

RULE 70.1: Settlement of Claims For Wrongful Death

1. All applications to settle claims for wrongful death shall be set for hearing. All interested parties to the distribution of the net proceeds of the settlement shall be listed by name, residence, and relationship to the decedent on the proposed entry approving settlement or distributing wrongful death proceeds.

2. The term "interested parties" who are subject to notice are those set forth in R.C. §2125.02.

3. A guardian ad litem may be appointed to represent the interests of any minor or incompetent persons who are potentially "interested parties".

4. When the Court is called upon to endorse an agreed entry of distribution or to adjust the shares of distribution, notice to or consents from those "interested parties" designated above shall be required.

5. The applicant is required to appear at the hearing regarding an application to approve a wrongful death settlement or proposed distribution. An applicant shall have 30 days following approval in which to file the report of distribution unless otherwise ordered by the Court.

6. A judge shall approve the report of distribution of the wrongful death proceeds only after appropriate vouchers are presented.