

Checklist

Guardianship of Incompetent Adult

Initial Filing Fee

Court Costs: \$229.00 (\$99.00 if Affidavit of Indigency (FC FORM 104.1(O)) is filed)

Requirements

The alleged incompetent adult must be a current resident of Fairfield 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 (Fairfield County Local Rule 66.3(B)).

For more information on Guardianship requirements, please refer to Section 2111 of the Ohio Revised Code, Rule of Superintendence 66, and Fairfield County Local Rule 66

**Note: All paperwork must be typed or written neatly in blue ink.
All filings must be single-sided. We will not accept double-sided originals.
Please do not staple original paperwork. We cannot accept filings with staples.**

Initial filing

- Self-Representation Acknowledgment (FC Form 75.1) *If applicable*
 - This form **must** be filed if applicant is not represented by an attorney.
- Contact Information Form (FC Form 75.3-A)
- Application for Appointment of Guardian of Incompetent (Form 17.0)
 - Criminal background check waiver (see Local Rule 66.1 for requirements)
 - Copies of proposed ward's Powers of Attorney or Health Care Powers of Attorney currently in force.
 - Bond commitment (See Local Rule 75.2(C))
- Ward's Supplement (FC Form 66.1-A)
- Applicant's Supplement (FC Form 66.1-B)
- Next of Kin of Proposed Ward (Form 15.0)
- Judgment Entry Setting Hearing on Application for Appointment of Guardian (Form 15.01)
- Notice to Prospective Ward of Application and Hearing (Form 17.3)
 - If the prospective ward is in a facility, the name of the facility **must** be on the Notice
- Waiver of Notice and Consent (Form 15.1)
 - All parties listed on the Next of Kin of Proposed Ward (Form 15.0), who are Ohio residents, must either sign this Consent or be served notice (see Form 17.4)
- Notice of Hearing for Appointment of Guardian of Alleged Incompetent (Form 17.4) *If applicable*
 - All parties listed on the Next of Kin of Proposed Ward (Form 15.0), who are Ohio residents, must either Consent (see Form 15.1) or be served this notice.
- Statement of Expert Evaluation (Form 17.1)
- Judgment Entry Appointment of Guardian of Alleged Incompetent Person (Form 17.5)
- Oath of Guardian (Form 15.9 has 3 variations which correspond to the type of guardianship)
- Letters of Guardianship (Form 15.4)
- Fiduciary's Acceptance (Form 15.2)
- Guardian's Bond (Form 15.3) *If applicable*

See Page 2 for documents required after the initial filing

Later Filings

- Guardian's Inventory (Form 15.5) *If applicable*
 - Due 3 months following the date of Appointment of Guardian
- Guardian's Account (Form 15.8) *If applicable*
 - Due 1 year following Appointment of Guardian, and then every year thereafter.
 - See Fairfield County Local Rule 77 for citations and sanctions of late filings
- Guardian's Report (Form 17.7)
 - Due every year, no later than the anniversary date of Appointment of Guardian
 - See Fairfield County Local Rule 77 for citations and sanctions of late filings
- Ward's Last Will and Testament *if applicable*
 - Pursuant to Fairfield County Local Rule 66.3(D), the proposed ward's Last Will and Testament is required to be deposited with the Court no later than: (1) the date of filing the guardian's inventory; or (2) 30 calendar days after discovery of the Ward's Will if discovered after inventory is filed.
- Application to Release Funds to Guardian (Form 15.6) *If applicable*
- Application for Authority to Expend Funds (Form 15.7) *If applicable*