

When standard forms are generated by computer, they shall conform to all specifications for standard forms stated in Sup. R. 52. The Court will accept for filing nonstandard computer generated forms for the receipts and disbursements attached to a standard account form or the schedule of assets attached to a standard inventory and appraisal form.

Sup. R. 52. Probate Divisions of the Courts of Common Pleas--Specifications for Printing Probate Forms.

(A) Applicability.

(1) The specifications in this rule govern the reproduction of blank forms intended for, or used in, the administration of decedents' estates, guardianships, and adoptions in this state, including:

(a) Standard forms prescribed in Sup. R. 51;

(b) Commercially prepared blank forms, including standard and nonstandard forms, designed for use in any aspect of the administration of decedents' estates, guardianships, and adoptions;

(c) Blank forms prescribed by local rule of court for use in situations for which no standard form is prescribed.

(2) This rule does not apply to any of the following:

(a) Any pleading, application, entry, waiver, notice, or other filing that is prepared ad hoc for use in a particular case or proceeding, or that is not reproduced in any manner for use as a blank form;

(b) Any routing slip, memorandum index, cost bill, or other form designed solely for internal administrative or clerical use;

(c) Forms intended for use in matters other than the administration of decedents' estates, guardianships, or adoptions;

(d) Estate tax returns, reports, and other forms prescribed by the Department of Taxation.

(B) Size of forms; stock. All forms shall be on paper size eight and one-half by eleven inches, printed on twenty-four pound bond or heavier stock.

(C) Margins. Right and left margins shall be approximately one-half to three-quarters of one inch, and shall be justified. The top margin shall be approximately seven-eighths to one and one-eighth inches, measured from the top edge of the paper to the top of the first line of the caption. The distance between the bottom of the repeat of the main heading at the foot of the first page shall be as required by division (K) of this rule.

(D) Type styles.

(1) All type shall be sans serif. Bold face type shall be used only as required or permitted by division (D)(2) of this rule. Italics shall not be used. Except as provided in division (D)(3) of this rule, all type shall be upper and lower case. (2) Bold face type shall be used for the main heading immediately following the caption, and for the form number and repeat of the main heading at the foot of the first page. In addition bold face type may be used for:

(a) The caption;

(b) Subheadings;

(c) Directions enclosed in brackets;

(d) Instructions or identification under a blank line, indicating what is to be inserted in the line or identifying the office or status of a signer;

(e) Column headings;

(f) Any matter not covered in division (D)(2)(a) to (e) of this rule, for which the use of bold face type is expressly indicated on a standard form in Sup. R. 51.

(3) The following shall be printed in all capital letters:

(a) The first two lines of the caption;

(b) The main heading immediately following the caption;

(c) All subheadings;

(d) The form number and repeat of the main heading at the foot of the first page;

(e) Any matter not covered in division (D)(3)(a) to (d) of this rule, for which the use of all capital letters is expressly indicated on a standard form in Sup. R. 51.

(E) Type sizes.

(1) The following type sizes shall be used:

(a) Main headings immediately following the caption shall use sixteen-point or larger type;

(b) The first line of the caption, and all subheadings, shall use not smaller than twelve-point nor larger than sixteen-point type;

(c) The last two lines of the caption, the body, and the form number and repeat of the main heading at the foot of the first page, shall use not smaller than eight-point nor larger than twelve-point type;

(d) Instructions or identification under a blank line, indicating what is to be inserted in the line or identifying the office or status of a signer, shall use not larger than eight-point type.

(2) Whatever type size is used with the limitations of division (E)(1) of this rule:

(a) The first line of the caption and all subheadings shall use type at least two points smaller than the main heading immediately following the caption;

(b) The last two lines of the caption, the body, and the form number and repeat of the main heading at the foot of the first page, shall use type at least two points smaller than the subheadings;

(c) Instructions or identification under a blank line, indicating what is to be inserted in the line or identifying the office or status of a signer, shall use type at least two points smaller than the body.

(F) Vertical spacing.

(1) The vertical spacing on all forms shall be in units of one pica, to conform to standard typewriter vertical spacing.

(2) In order to permit optimum placement and promote visual appeal, the main heading and any subheading may be moved up or down within the available area without regard to the vertical spacing of the rest of the form, provided the rest of the form from head to foot maintains vertical spacing in units of one pica.

(G) Centering. The first line of the caption, the main heading, any explanatory information supplementing the main heading and appearing directly below it, subheadings, and the form number and repeat of the main heading at the foot of the first page of a form, shall be centered.

(H) Blank lines; length; vertical spacing in series.

(1) Blanks to be filled in shall be indicated by a printed solid line. Wherever possible, such lines shall be of sufficient length to accommodate comfortably all characters included in any word, phrase, name, date, or other information that might reasonably be expected to be placed in the blank. Spaces and punctuation shall be included in counting characters. It shall be assumed that six pica will accommodate ten characters in calculating the length of a line.

(2) Wherever possible, blank lines shall be a minimum length of:

(a) Eight pica, when the name of a county is to be inserted;

(b) Eighteen pica, when a date is to be inserted;

(c) Twenty pica, when a name or signature is to be inserted;

(d) Eight pica, not counting the dollar sign, when a dollar amount is to be inserted.

(3) One, or two or more blank lines may be used for the insertion of an address. Wherever possible, such lines shall be a minimum length of:

(a) Forty pica when a single line is used;

(b) Twenty pica per line when two or more lines are used.

