

Helpful Resources

Ashtabula County Adult Protective Services
440-994-2020

Ashtabula County Board of Developmental
Disabilities
440-224-2157

Ashtabula Council on Aging
440-998-6750

Catholic Charities of Ashtabula County
440-992-2121

Ashtabula County Community Action Agency
440-997-5957

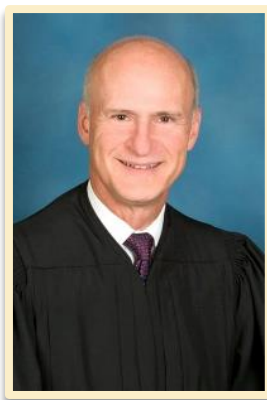
Country Neighbor
440-437-6311

211 Ashtabula County
2-1-1

This pamphlet is provided as a public service to provide an understanding for Name Changes. It is an overview and should not be considered a legal reference.

Albert S. Camplese Judge

ASHTABULA COURT OF COMMON PLEAS
PROBATE/JUVENILE DIVISION



25 W. Jefferson St.
Jefferson, OH 44047
440-576-3451
Hours: 8:00am - 4:30pm

Guardianships

ASHTABULA COUNTY COURT OF COMMON
PLEAS
PROBATE DIVISION

ALBERT S. CAMPLESE
JUDGE



Guardianships

A guardianship is a relationship in which the guardian makes decisions and acts for persons who are not able to care for themselves or their property.

WHO CAN BE A GUARDIAN?

An adult person who is a resident of Ohio or a corporation can be a guardian.

WHO NEEDS A GUARDIAN?

Persons who are unable to care for themselves or their property may need a guardian.

WHO SELECTS A GUARDIAN?

Persons may name their preferred guardian in a power of attorney, or other appropriate document, but the Court must approve the choice of guardian.

HOW IS A GUARDIANSHIP STARTED?

The process begins by filing an application in the probate court of the county where the proposed ward resides. If the proposed ward is an adult, two assessments must take place to help determine if the guardianship is necessary: one by the court investigator, and one by a medical professional such as a physician or psychiatrist. A hearing will be held to determine whether the guardianship is necessary, and to appoint the guardian.

GUARDIAN'S RESPONSIBILITIES

PERSON ONLY

If you become guardian of a friend or family member, you may be asked to be the guardian of their person only, and not their property or assets. In this instance, you will be responsible for assuring the ward's personal and everyday needs are met. You may have to make decisions about medical treatment, housing, transportation, and personal care necessities.

Generally, you are responsible for the health and welfare of the ward.

In addition to the above responsibilities, you are required to file an annual report detailing the mental and physical condition of the ward.

PERSON & ESTATE

If you agree to be responsible for the ward's estate(assets) in addition to their person, the court requires you to make regular reports of the ward's financial affairs. These reports include:

Inventory - Upon appointment as guardian, you are required to file a listing of all the ward's assets.

Accounting - Once a year, the guardian must file an account showing all receipts and expenditures from the ward's estate over the past year. The report must also detail any remaining assets.

Prior Approval - Guardian's must obtain prior court approval before expending the ward's funds, entering into contracts or leases on behalf of the ward, making improvements to real estate owned by the ward, mortgaging real estate, selling the ward's assets, or settling any claim of the ward.

RIGHTS OF THE PROPOSED WARD

The following are the rights of the proposed ward:

- The right to be present at the hearing
- The right to contest the application of guardianship
- The right to suggest less restrictive alternatives
- The right to have a court reporter at the hearing
- The right to have a friend or family member present at the hearing
- The right to an independent evaluation by a court-appointed doctor
- The right to an attorney

HOW IS GUARDIANSHIP TERMINATED?

A guardianship ends when the ward dies, by court order, or in the case of a minor guardianship, when minor turns 18.

MANDATORY TRAINING

Guardians are required to complete the 6-hour guardian training provided by the Ohio Supreme Court, preferably before their appointment hearing, but no later than 6 months after appointment. Each year, the guardian will be responsible for completing at least three hours of the continuing guardian education provided by the Ohio Supreme Court. The guardian must file proof of training with the Probate Court.

EMERGENCY GUARDIANSHIPS

In some circumstances, an emergency 72-hour guardianship may be granted. Application must be made in person, and must include a current statement of expert evaluation and emergency supplement. Emergency guardianships may be extended by 30 days, with an appointment hearing to be scheduled within the extension timeframe.

