

IN THE COURT OF COMMON PLEAS OF UNION COUNTY, OHIO
PROBATE DIVISION
JUDGE RICK RODGER

ESTATE OF _____, **DECEASED**

CASE NO. _____

WAIVER AND CONSENT TO ATTORNEY'S FEE

R.C. 2113.35, R.C. 2113.36, Loc.R. 71.3

DO NOT SIGN THIS FORM UNLESS ALL VALUES ARE COMPLETED.

I, _____, the undersigned, being:
NAME

- ☐ an heir at law or residual beneficiary under the will, entitled to receive _____ % of the residue (remainder) of the Estate
- ☐ Other [DESCRIBE]: _____

hereby consent that _____, Esq., shall be paid a fee of
ATTORNEY(S)

\$ _____ for legal services, and reimbursement of \$ _____.
ATTORNEY'S TOTAL FEE EXPENSES/COSTS ADVANCED

- ☐ The total fee does not include compensation for extraordinary legal services.
- ☐ The total fee includes compensation for extraordinary legal services provided.

I agree that all legal services provided by the Attorney were reasonable, necessary and beneficial to the Estate, and I waive the Court's independent determination of the same.

I waive my right to notice of hearing (if any) and request that the Court approve this request for payment of the fees and expenses from the residual assets of the Estate without a formal hearing.

SIGNATURE

DATE

Ohio law entitles the Fiduciary to retain an attorney to provide legal services that are reasonable and beneficial to the Estate. Like the Fiduciary's Commission, the Attorney's fee for legal services, plus reimbursement for costs advanced or expenses incurred by the Attorney, are an expense of Estate administration and shall be paid from the assets of the residual estate.

Pursuant to Local Rule, if the requested fee is ordinary (equal to or less than the fee calculated by the Court's schedule), and persons entitled to greater than 50% of the residual estate consent, or, if the requested fee is of an extraordinary nature (exceeds the fee calculated by the Court's local guideline schedule), and persons entitled 100% of the residual estate consent, the Fiduciary is authorized to pay the fee upon submission of the Final Account. The Court may schedule a formal hearing to consider payment of fees regardless if sufficient consents are filed, or to consider written objections filed by remainder heirs or beneficiaries, if any.