(4) When a series of signature lines, lines for tabulating particular information, or other blank lines in vertical series are called for in a form, then except where expressly indicated on a standard form in Sup. R. 51, the vertical spacing between lines shall be two pica. This spacing shall be maintained without regard to instructions or identification printed below a line.

(I) Boxes to be checked.

(1) Where a form calls for a “check” or “X” to be inserted, a box shall be used for the purpose. The box shall precede the information to which it refers.

(2) When a series of “checks” or “X’s” are called for in the same sentence or paragraph, each box and the information to which it refers shall be set apart visually from the preceding and following information in the same sentence or paragraph. Any device that provides visual separation and minimizes possible confusion may be used, including without limitation space-hyphen-space or a double or triple space, as in the following example:

“[check one of the following] - - []Decedent’s will has been admitted to probate in this court - []To applicant’s knowledge decedent did not leave a will.”

(J) Caption.

(1) Except as provided in division (J)(3) of this rule, the following captions shall be used, respectively, on all forms for the administration of decedents’ estates, guardianships, and adoptions:

PROBATE COURT OF _____ COUNTY, OHIO

ESTATE OF _____, DECEASED

CASE NO. _____

PROBATE COURT OF _____ COUNTY, OHIO

GUARDIANSHIP OF _____

CASE NO. _____

PROBATE COURT OF _____ COUNTY, OHIO

ADOPTION OF _____

(Name after adoption)

CASE NO. _____

(2) The first line of the caption shall be centered. The second and third lines shall begin at the left margin and end at the right margin. The vertical space between the first and second lines may be two or three pica. The vertical space between the second and third lines shall be two pica.

(3) The following variations from the caption prescribed in division (J)(1) and (2) of this rule are permitted:

(a) The blank line in the first line of the caption may be replaced by the imprinted name of a particular county.

(b) The caption may be expanded to include the address of a particular court, using type of any suitable size. In such case, the blank lines intended for the court's address in the body of any form and introductory material for the address such as, "the court is located at _____," shall be omitted.

(c) In Standard Decedents' Estates Form 5.5, and in any other decedents' estates form dealing with two or more estates, the last two lines of the caption shall be omitted.

(K) Form number and repeat of main heading.

(1) The main heading of a form, which appears immediately below the caption on the first page of a form, shall be repeated at the foot of the first page. If the form is a standard form, the repeat of the main heading shall be preceded on the same line by the form number.

(2) The form number and repeat of the main heading shall be centered, and located not higher than three-eighths inch above the bottom edge of the form.

(L) Printing front and back. When a standard probate form consists of more than one page, each page shall contain the case number in the upper portion of the page.

(M) Standard forms to govern; variations.

(1) Matters not specifically covered in this rule are governed by the standard forms prescribed in Sup. R. 51. Overall, the format of all printed blank forms, whether standard or nonstandard, shall conform substantially to the standard forms. Except as provided in division (M)(2) of this rule, no additions to, deletions from, or changes in the form, content, or language of the standard forms are permitted when printing blank standard forms.

(2) The following variations from the standard forms in Sup. R. 51 are permitted:

(a) In any form calling for a court's address, the blank lines intended for the insertion of such information may be replaced by the imprinted information itself. If the court's address is imprinted in the caption, the blank lines in the body of the form for the address and introductory material for the address shall be omitted as provided in division (J)(3) of this rule.

(b) The name as well as the title of the probate judge may be imprinted below a judge's signature line on any form.

(c) In any form calling for the attorney's typed or printed name, address, telephone number, and attorney identification number, the blank lines intended for the insertion of that information may be replaced by the imprinted information itself. The signature line for the attorney shall be retained.

(d) In Standard Decedents' Estates Form 4.2, the portion of the form below the date line and principal's signature line, and above the repeat at the foot of the page, may be replaced by the imprinted name and address of a corporate surety, identified in some appropriate manner as the surety on the particular bond, and including a signature line for the attorney in fact. The last paragraph of the body of the form, relating to justification of personal sureties, shall be omitted.

(e) When standard forms are generated by computer, they shall conform to all specifications for standard forms stated in this rule. A court may accept for filing nonstandard computer generated forms for the receipts and disbursements attached to a standard account form or the schedule of assets attached to a standard inventory and appraisal form.

(f) All forms may include suitable coding for optical or magnetic scanning, or similar system designed to aid docketing, indexing, cost accounting, or other administrative or clerical activities.

(g) On all forms, the publisher may add its name, logotype, or other suitable identification. The size, style, and placement shall be such as not to detract from, interfere with, or overpower any part of the form.

(h) Wherever a form contains "19__" or "199__", a blank line shall be substituted to accommodate the correct year.

(N) Effective date.

(1) This rule takes effect July 1, 1977.

(2) On and after January 1, 1978, any pleading, application, entry, waiver, notice, or other filing, prepared using a blank form to which this rule applies, shall not be accepted for filing by the probate division of a court of common pleas of this state unless such blank form complies with the specifications in this rule. (3) The amendment to division M(2)(h) shall take effect on November 16, 1999.

Commentary (November 16, 1999)

This amendment permits the change of preprinted dates on existing standard probate forms.

Commentary (October 1, 1997)

This rule is unchanged substantively from former C.P. Sup. R. 17.