INSTRUCTIONS FOR APPOINTMENT OF GUARDIAN OF A MINOR (MINOR'S PERSON ONLY, ESTATE ONLY OR PERSON & ESTATE)

These instructions are intended as a guideline only and should not be relied upon as a comprehensive list of duties in a guardianship.

A guardianship over a minor's person will only be granted if the Court finds the minor's parents are unsuitable.

You cannot file an application for guardianship over a minor's person if the minor's parents are divorced or if there has ever been a custody order from Juvenile Court. You must contact either the Domestic Relations Court or Juvenile Court under these circumstances.

A person can apply to be Guardian of the Estate or Guardian of the Person & Estate of a minor when the proposed minor ward has obtained more than $25,000 in assets.

A filing fee is required at the time of filing. Current Court Costs are posted at: https://www.probatect.org/about/general-resources.

Please confirm the amount with the Cashier since filing fees may have changed subsequent to the publication of this instruction sheet. **We accept cash, cashier's checks or all major credit/debit cards as payment for the fee. No personal checks or money orders will be accepted.**

If the establishment of a guardianship is required to settle a minor's claim when the gross estate is over $25,000, there is an additional filing fee.

The forms may be obtained from the Information Desk on the 9th floor of the Probate Court, 230 East 9th Street, Cincinnati, Ohio or by downloading the forms from the web site.

PROCEDURAL STEPS	WHEN TO FILE
STEP 1: COMPLETE THE FOLLOWING FORMS FOR THE INITIAL FILING	
Self-Representation Form (270.01) - Sign and Complete information if you **do not** have legal representation	At the time of initial filing
Application for Appointment of Guardian of Minor (16.0) - Complete information - Attach child's birth certificate	At the time of initial filing
Next of Kin of Proposed Ward (15.0) - List all *next of kin* (those people who are closest blood relatives) of the proposed ward. - Be sure to specify *complete* addresses of all those listed. If the address is unknown, please state so.	At the time of initial filing
Judgment Entry Setting Hearing on Application for Appointment (15.01) - Fill in the name of the proposed ward only, the magistrate will fill in hearing date & time and sign & date the form.	At the time of initial filing
Waiver of Notice and Consent (15.1) - If possible, have all next of kin execute form.	At the time of initial filing if signed by next of kin

- If unable to obtain all waivers, certified mail service must be completed on those that did not sign waivers (See form 16.4)	
Fiduciary's Acceptance (H.C. 15.2) - Complete name of minor, sign and date. **Note: The Court will hold applicant responsible for the duties described on this form.**	At the time of initial filing
Authorization to Release Confidential Information (H.C. 15.11) - Complete form	At the time of initial filing
Affidavit of Guardian Applicant (H.C Form 27.13) - This is necessary for all guardianships. - Complete form. - Have form notarized.	At the time of initial filing
Affidavit (H.C. 16.1) - This is necessary for all minor guardianships. - Complete form. - If there have been **any** proceedings in Domestic Relations, Juvenile, or Probate Court, they **must** be disclosed. - Have form notarized.	At the time of initial filing
Selection of Guardian by Minor Over Fourteen Years of Age (16.2) - A minor over the age of fourteen (14) has the right to select a guardian in writing.	At the time of initial filing
Notice of Hearing for Appointment of Guardian of Minor (H.C. 16.3) - Notice must be served on all minor potential wards who are 14 years of age or older. - Complete necessary information. - The Court will fill in the hearing date and time, and will sign and date the form. - A copy of the completed notice must be **personally** served upon the ward at least 8 days prior to the hearing. - Affidavit of service shall be made on the back of the form.	At the time of initial filing, the clerk will return the form to the applicant. The applicant will **personally** serve a **copy** of the form on the minor and return the original form to the magistrate on the day of the hearing.
Notice of Hearing on Application for Appointment (16.4) - All next of kin who have not waived notice must receive certified mail notice of the hearing on the application for appointment. - Present certified mail return (green card) from each individual who did not waive notice to the magistrate assigned to your case. - Affidavit of service shall be made on the back of the form.	At the time of initial filing, the clerk will return the form to the applicant. The applicant will serve a **copy** of the form by certified mail on the next of kin. The original form will be presented to the magistrate on the day of the hearing.
THE NEXT GROUP OF FORMS IS NOT NEEDED AT THE INITIAL FILING.	
Guardian's Bond (15.3) - When applying for a Guardianship of the Estate of a minor, the applicant is required to execute a bond. - Applicant must execute and date form. - **Bond must be executed by a surety company.** - The bond shall be twice the value of the minor's personal property.	Once signed by the applicant, the bond form needs to be left with the Court in order for the agent of the surety company to execute the bond in the presence of the clerk. May be left with the Court anytime prior to the hearing.

