

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

**APPLICATION FOR APPOINTMENT OF GUARDIAN OF MINOR
(R. C. 2111.03 (C))**

Applicant, a resident of _____ County, Ohio, hereby applies for the appointment of (himself) (herself) or some suitable person as guardian of the following minor and represents that the applicant is not an administrator, executor, or other fiduciary of an estate wherein the minor is interested.

Name of Minor	Age	Date of Birth	Residence or Legal Settlement
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Attached is a list of the next of kin of the minor. (Form 15.0)

A guardian is necessary because (R.C. 2111.06), _____

THE TYPE OF GUARDIANSHIP APPLIED FOR IS

_____ Non-limited _____ Limited _____ Person and Estate
_____ Estate Only _____ Person Only

IF THE APPLICATION IS FOR LIMITED GUARDIANSHIP,

The length (time period) of the guardianship requested is:

_____ Indefinite _____ Definite to _____, _____

The limited powers requested are: _____

Applicant attaches affidavit pursuant to R.C. 3127.23.

Applicant represents that grounds exist for the Court to exercise its Jurisdiction. (Applies to guardianship of person only. R.C. 3109.22).

The Applicant has (not) been charged with or convicted of a crime involving theft, physical violence, or sexual, alcohol or substance abuse except as follows (if applicable, state date and place of each charge or each conviction).

CASE NO. _____

The whole estate of said minor is estimated as follows:

Personal property	\$	_____
Real estate	\$	_____
Annual rents	\$	_____
Other annual income	Total \$	_____

Applicant offers the attached bond in the amount of \$ _____

I hereby 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

Typed or printed name

Typed or printed name

Street

Street

City State Zip

City State Zip

Phone number (include area code)

Phone number (include area code)

Supreme Court Registration Number

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

**NEXT OF KIN OF PROPOSED WARD
(R.C. 2111.04)**

(NOTE : Specify age and birthdate of each minor under 16 on the line containing the minor's name. List the name and address of the minor's parent, guardian or custodian on the name and address lines following the minor's address.)

Service Waived	Relationship	Birthdate Of Minor
1. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____
2. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____
3. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____
4. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____
5. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____
6. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____
7. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____
8. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____
9. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____
10. <input type="checkbox"/>	Name _____ Address _____	_____ Zip _____

_____ Date

_____ Applicant

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

WAIVER OF NOTICE AND CONSENT

We, the undersigned, do each of us hereby waive the issuing and service of notice, and voluntarily enter our appearance herein.

We do hereby consent to the appointment of _____
or some suitable person as guardian of _____

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

**FIDUCIARY'S ACCEPTANCE
GUARDIAN
(R.C. 2111.14)**

I, the undersigned, hereby accept the duties which are required of me by law, and such additional duties as are ordered by the Court having jurisdiction.

AS GUARDIAN OF THE ESTATE, I WILL:

1. Make and file an inventory of the real and personal estate of the ward within 3 months after my appointment.
2. Deposit funds which come into my hands in a lawful depository located within this state.
3. Invest surplus funds in a lawful manner.
4. Make and file an account annually, or as directed by the Court.
5. File a final account within 30 days after the guardianship is terminated.
6. Inventory any safe deposit box of the ward.
7. Preserve any and all Wills of the ward as directed by the Court.
8. Expend funds only upon written approval of the Court.
9. Make and file a guardian's report biennially, or as directed by the Court.

AS GUARDIAN OF THE PERSON, I WILL:

1. Protect and control the person of my ward, and make all decisions for the ward based upon the best interest of the ward.
2. Provide suitable maintenance for my ward when necessary.
3. Provide such maintenance and education for my ward as the amount of the estate justifies if the ward is a minor and has no father or mother, or has a father or mother who fails to maintain or educate him/her.
4. Make and file a guardian's report biennially, or as directed by the Court.
5. Obey all orders and judgments of the Court pertaining to the guardianship.
6. Obtain the written approval of the Court before executing a caretaker power of attorney authorized by R.C. 3109.52.
7. Cooperate with Court personnel who may conduct follow-up visits with my ward.

If I change my address or the ward's address, I shall immediately notify Probate Court in writing.

I acknowledge that I am subject to removal as such fiduciary if I fail to perform such duties. I also acknowledge that I am subject to possible penalties for improper conversion of the property which I hold as such fiduciary.

Date

Fiduciary

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

**JUDGMENT ENTRY
SETTING HEARING ON APPLICATION FOR APPOINTMENT
OF GUARDIAN**

This day _____ appeared in open Court, and filed an application for the appointment of (limited) guardian of the (person and estate) of _____ It is ordered that the _____ day of _____, _____ at _____ o'clock ____ M., be and is hereby fixed as the time of hearing said application before this Court. It is further ordered that written notice be served personally upon minors over fourteen years of age and in the manner as is provided by law upon all others entitled to receive the same.

