

LOC.R. 78.7 NON-ORAL INSOLVENCY HEARINGS

Unless otherwise requested in writing by the fiduciary when filing a Representation of Insolvency and a Schedule of Debts, the Court's Judgment Entry Setting Hearing and Ordering Notice (Form 24.1) will provide for a non-oral hearing, with an alternative contingent date for an oral hearing. In the event an interested party files a written objection prior to the non-oral hearing, or if the Court determines it to be appropriate, the matter will be continued from the non-oral hearing date to the scheduled alternative contingent oral hearing date with notice to the fiduciary and the objector.

The fiduciary's written Notice of Hearing on Representation of Insolvency and Schedule of Claims (Form 24.2) should be modified to incorporate the non-oral hearing date and the notice regarding written objections. The fiduciary should modify the Form 24.2 to read substantially as follows:

The Representation of Insolvency and the Schedule of Claims shall be heard non-orally by the Lorain County Probate Court located at 225 Court St., 6th Floor, Elyria, Ohio on the ____day of _____, 201__ at _____ o'clock ____ . M. If an interested party files a written objection with the Court prior to the non-oral hearing, the matter will be continued for oral hearing on _____, 201_ at _____.M.

The fiduciary should assure that verification of service of the notice is filed with the Court no later than the non-oral hearing date. The fiduciary and counsel should not attend the non-oral hearing.