Oath of Guardian (15.9) - Complete form, but do not sign. Oath must be executed in front of a magistrate.	Preferably at the time of initial filing. Otherwise, the day of the hearing.
Letters of Guardianship (15.4) - Complete form. - The court clerk will sign and date.	Preferably at the time of initial filing. Otherwise, the day of the hearing.
Judgment Entry – Appointment of Guardian of Minor (H.C. 16.5) - Complete form. - The court will execute if the guardianship is granted.	
Application for Release of Funds to Custodial Depository in Lieu of Bond (H.C.204.05) - Complete form. - Filed when there is not an attorney and applicant does not want to obtain one. - Filed to dispense with requirement of joint control with an attorney, posting of a bond and filing of yearly accounts. - This program is restricted to accounts established at 5/3 Bank and US Bank.	Preferably at the time of initial filing. Otherwise, the day of hearing.
Entry Releasing Funds to Custodial Depository in Lieu of Bond (H.C. 204.06) - Complete form. - Make sure you have obtained an account number from the bank.	The day of the hearing
Verification of Receipt and Deposit of Custodial Depository (H.C. 204.07) - A bank clerk completes form once the funds are in the account. - Normally, the bank sends the form to the court.	The day of the hearing
Guardian's Inventory (15.5) - If the guardianship is for the Estate or Person & Estate, the guardian must file an Inventory specifically listing the assets of the minor and the value of those assets.	Normally, filed by the bank within 30 days from filing the Entry Releasing Funds to Custodial Depository
Application and Order Authorizing Release of Funds (15.6) - To obtain the right for the guardian to release funds, complete form. - Specifically list the name of the financial institution, the type of account and the account number.	3 months from date of appointment
Application and Order Authorizing Expenditure of Funds (15.7) - If a Guardianship of the Estate is established, all expenditures made by the guardian have to be approved by the Court prior to the time the expenditures are made. - Complete form - List who is to be paid, purpose of the expenditure, and amount of expenditure.	Anytime after the appointment has been granted
Guardian's Account (H.C. 15.8) **(Custodial depository is not utilized)** - From the date of their appointment, the Guardian of the Estate is responsible for filing of an annual account. - Specifically list the assets of the ward that were listed on the Inventory (15.5) plus all income and disbursements.	Anytime after the **Guardian's Inventory** has been filed

Bank Certificates (15.81) - Have an employee of each bank where Guardianship funds are deposited complete form. - Guardian must sign. - Attach this form (15.81) to the Guardian's Account (15.8).	Every year from the date of appointment.
Entry Setting Hearing on Account (H.C. 213.8) - Fill in the name of the ward only. The Court will fill in the hearing date and time and the court will sign and date the form.	
Notice of Hearing on Account (H.C. 13.5) - When filing a ***final*** account, if the ward has reached the age of majority, the guardian shall serve certified mail notice to the ward. Otherwise, if the ward is under 18 years of age, the guardian shall serve certified notice to the next of kin of the ward – unless waivers (13.7) are obtained. - See Local Rule 64.1 (D).	
Waiver of Notice of Hearing on Account (H.C. 13.7) - If the ward has reached the age of majority, have the ward execute the form. Otherwise, if the ward is under 18 years of age, have the next of kin execute the form.	
Entry Approving and Settling Account (H.C. 13.3) - Complete form. - Present to an account clerk for further processing.	
- **STEP 2: ASSIGNING OF MAGISTRATE, REVIEWING OF FORMS, AND SETTING HEARING DATE.**	
When all forms have been completed, present them to the magistrate's assistant at the information desk on the 9th Floor of Probate Court for a magistrate to be assigned. All forms are then taken to the available magistrate for review and set for hearing. Hearing date is usually set within 3 weeks. If you are unable to obtain waivers from the next of kin, the hearing date may be extended for the certified mail service to be completed.	
STEP 3: FILING OF FORMS WITH CASHIER	
All forms are taken to the cashier who will assign a case number. At this time, the cashier will require the payment of the filing fee. The cashier will stamp the case number on all the papers plus one set of copies, if provided. After clocking in the forms, the cashier will place the forms in a file folder and give it to you to take to the Issue Desk. The clerk at the Issue Desk will return to you any notices that you are to serve.	
STEP 4: SERVICE OF NOTICE OF HEARING	
The Notice of Hearing for Appointment of Guardian of Minor (16.3) must be **personally** served on any minor age 14 or older at least eight days prior to the hearing date. If you know you are unable to obtain waivers from the next of kin you need to have copies made of the Notice of Hearing on Application for Appointment (16.4) and send them Certified Mail, Return Receipt Requested showing date of delivery.	
STEP 5: THE HEARING – WHAT TO EXPECT	
Uncontested Hearing – Person only	
At the date and time of the hearing, you (and your attorney, if attorney is obtained) should report to the 10th Floor of the Probate	