Date

James A. Shriver, Probate Judge

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

OATH OF GUARDIAN

(R.C. 2111.02(C))

(To be taken on Appointment of Guardian)

I, _____, Guardian
of _____, will faithfully and completely fulfill my duties as
Guardian, including the duty:

- To file, and continue to make diligent efforts to file, a true inventory in accordance with the Ohio Revised Code, and report all assets belonging to the estate of my ward.
- To file timely and accurate reports.
- To file timely and accurate accounts.
- To, at all times, protect my ward's interests and to make all decisions based on the best interest of my ward.
- To apply to the Court for authority to expend funds prior to so doing.
- To obey all orders and rules of this Court pertaining to guardianships.

Guardian

The above oath was taken and signed in my presence on this _____
day of _____, _____.

James A. Shriver, Judge/Magistrate

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

IN THE MATTER OF _____, A MINOR

CASE NO. _____

NOTICE TO PARENTS

You, as a parent, are required by law to provide for the care, nurture, welfare, support and education of your minor child(ren). Funds and/or assets your minor receives as a result of an insurance settlement, inheritance, or other source belong to your minor child(ren). These funds and/or assets may not be used by you to provide for the care, nurture, welfare, support and education of your minor child(ren) except under extraordinary circumstances. You will be required to prove extraordinary circumstances by means of an affidavit of income and expenses and other documentation the Court may require before the Court will release any funds and/or assets belonging to your minor child(ren).

Date

Parent 1

Date

Parent 2

NOTICE TO NON-PARENT GUARDIAN/CUSTODIAN

All funds and/or assets a minor receives through an insurance settlement, inheritance, or other source belong to the minor. You, as a non-parent guardian/custodian, may not use the funds and/or assets without first receiving court approval. Before the Court approves any request, you must first submit an application accompanied by documentation supporting your request. Further, before the Court approves an application for expenditures, the Court will review all resources available to the minor, including parental resources, if any.

Date

Guardian

Date

Custodian

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

**AFFIDAVIT
(R.C. 3127.23)**

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:

2. That affiant has (not) participated as a party, witness, 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 of 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 affiant 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

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

**JUDGMENT ENTRY
APPOINTMENT OF GUARDIAN OF MINOR**

Upon hearing the application for appointment of guardian herein the Court finds that _____

_____ (is a) are minor ___ and that a guardianship is necessary.

The Court further finds that all persons who were entitled to notice of the hearing thereon were given or waived notice thereof, that the minor is (not) over the age of fourteen years (and has (not) made selection of a guardian, whom the Court finds suitable), that the minor is a resident of this county or has legal settlement herein; and that this Court has jurisdiction (and that grounds exist for the Court to exercise that jurisdiction).

The Court further finds that the applicant has:

- Executed and filed an appropriate bond, which is approved by the Court.

- Has received authorization to deposit the ward's assets in lieu of bond.

The Court therefore appoints _____,

a suitable and competent person, guardian of the (person and estate) of _____
_____ minor, ___ with the powers conferred by law to perform all the duties of a guardian. This appointment is in compliance with R.C.2111.09.

The Court orders Letters of Guardianship issue to _____
as provided by law.

Date

Probate Judge

**PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

**LETTERS OF GUARDIANSHIP
(R.C. 2111.02)**

_____ is appointed Guardian of
_____, an _____ Incompetent _____ Minor.

Guardian's powers are:

All powers conferred by the laws of Ohio and rules of this Court over the ward's:

_____ Person and Estate _____ Person Only _____ Estate Only

Limited to _____

Those guardianship powers, until revoked, are for an:

_____ Indefinite time period
_____ Definite time period to _____

The above-named Guardian has the power conferred by law to do and perform all the duties of Guardian as described. No expenditures shall be made without prior Court authorization.

Date

James A. Shriver, Probate Judge

NOTICE TO FINANCIAL INSTITUTIONS
Funds being held in the name of the within-named Ward shall not be released to Guardian without a Court order directing release of a specific fund and amounts thereof.

CERTIFICATE OF APPOINTMENT AND INCUMBENCY

The above document is a true copy of the original kept by me as custodian of this Court. It constitutes the appointment and letters of authority of the named guardian, who is qualified and acting in such capacity.

(Seal)

James A. Shriver, Probate Judge

by: _____
Deputy Clerk

Date

PROBATE COURT OF CLERMONT COUNTY, OHIO

GUARDIANSHIP OF _____

CASE NO. _____

**APPLICATION FOR AN ORDER PERMITTING DEPOSIT
IN LIEU OF BOND**

1. The undersigned fiduciary says that pursuant to Sec. 2109.04 the total value of the assets of the estate herein would require Bond of \$ _____.
2. It is proposed to deposit the guardianship funds in the amount of \$ _____ in the Batavia Branch of Peoples Bank, Batavia, Ohio 45103.
3. The deposit is to be held pursuant to the provision of Section 2109.13 O.R.C.
4. It is requested that upon approval of the deposit in lieu of bond, that bond be waived by the Court.

