MARK J. BARTOLOTTA, JUDGE
PROBATE COURT OF LAKE COUNTY, OHIO

IN THE MATTER OF _____
Case No. _____ Docket _____ Page_____

# APPLICATION FOR APPOINTMENT OF GUARDIAN
**(OF MINOR)**

Note: If allotted space is inadequate to respond, write "See Exhibit" in the space and add appropriate exhibit letter sequence, then attach exhibit containing information requested for that space.

Applicant represents to the Court that the minor(s) listed is (are) in need of guardian (R.C. 2111.02), and the following:

| Name of Minor(s) | Age | Date of Birth | Residence or Legal Settlement |
|---|---|---|---|
| | | | |

1. TYPE OF GUARDIANSHIP APPLIED FOR:

   a. ☐ Non-Limited ☐ Limited

   b. ☐ Person and Estate ☐ Estate Only ☐ Person Only

2. REASONS FOR THE GUARDIANSHIP (R.C. 2111.06):

3. IF THE APPLICATION IS FOR A LIMITED GUARDIANSHIP, (R.C. 2111.02(B)(1)):

   a. The length (time period) of the guardianship requested is:
   ☐ Indefinite ☐ Definite – from _____ 20_____
   to _____ 20_____

   b. The limited powers granted to the guardian are:

4. IF THE APPLICATION IS FOR A GUARDIANSHIP OF THE ESTATE (R.C. 2111.03):

   a. The whole estate of the prospective ward is:

      Personal Property ……. $_____

      Real Property …… $_____

      Annual Rents …… $_____

      Other Annual Income …….. $_____
      TOTAL…….. $_____0.00

   b. A bond in the amount of $_____is attached as Exhibit A (R.C. 2109.04(A)(1)).

5. LIST THE NEXT-OF-KIN OF THE MINOR(S), WHO RESIDE IN THE STATE, FOR SERVICE OF NOTICE, AND WAIVER(S), IF ANY, ARE ATTACHED AS EXHIBIT B (R.C. 2111.03).

6. INFORMATION CONCERNING THE PROSPECTIVE GUARDIAN/APPLICANT (R.C. 2111.03):

   a. Name and AKA _____

      Home Address _____
      _____ ZIP _____

      Relationship to Minor (s) _____

      Occupation _____

      Work Address _____
      _____ ZIP _____

      Telephone: Home _____ Work _____

   b. FIDUCIARY'S ACCEPTANCE IS ATTACHED AS EXHIBIT C.

   c. IF THE APPLICATION IS FOR PERSON ONLY. AN AFFIDAVIT OF CUSTODY IS ATTACHED AS EXHIBIT D.

   d. Applicant (is/is not) an administrator, executor, or other fiduciary of the estate wherein the alleged incompetent is interested. (R.C. 2111.09)

   e. Applicant (has/has not) been charged with, or convicted of, a crime involving theft; physical violence; or sexual, alcohol, or substance abuse. If the Applicant has been so charged or convicted, list the dates and places of the charge (s) or conviction (s) (R.C. 2111.03(A)):

| Charge/Conviction | Date | Place |
|---|---|---|
| | | |

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

f. Attorney representing the Applicant is:

Name _____

Address _____
_____ ZIP _____

Telephone _____ ID Number _____

7. The person who has custody is _____
and the address is _____
_____(R.C. 2111.03(A)(4)).

8. If the minor's age is over 14 years, he/she ☐ does ☐ does not consent to the selection of the applicant as guardian. Consent is attached as part of Exhibit B (R.C. 2111.12).

I hereby petition the Court to be appointed Guardian of the foregoing-described minor(s), and certify that all the information and statements contained in this application and attached exhibits are correct to the best of my knowledge and belief.

_____ _____
Attorney for Applicant Applicant

Sworn to before me, and signed in my presence, this _____ day _____, 20 _____.

_____
Notary Public/Deputy Clerk

**KNOWINGLY GIVING FALSE INFORMATION ON A PROBATE DOCUMENT IS A CRIMINAL OFFENSE.**
**(R.C. 2921.13(A)(11))**

Print Reset

**MARK J. BARTOLOTTA, JUDGE**

**PROBATE COURT OF LAKE COUNTY, OHIO**

**IN THE MATTER OF THE GUARDIANSHIP OF_____**

**Case No. _____ Docket_____ Page_____**

# AFFIDAVIT

**[R.C. 3109.27]**

State of Ohio, County of _____s.s.

(To be filed only when guardianship of the person of a minor is sought.)