Court to the assigned magistrate. (The magistrate will already have the file with the forms you initially filed). If you had to obtain waivers or serve notices of the hearing, you will give them to the magistrate. The Magistrate will conduct the hearing, and if the magistrate finds a guardian should be appointed, a Decision of Magistrate and Entry Appointing Guardian will be completed. The magistrate will escort you to the Issue Desk and have the Letters of Guardianship issued.	
Uncontested Hearing – Person and Estate or Estate Only	
At the date and time of the hearing, you (and your attorney, if attorney is obtained) should report to the 10th Floor of the Probate Court to the assigned magistrate. (The magistrate will already have the file with the forms you initially filed). If you had to obtain waivers or serve notices of the hearing, you will give them to the magistrate. The magistrate will conduct the hearing, and if the magistrate finds a guardian should be appointed, a Decision of Magistrate and Entry Appointing Guardian will be completed. The magistrate will escort you to the Issue Desk and have the Letters of Guardianship issued if: - Service on next of kin has been completed. - Bond has been executed by surety. - If presenting a bond, the Statement of Joint Control and Entry Appointing Co-Signer is also filed. If not posting bond, need Application and Entry for Custodial Depository (with account number) unless Guardian of the Estate is a bank.	
Contested Hearing An adversarial–type hearing will be held if anyone opposes the establishment of the guardianship. - The magistrate may decide the issue at the hearing or issue a written decision after the hearing.	

Ralph Winkler
JUDGE, PROBATE COURT
HAMILTON COUNTY, OH

A CITIZEN'S GUIDE TO COMMUNICATING WITH THE JUDGE AND MAGISTRATES

Why can't I communicate directly with the judge or magistrate on my case?

If the matters are contested, judges and magistrates are not allowed to communicate with individual parties. This is what the law calls an *ex-parte* communication (this is when a judge or magistrate only communicates with an individual party, on their own, without the knowledge of all parties to a case). In order to keep the court process as fair, equal and as transparent as possible, *ex-parte* communication is strictly forbidden. It is unfair for the court to share information without all of the parties present.

You cannot email the judge or magistrate, as the email is considered an *ex-parte* communication. In addition, emails are not pleadings (motions.) You cannot write a personal letter to the judge or magistrate as this may be considered an *ex-parte* communication.

How can I speak to the judge or magistrate on my case?

Typically, to speak to the judge or magistrate on your case, you must file a written motion with the court explaining what you want the court to do and all motions become part of the public record. You also have to send a copy of whatever you file to the other parties, or their attorney if they are represented by an attorney (this is called "service"). A motion is not considered an *ex-parte* communication because all parties are officially notified. You may be required to pay a filing fee when you file your written motion. Please note, there is no fee if you wish to speak to the magistrate in an uncontested matter, on their assigned walk-in days.

I've heard there's always a magistrate on duty to hear arguments immediately – what does that mean?

There is a magistrate on duty every business day. The on-duty magistrate may answer generic procedural questions. The on-duty magistrate may also discuss matters in an uncontested case. For all other matters, the on-duty magistrate is prohibited from speaking with you. To address the court for these matters, you must file a written motion. The on-duty magistrate will set the matter for hearing before the magistrate assigned on your case or the judge.

What if I need to tell the judge or magistrate something I don't want the other party to know about?

Unfortunately, you cannot withhold information from another party to your case. In order to keep the case fair to everyone involved, as soon as you tell the judge or magistrate something, you must also tell the other parties. All sides must have an opportunity to respond to the information that you have shared with the court.

