

# CHECKLIST

## GUARDIANSHIP OF INCOMPETENT ADULT

### MANDATORY DEPOSIT DUE AT TIME OF FILING:

\$250.00

Certified mail costs for anyone needing to be served (if applicable)

### REQUIREMENTS

The alleged incompetent adult must be a current resident of Lake County, Ohio. At the hearing on the application for appointment of guardian, the applicant bears the burden of proving, by clear and convincing evidence, both of the following: (1) the ward's mental incompetence; and (2) that no less restrictive alternative exists to the proposed guardianship.

For more information on Guardianship requirements, please refer to Chapter 2111 of the Ohio Revised Code, Lake County Local Rule 66 (66.0 through 66.09), and Superintendence Rule 66 (66.01-66.09)

*Note: On all paperwork you must use full names for everyone. All paperwork must be typed.  
All filings must be single-sided. Please do not staple original paperwork.*

INITIAL FILING: All forms listed and the filing fee must be presented to the Court together or the proceeding will not be initiated

- Application for Appointment of Guardian of Alleged Incompetent (Form 17.0)
- Consent to Web Check of the applicant
  - o See Local Rule 66.05(A) for requirements (LCPC Form 17.11)
  - o If an Applicant has not been a resident of Ohio continuously for the last five years, the Applicant also must obtain an FBI criminal records check
  - o Applicant must go do background check themselves at the Lake County Educational Service Center
- Next of Kin of Proposed Ward (Form 15.0)
- Waiver of Notice and Consent (Form 15.1)
  - o All parties listed on the Next of Kin of Proposed Ward (Form 15.0), who are Ohio residents, must either sign Consent or be served notice
- Statement of Expert Evaluation (Form 17.1)
- Copies of proposed ward's Powers of Attorney or Health Care Powers of Attorney currently in force.

### LATER FILINGS AFTER GUARDIAN IS APPOINTED

- Guardian's Bond (Form 15.3) (*Guardian of Estate Only*) *\*may be submitted with initial filing of application*
- Guardian's Inventory (Form 15.5) (*Guardian of Estate Only*)
  - o Due **3 months following the date of Appointment** of Guardian
- Application to Release Funds to Guardian (Form 15.6) (*Guardian of Estate Only*)
  - o *This may only be filed if bond filed, if bond was ordered*
- Application for Authority to Expend Funds (Form 15.7) (*Guardian of Estate Only*)
- Guardian's Account (Form 15.8) (*Guardian of Estate Only*)
  - o Due **1 year following Appointment** of Guardian of Estate, and then every year thereafter.
- Guardian's Plan – Estate (Form 27.8) (*Guardian of Estate Only*)
  - o Due every year -the Court will notify Guardian of the Due Date yearly
- Guardian's Plan – Person (Form 27.7)
  - o Due every year -the Court will notify Guardian of the Due Date yearly
- Guardian's Report (Form 17.7) See The Lake County Local Rule 66.08 (G) for more information
  - o Due every year -the Court will notify Guardian of the Due Date yearly
- Statement of Expert Evaluation (Form 17.1)
  - o This form shall accompany the Guardian's Report yearly unless otherwise ordered by the Court

Court of Common Pleas  
Division of Probate  
*Judge Mark J. Bartolotta*

Lake County Courthouse, West Annex  
25 North Park Place, P.O Box 490  
Painesville, Ohio 44077  
440-350-2626  
[www.lakecountyohio.gov/probatelco](http://www.lakecountyohio.gov/probatelco)