

## LOC.R. 78.5 EVIDENCE OF DEATH

With the initial filing of any estate administration proceeding in which there is not an attorney representing the applicant a certified copy of the decedent's death certificate shall be exhibited to the Court. The deputy clerk shall make a photocopy of the death certificate and shall redact the *social security number* before filing the photocopy. If an attorney enters an appearance for the applicant, a photocopy of the death certificate may be submitted with the social security number redacted before filing. A death certificate is not required in any of the following proceedings (a) a will is being filed for record only or (b) the only filing be made is an Ohio estate tax filing.

If the death certificate is not reasonably available when the initial estate filing is made, the application to open the estate must be accompanied by a published obituary for the decedent or letter from the funeral home identifying the decedent. To be accepted, the funeral home letter and obituary must recite the date of death and the decedent's residence address. This alternative evidence of death does not exempt the estate from the requirement for providing the death certificate as soon as it is available and no distribution or transfer of assets may be made without the death certificate first being filed or a specific order of the Court.