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN THE MATTER OF: _____

CASE NO. _____

SELF-REPRESENTATION ACKNOWLEDGMENT

I acknowledge that I have read, understand and agree with all of the following statements:

1. The Court has recommended that I hire an attorney to represent me in this case. However, I have chosen to proceed with this case without the assistance of an attorney.

2. The Court and its Deputy Clerks are prohibited by law from providing legal advice. I will follow the instructions provided in the form packets and on the Court's website, www.probatect.org.

3. I am responsible for understanding and correctly applying any statutes, case law, rules, regulations, policies, and procedures that relate to this case, including, but not limited to, the Ohio Revised Code, Rules of Superintendence for the Courts of Ohio, Hamilton County Probate Court Local Rules of Practice, and the Ohio Rules of Civil Procedure.

4. The same standards that apply to attorneys and persons represented by attorneys in similar probate hearings will apply to myself.

5. If I do not fulfill my responsibilities in this case as required by law, I may be subject to sanctions or penalties as provided by law, which may include removal as fiduciary or being required to be represented by an attorney.

6. I may be personally liable to any person or entity that suffers damages as a result of anything I do or fail to do in this case that does not comply with the legal requirements.

_____
Fiduciary/Applicant/Guardian

_____
Typed Printed Name

_____
Address

_____
City/State/Zip

_____
Telephone Number (include area code)

_____
Email

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, 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

Applicant's relationship to minor is: _____

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. 3109.27.

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 Code	City, State, Zip Code
_____	_____
Phone number (include area code)	Phone number (include area code)

Attorney Registration No. _____

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, 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. ☐	Name _____	_____	_____
	Address _____		Zip _____
2. ☐	Name _____	_____	_____
	Address _____		Zip _____
3. ☐	Name _____	_____	_____
	Address _____		Zip _____
4. ☐	Name _____	_____	_____
	Address _____		Zip _____
5. ☐	Name _____	_____	_____
	Address _____		Zip _____
6. ☐	Name _____	_____	_____
	Address _____		Zip _____
7. ☐	Name _____	_____	_____
	Address _____		Zip _____
8. ☐	Name _____	_____	_____
	Address _____		Zip _____
9. ☐	Name _____	_____	_____
	Address _____		Zip _____
10. ☐	Name _____	_____	_____
	Address _____		Zip _____

_____ _____
Date Applicant

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, 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. in Room _____, 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 Ralph Winkler, Probate Judge

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, 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 HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN THE MATTER OF _____, MINOR
(Legal Name)

CASE NO. _____

AFFIDAVIT FOR UNKNOWN ADDRESS OF A PARENT

STATE OF OHIO, COUNTY OF HAMILTON, SS.

The undersigned, being first duly cautioned and sworn, deposes and says that the address of _____ is unknown and cannot be ascertained with reasonable diligence and that _____ is free from disability other than minority.

Affiant has attempted to locate _____

[check whichever apply]:

- ☐ Mailed correspondence to the last known address that was returned undeliverable.
- ☐ Personally went to the last known address and verified that he/she no longer lived at said address.
- ☐ Contacted relative(s).
- ☐ Contacted friend(s).
- ☐ Contacted current employer or last employer.
- ☐ Contacted his/her doctor's or dentist's office.
- ☐ Contacted CSEA (Child Support Enforcement Agency)
- ☐ Other _____

_____
Affiant

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

_____
Deputy Clerk/Notary Public

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, 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 parents, or has a parent who fails to maintain or educate the ward.
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.
8. To encourage visitation and communication between the ward and the ward's family and friends, so long as such visitation and communication is in the best interest of the ward.

If I change my address or the ward's address, I shall immediately notify the 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. I will be liable for costs associated with my failure to comply with these requirements

_____ _____
Date Fiduciary

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

GUARDIAN'S BOND

(R.C. 2109.04(A)(1))

Amount of this bond $ _____

The undersigned principal, and sureties if any, are obligated to the State of Ohio in the above amount, for payment of which we bind ourselves and our successors, heirs, executors, and administrators, jointly and severally.

The principal has accepted in writing the duties of fiduciary in ward's estate, including those imposed by law and such additional duties as may be required by the Court.

This obligation is void if the principal performs such duties as required.

This obligation remains in force if the principal fails to perform such duties, or performs them tardily, negligently, or improperly, or if the principal misuses or misappropriates estate assets or improperly converts them to the principal's own use or the use of another.