Affiant being first duly sworn, deposes and says:

1. That the child's present address, the places where the child has lived within the last five years, and the names and present addresses of the person(s) with whom the child has lived during that period are: (Attach additional sheets if necessary)

2. That affiant has (not) participated as a party, witnesses, or in any other capacity in any litigation concerning the custody of the child(ren) in this or any other state.
3. That affiant has (no) information or any custody proceeding concerning the child(ren) pending in a court of this or any other state.
4. That affiant has (no) knowledge of any person not a party to the proceedings who has physical custody of the child(ren) or claims to have custody or visitation rights with respect to the child(ren).

If 2, 3, or 4 is answered in the affirmative, and the space afforded is insufficient for full explanation, please attach and incorporate herein any necessary information.

Affiant realizes that __he has a continuing duty to inform the Court of any custody proceedings concerning the child(ren) in this or any other state of which affiant obtains information during the pendency of this proceeding.

_____

Sworn to before me and subscribed in my presence this_____day of_____, _____

_____
Notary Public

**FORM 16.1 AFFIDAVIT**

**MARK J. BARTOLOTTA, JUDGE**

**PROBATE COURT OF LAKE COUNTY, OHIO**

IN THE MATTER OF _____

Case No. _____ Docket _____ Page _____

# NEXT OF KIN OF PROPOSED WARD

(Note: If the next of kin is a minor 15 years or under, his age should be entered next to his name, and the name, address, and relationship to the minor of a natural parent, or guardian who has custody, should be listed in the next name block.)

Service Waived

1. ☐ Name _____ Relationship _____
   Address _____ ZIP _____

2. ☐ Name _____ Relationship _____
   Address _____0.00 ZIP _____

3. ☐ Name _____ Relationship _____
   Address _____ ZIP _____

4. ☐ Name _____ Relationship _____
   Address _____ ZIP _____

5. ☐ Name _____ Relationship _____
   Address _____ ZIP _____

6. ☐ Name _____ Relationship _____
   Address _____ ZIP _____

7. ☐ Name _____ Relationship _____
   Address _____ ZIP _____

8. ☐ Name _____ Relationship _____
   Address _____ ZIP _____

9. ☐ Name _____ Relationship _____
   Address _____ ZIP _____

10. ☐ Name _____ Relationship _____
    Address _____ ZIP _____

**LIST OF WAIVER OF NEXT KIN – APPLICATION EXHIBIT B**

## WAIVER OF SERVICE BY NEXT OF KIN

With the knowledge that _____ has applied to be guardian of _____, we consent to that appointment, waive service of notice of the application and hearing, and voluntarily enter our appearance in the matter.

1. _____ 6. _____
2. _____ 7. _____
3. _____ 8. _____
4. _____ 9. _____
5. _____ 10. _____

.....

## SELECTION OF GUARDIAN BY MINOR OVER 14 YEARS OF AGE

Under Ohio law, R.C. 2111.12, if the Court finds the person selected suitable, a minor over 14 years of age may select his/her own guardian.

I, _____, Age _____, elect _____, a resident of _____ County, Ohio, as my guardian, and request the Court to find the person suitable and appoint that person guardian.

_____ _____

Date Minor

**IN THE COURT OF COMMON PLEAS**
**DIVISION OF PROBATE**
**LAKE COUNTY, OHIO**

| | | |
|---|---|---|
| IN THE MATTER OF: | ) | CASE NO. |
| | ) | |
| | ) | JUDGE MARK J. BARTOLOTTA |

## CONSENT TO WEBCHECK CRIMINAL BACKGROUND CHECK[1]

I, the undersigned, hereby authorize the Lake County Educational Service Center to perform a criminal background check using the WEBCHECK system. The results will be sent directly to the Lake County Probate Court to become a permanent part of the Court's record.

_____
Signature Date

_____
Printed Name

_____
Address

_____

_____
Telephone Number

_____
Date of Birth

[1] Eff. May 1, 2009

## PROCEDURE FOR CRIMINAL BACKGROUND CHECK

Before a guardian is appointed, a criminal background check of the Applicant(s) shall be performed.[1]

- Sign the attached Consent to WEBCHECK Criminal Background **C**heck and go to the Lake County Educational Service Center located at 8221 Auburn Road Painesville, Ohio 44077 within five (5) days of filing the Application. The Center will complete the fingerprints and mail them directly to the Probate Court.

- An FBI Investigation will also be required if the Applicant(s) has not been a resident of Ohio continuously for the last five (5) years.

- The fee for the BCI&I Criminal Background Check is $30.00 (no credit cards accepted). If an FBI Investigation is necessary, the fee is an additional $35.00.

- You will be required to provide two forms of identification (a photo ID and either a social security card, birth certificate or passport). Please call the Lake County Educational Service Center at 440.350.2563 for an appointment or go directly to the Service Center and check appointment availability.

---

[1] Eff. May 1, 2009