, rate of return, and language concerning non-assignability of annuity

- Current location of settlement funds and expected date for release of funds
- Settlement Statement
- Identity of all litigation counsel and any fee-split agreements, including percentages (Prof.Cond.R 1.5(e))
- Itemized statement of litigation expenses, including receipts, vouchers, and/or other supporting documentation (Loc.R. 57.10)
- Copy of proposed release
- Proposed Entry Approving Settlement and Distribution of Wrongful Death and Survival Claims (SPF 14.2)
- Filing fee of \$71.00
- Report of Distribution of Wrongful Death and Survival Claims (SPF 14.3) to be filed with vouchers after settlement has been distributed

**Please review documents to ensure all correct boxes are checked and for mathematical errors and consistency of figures.**

**\*\*The Probate Court accepts payment by cash, check, and money order only. The Court does not accept payment by debit or credit cards.\*\***