[Check if personal sureties are involved.] ☐ The sureties certify that each of them owns real estate in this county, with a reasonable net value as stated below.

_____ Date	_____ Principal
_____ Surety	_____ Surety
By: _____ Attorney in Fact	By: _____ Attorney in Fact
_____ Typed or Printed Name	_____ Typed or Printed Name
_____ Address	_____ Address
_____ City, State, Zip Code	_____ City, State, Zip Code
Net value of real estate owned in this county $ _____	Net value of real estate owned in this county $ _____

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, 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 _____, _____.

_____
Ralph Winkler, Probate Judge/Magistrate

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

AUTHORIZATION TO RELEASE CONFIDENTIAL INFORMATION OF GUARDIAN/APPLICANT

Name _____
Last First Middle

Date of Birth _____ Social Security Number _____

I hereby authorize the release of all confidential records and information concerning me to any officer or agent of the Hamilton County Probate Court for the purpose of an investigation pertaining to a Guardianship.

_____
Guardian/Applicant

GUARDIAN ID NO. _____

COURT USE ONLY

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

STATE OF OHIO)
)
COUNTY OF HAMILTON) **SS:**

AFFIDAVIT OF GUARDIAN APPLICANT

I, _____ affirm the following:
(Name)

☐ 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.)

DATE	TYPE OF CHARGE	COURT NAME	PENDING/CONVICTED/PLEADED GUILTY
_____	_____	_____	☐ Pending ☐ Convicted ☐ Pleaded Guilty
_____	_____	_____	☐ Pending ☐ Convicted ☐ Pleaded Guilty
_____	_____	_____	☐ Pending ☐ Convicted ☐ Pleaded Guilty
_____	_____	_____	☐ Pending ☐ Convicted ☐ Pleaded Guilty

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

_____
Signature of Applicant

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

_____
Notary Public / Deputy Clerk

_____
Printed Name of Notary Public

Commission Expiration Date: _____
(Affix seal here)

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

AFFIDAVIT
(R.C. 3127.23)

State of Ohio, County of _____ s.s.

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, except _____
_____.

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 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.

_____
Affiant

Sworn to before me and subscribed in my presence this _____ day of _____, _____.

_____
Notary Public

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

SELECTION OF GUARDIAN BY MINOR OVER FOURTEEN YEARS OF AGE

(R.C. 2111.12)

The undersigned hereby selects _____ a resident of _____ County, Ohio, as Guardian of the (person and estate), and respectfully asks the Court to appoint _____ Guardian.

Signature	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

NOTICE OF HEARING FOR APPOINTMENT OF GUARDIAN OF MINOR

To Minor Over Age 14
(R.C. 2111.04)

To _____

Address _____

You are hereby notified that an application was filed in the Court by _____

for the appointment of a (limited) guardian of your (person and estate).

A minor over the age of fourteen years may select a guardian who shall be appointed if a suitable person. If such minor fails to select a suitable person, an appointment may be made without reference to the minor's wishes.

A hearing on that application will be held on the _____ day of _____, _____, at _____ o'clock ___. M. at Hamilton County Probate Court, 230 E. Ninth Street, Room _____, Cincinnati, Ohio.

If you are over age 14 and fail to appear in said Court on or before the time of hearing and select some suitable person to act as your guardian, the Court will appoint a guardian for you, if a guardian is found necessary.

Witness my signature and the seal of the Court,

this _____ day of _____, _____.

(Seal)

_____
Ralph Winkler, Probate Judge

By: _____
Deputy Clerk

CASE NO. _____

RETURN

_____ County, Ohio

_____,

Received this writ on the _____ day of _____, _____, at _____ o'clock ___.M., and on the _____ day of _____, _____, I served the same by delivering a true copy thereof personally to _____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____
Sheriff

_____
Deputy

FEES

Service and return, 1st name, $ _____

_____ Additional names, at $ _____

_____ Miles traveled, at $ _____

_____

_____

Total $ _____

AFFIDAVIT OF SERVICE

The State of Ohio, _____ County.

_____, being first duly sworn, says that on the _____ day of _____, _____, the within notice was served delivering a true copy thereof personally to _____

_____

_____

_____

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

_____

_____

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

NOTICE OF HEARING ON APPLICATION FOR APPOINTMENT

GUARDIAN OF MINOR

To Parent, Known Next of Kin and Person Having Custody
(R.C. 2111.04)

To _____

Address _____

To _____

Address _____

To _____

Address _____

To _____

Address _____

You are hereby notified that _____ filed in this Court an application for appointment of a (limited) guardian of the (person and estate) of the minor _____.

