

MIAMI COUNTY PROBATE COURT
(www.co.miami.oh.us)

MINOR SETTLEMENT CHECKLIST

- Forms must be typewritten or printed in ink
- There may be additional requirements based upon the specific circumstances in the case

INITIAL FILINGS / REQUIREMENTS

- ___ Court costs paid at time of filing (Local Rule 58.1)
- ___ Claim settled for net amount of \$25,000 or less after payment of fees / expenses as allowed by court, appointment of guardian not required (RC 2111.18)
- ___ **Social Security Number Form**
- ___ **Form 22.0 Application to Settle a Minor's Claim** (RC 2111.05, 2111.18, SupR 67, SupR 68)
 - ___ Narrative statement in support of settlement describing occurrence and injury or damage, attached per application
 - ___ Current statement of examining physician in respect to injuries sustained, extent of recovery, and permanency of any injuries (SupR 68 (B))
 - ___ Full / Partial settlement and amount to be listed
 - ___ List of unreimbursed medical / other expenses and proposed payees, attached per application
 - ___ For a Loss of Consortium claim, the Court requests a detailed statement from the parent(s) / applicant(s).
 - ___ Statement of what additional consideration, if any, is being paid to persons other than minor as result of incident causing injury to minor (SupR 68 (B))
 - ___ Statement of what arrangement if any, has been made with respect to counsel fees; counsel fees subject to approval by court, copy of attorney's fee contract and itemization of suit expenses, attached per application (SupR 68 (B))
 - ___ Structured settlement documents, attached per application (Local Rule 68.1)
 - ___ Personal service on minor over age 14; minor must pick up service at Sheriff's Office at least seven (7) days prior to the hearing
- ___ Original or Certified copy of minor's birth certificate; court will make a copy and return original / certified copy
- ___ **Form 22.1 - Waiver and Consent to Settle Minor's Claim** (SuprR 68 (A))
 - ___ Must be signed "individually and as natural parent / custodian"
 - ___ Notice will be sent to noncustodial parent or parents who have not waived notice (must receive seven (7) days notice) (SupR 68 (A))

HEARING REQUIREMENTS: (Forms to be filed with Initial Filings)

IMPOUNDMENT

- ___ **Motion for Deposit with Custodial**
- ___ **Entry Restricting Withdrawals**
- ___ **Journal Entry Extending**
- ___ **Form 22.2 - Entry Approving Settlement of a Minor's Claim** (RC 2111.12)

PROCEEDING HEARING REQUIREMENTS

- Form 22.4 – Report of Distribution and Entry Minor’s Claim**
 - Must be filed within 30 days of Entry Approving Settlement of a Minor’s Claim
- Form 22.3 – Verification of Receipt and Deposit – Initial**
 - Must be filed within seven (7) days of issuance of Entry (RC 2111.05, SupR 67)

BANK VERIFICATION

- Court costs must be paid at the time of filing (Local Rule 58.1)
- Verification of Funds on Deposit – To be filed every (2) two years**

TERMINATION OF MINOR SETTLEMENT

- Court costs must be paid at the time of filing (Local Rule 58.1)
- Application to Release Funds**
 - To be filed when child turns 18 years of age
 - Court costs must be paid (Local Rule 58.1)
- Receipt for Release of Funds**, to be filed after Application to Release Funds is approved

Notes _____
