

## TRUMBULL COUNTY PROBATE COURT PERSONAL INJURY SETTLEMENT CHECKLIST

- Application to Enter into Contingent Fee Agreement (App. D), including copy of fee agreement, if not previously filed
  - Application to Approve Personal Injury Settlement
  - Narrative statement in support of settlement, including:
    - Relevant biographic information
    - Circumstances of occurrence, injury, or damage, including:
      - cause, nature, and extent of injury or damage
      - duration of treatment
      - pain and suffering
      - accident/police report, if any
    - Identification of all insurance coverage and policy limits
    - Status of litigation and/or settlement at time of death
    - Terms of proposed settlement, including:
      - amounts of proposed settlement
      - whether settlement is full or partial settlement
      - 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 name of the defendant, 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
- Waiver and Consent to Settle a Personal Injury Claim

- Statement of Subrogation Claims. Include documentation concerning all subrogation claims and/or waivers or settlement of claims.
- 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 Personal Injury Settlement
- Filing fee of \$5.00
- Report of Distribution of Personal Injury Claims, 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.\*\***