The application will be for hearing before the Court on the _____ day of _____, _____ at _____ o'clock ___. M. in Room _____. The Court is located at the William Howard Taft Center, 230 East Ninth Street, Ninth Floor, Cincinnati, Ohio 45202-2145.

Witness my signature and the seal of the Court,

this _____ day of _____, _____.

(Seal)

_____
Ralph Winkler, Probate Judge

By: _____
Deputy Clerk

CASE NO. _____

RETURN

_____ County, Ohio

_____,

Received this writ on the _____ day of _____, _____, at _____ o'clock ___.M., and on the _____ day of _____, _____, I served the same by delivering a true copy thereof personally to _____

_____

_____

_____

_____

_____

_____

_____

_____

FEES

Service and return, 1st name, $ _____

_____ Additional names, at $ _____

_____ Miles traveled, at $ _____

_____

_____

Total $ _____

_____
Sheriff

_____
Deputy

AFFIDAVIT OF SERVICE

The State of Ohio, _____ County.

_____, being first duly sworn, says that on the _____ day of _____, _____, the within notice was served delivering a true copy thereof personally to _____

_____

_____

_____

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

_____

_____

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, 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 ☐ 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 Ralph Winkler, Probate Judge

NOTICE TO FINANCIAL INSTITUTIONS (ONLY FOR GUARDIANSHIPS OF THE ESTATE)
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.

_____
Ralph Winkler, Probate Judge
By: _____
Deputy Clerk

(Seal)

_____
Date

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

JUDGMENT ENTRY
APPOINTMENT OF GUARDIAN OF MINOR
(R.C. 2111.02)

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

_____

_____

(is a) (are) minor(s) 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; that this Court has jurisdiction and that grounds exist for the Court to exercise that jurisdiction.

The Court therefore appoints _____, a suitable and competent person, (limited) guardian of the (person and estate) of

_____

_____

minor(s), with the powers conferred as described, and limited to those powers contained in the Letters of Guardianship issued by this Court.

☐ The Court approves/dispenses with the bond.

☐ The Court finds a record of the hearing was waived.

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

_____ _____

Date Ralph Winkler, Probate Judge

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

GUARDIAN'S INVENTORY

(R.C. 2111.14(A))

of the real and personal estate of the ward with its value and the value of the yearly rent of the estate

---

List any safety deposit box and date and location of any will. $

RECAPITULATION

Total value of Personal Estate	$_____
Total value of Real Estate	$_____
Yearly rent of Real Estate	$_____
Other annual income	$_____
Total	$_____

_____
Guardian

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION TO RELEASE FUNDS TO GUARDIAN

Now comes the guardian of the above-named ward and makes application for authority to secure the release of the following funds of the ward.

The applicant further states that it is for the best interest of the ward that this authority be granted.

_____
Guardian

ORDER AUTHORIZING RELEASE OF FUNDS

This _____ day of _____, _____, this cause came on to be heard upon the application of the guardian of the above-named ward and the evidence, and the Court being fully advised in the premises, hereby authorizes the release of the above funds to the guardian.

_____
Ralph Winkler, Probate Judge

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

APPLICATION FOR AUTHORITY TO EXPEND FUNDS

Now comes the undersigned, guardian of the estate of the above-named ☐ minor ☐ incompetent ward, and makes application for authority to expend funds for the best interest of the ward as follows:

[State amount requested, nature of expenditure, and the frequency and duration of authority requested. Attach additional explanation, documentation, or estimates as needed.]

_____
Guardian/Applicant

_____
Typed or printed name

_____
Street

_____
City, State, Zip Code

_____
Phone Number (include area code)

ORDER AUTHORIZING EXPENDITURE OF FUNDS

This _____ day of _____, _____, this cause came on to be heard upon the application of the guardian of the estate of the above-named ward and the evidence, and the Court being fully advised in the premises, hereby authorizes the guardian to expend funds as set forth in the Application.