Attorney for Applicant

Applicant

ENTRY

The foregoing application is approved conditioned upon the deposit of guardianship funds into the above designated depository. Guardian's attorney is responsible to properly deposit the funds in the Court's depository.

Judge

PROBATE COURT OF CLERMONT COUNTY, OHIO

IN THE MATTER OF _____

D.O.B. _____

Case No. _____

ENTRY ORDERING DEPOSIT OF FUNDS

The Court finds that it would be inexpedient to require bond in the full amount as required by Section 2109.04 O.R.C. the Court orders estate funds in the amount of \$_____ be deposited in the Batavia Branch of Peoples Bank, Batavia, Ohio under the following conditions:

1) Funds shall be deposited in the name of _____, minor under said child’s Social Security number.

2) Funds shall be invested in investments within the bank’s total control that comply with Ohio fiduciary investment law (O.R.C. 2109.37 & 2109.371). Mutual fund investments shall not exceed 60% of fiduciary funds (O.R.C.2109.371 (B)).

3) Evidence of deposits (passbook or certificate) shall be retained by the Probate Court, available for inspection by the guardian, parent and ward, and shall be periodically posted by the depository institution. A statement of the bank’s account of other investments shall be furnished to the Court when available along with an annual statement of principal and income.

4) PRINCIPAL AND INTEREST SHALL BE RELEASED ONLY UPON SPECIAL ORDER OF THIS COURT.

Annual accounts and bond may be waived by compliance with the above orders. The bank shall execute the following verification and return it within ten days.

Judge

VERIFICATION OF DEPOSIT

The undersigned banking institution hereby acknowledges the deposit of the above funds in the amount of \$_____ and agrees to hold funds plus accumulated interest in accordance with the above order and further orders of the Court.

Peoples Bank

Date: _____

By _____

PROBATE COURT OF CLERMONT COUNTY, OHIO

GUARDIANSHIP OF _____

CASE NO. _____

**ENTRY ORDERING RELEASE OF GUARDIANSHIP FUNDS
TO COURTS DEPOSITORY**

_____ has been appointed Guardian of the above named ward to secure the release of funds held by _____

_____ that are the property of the ward. The guardian has been appointed without bond, conditioned upon the funds being deposited in the Court's designated depository.

IT IS ORDERED that _____ pay the funds due _____, a minor in the approximate amount of \$ _____ under account or policy # _____ by check payable to Peoples Bank and _____, guardian, and send the funds to the following attorney for deposit with the Court.

THE FUNDS ARE NOT TO BE HELD OR RELEASED IN ANY OTHER FORM OR MANNER BY THE ABOVE PAYOR.

Judge

PROBATE COURT OF CLERMONT COUNTY, OHIO

IN THE MATTER OF THE GUARDIANSHIP OF _____

Case No. _____

ENTRY WAIVING ACCOUNTS DEPOSITORY FUNDS

It appearing that all guardianship funds are in deposit at the court's approved depository and all income records available to the court and expenditures controlled by the Court.

It is ordered that the filing of annual accounts be waived while funds are deposited by court order.

Judge

PROBATE COURT OF CLERMONT COUNTY, OHIO

JAMES A. SHRIVER, JUDGE

IN THE MATTER OF _____

CASE NO. _____

**AUTHORIZATION FOR RELEASE OF INFORMATION
(INFORMATION FOR COURT USE ONLY)**

I, _____ of _____
(address)

(city) (state) (zip)

do hereby authorize: Clermont County Probate Court to obtain from Ohio Courts Network (OCN) and any other law enforcement information system and any court system, current and previous residences, civil and criminal history records, driving records, birth records, public records or any criminal justice agency records that I may have in any federal, state, county, and municipal jurisdictions.

Date of Birth	
Social Security Number	
Drivers License Number/State Issued	
A.K.A.	

Signature

Witness

PROBATE COURT OF CLERMONT COUNTY, OHIO
JAMES A. SHRIVER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

AFFIDAVIT OF GUARDIAN APPLICANT

STATE OF OHIO,

COUNTY OF _____, SS.

I, _____ affirm the following:

I have no pending misdemeanor or felony cases and have not been convicted of or pleaded guilty to any misdemeanor or felony offense; **OR**

I have pending misdemeanor or felony cases or have been convicted of or pleaded guilty to a misdemeanor or felony offense. *(List below any pending cases or convictions that have not been sealed pursuant to R.C. 2953.31-2953.62.)*

<u>DATE</u>	<u>TYPE OF CHARGE</u>	<u>COURT NAME</u>	<u>PENDING/CONVICTED/PLEADED GUILTY</u>

I understand that I have a duty to notify the Clermont County Probate Court within seventy-two hours if the information contained in this affidavit should change.

Applicant

SWORN TO, BEFORE ME, and subscribed in my presence, on this _____ day of _____, 20_____.

Notary Public/Deputy Clerk

Affix seal here

Printed Name of Notary Public

Commission Expiration Date