_____
Ralph Winkler, Probate Judge

PROBATE COURT OF HAMILTON COUNTY
RALPH WINKLER, JUDGE

GUARDIANSHIP OF _____

CASE NO. _____

GUARDIAN'S ACCOUNT
(R.C. 2109.30)

_____ Account

From _____ To _____

Page _____ of _____ pages

Date	Description	Voucher No.	Receipts	Disbursements
	(Balance from previous account)		$	

CASE NO. _____

Page _____ of _____ pages

Date	Description	Voucher No.	Receipts	Disbursements

CASE NO. _____

RECAPITULATION

Total Receipts ……..... $_____

Total Disbursements ..... $_____

Balance Remaining ..... $_____

ITEMIZED STATEMENT OF ALL FUNDS, ASSETS AND INVESTMENTS

ITEM

$

_____
Attorney
Attorney Registration No. _____

_____
Guardian

_____
Typed or Printed Name

_____
Address of Guardian

_____
City, State, Zip Code

_____
Phone Number

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

TRUST OF
GUARDIANSHIP OF
ESTATE OF _____

CASE NO. _____

NOTICE OF HEARING ON ACCOUNT

To:

_____

_____

_____

You are hereby notified that a _____ account covering the period from _____ to _____ has been filed, and the hearing will be held on _____ at _____ o'clock ___ M. The Court is located at the William Howard Taft Center, 230 East Ninth Street, Ninth Floor, Cincinnati, Ohio 45202-2145.

You are required to examine the account, to inquire into the contents of the account, and into all matters that may come before the Court at the hearing on the account. **There is no requirement to appear for this hearing if you have no exceptions to the account.** Any exceptions to the account shall be filed in writing not less than five days prior to the hearing. Absent the filing of written exceptions, the account may be approved without further notice.

_____
Fiduciary/Attorney for Fiduciary

Attorney Registration No._____

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

TRUST OF
GUARDIANSHIP OF
ESTATE OF _____

CASE NO. _____

WAIVER OF NOTICE OF HEARING ON ACCOUNT

The undersigned, who are interested in the estate, waive notice of the hearing on the account.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

TRUST OF
GUARDIANSHIP OF
ESTATE OF _____

CASE NO. _____

ENTRY SETTING HEARING ON ACCOUNT

The Court sets _____ at _____ o'clock ___.M. in Room _____ as the date and time for hearing on the current/final account in this matter. If notice is required, the Court orders that notice of the hearing on the account be given to all parties entitled to notice, who do not waive the same, at least fifteen (15) days prior to the date and time set for hearing.

_____ _____
Date Ralph Winkler, Probate Judge

_____
Attorney

Attorney Registration No. _____

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: _____

CASE NO. _____

NOTICE OF RETRIEVING DOCUMENTATION FOR ACCOUNTS

Check the box indicating how the supporting documentation, copies and/or account forms left with the accounting department should be handled after the account is reviewed.

- ☐ Mail back documents in enclosed self-addressed stamped envelope.
- ☐ Place documents in the Attorney Mailbox (will pick up within 30 days).

  Mailbox No. _____
- ☐ Destroy documents (shred).

IMPORTANT: If no self-addressed stamped envelope is provided, the Court will mail the documents back to the presenting party and all mailing costs associated with the return of the documentation will be charged to the case balance.

DOCUMENTATION WILL NOT BE HELD FOR MORE THAN 30 DAYS FROM DROPOFF.

_____ _____
Signature Date

- ☐ Attorney/Paralegal
- ☐ Fiduciary/Guardian/Trustee

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

MATTER OF _____

CASE NO. _____

ENTRY APPROVING AND SETTLING ACCOUNT

[R.C. 2109.32]

Upon hearing the account filed _____, the Court finds that:

[Check whichever of the following are applicable]

☐ The _____ partial account has been lawfully administered;

☐ The events have occurred after which the Court may approve and settle a final account.

☐ The events have occurred after which the Court may approve and settle a supplemental final account.

The account is therefore approved and settled.

[Check whichever of the following are applicable]

The fiduciary shall be discharged without further order of the Court twelve months following the approval of the final and distributive account unless discharged by this entry.

☐ The fiduciary is discharged herewith.

☐ The surety bond is terminated herewith.

☐ This is a final account of a (deceased) (removed) (resigned) fiduciary. The estate shall remain open.

☐ This is a final account of the guardianship for the estate only. This matter shall continue as a person only guardianship.

☐ This is a final account of a beneficiary of a trust. The trust estate shall remain open for other beneficiaries of the trust.

Name of Fiduciary: _____

_____ _____
Date Ralph Winkler, Probate Judge