

MIAMI COUNTY PROBATE COURT
(www.co.miami.oh.us)

GUARDIANSHIP OF MINOR CHECKLIST

- Forms must be typewritten or printed in ink
- There may be additional requirements based upon the specific circumstances in the case

INITIAL FILINGS / REQUIREMENTS

- _____ Matters involving custody, visitation and / or support of a minor shall be filed in Juvenile Court.
(Local Rule 66.11)
- _____ Court costs paid at time of filing (Local Rule 58.1)
- _____ **Social Security Number Form**
- _____ **Form 16.0 - Application for Appointment of Guardian of Minor** (RC 2111.03)
- _____ Minor is a resident of / has legal settlement in the county (RC 2111.021)
- _____ All paragraphs completed (necessary, type, limited, estimated estate, bond)
- _____ Personal service on minor over age 14; minor must pick up service at Sheriff's Office (RC 2111.04)
- _____ **Form 15.0 - Next of Kin of Proposed Ward** (RC 2111.03)
- _____ Original or Certified copy of minor's birth certificate; court will make a copy and return original / certified copy
- _____ **Form 16.1 - Affidavit**
- _____ **Form 15.1 - Waiver of Notice & Consent** (RC 2111.04)
- _____ Must be signed "individually and as natural parent / custodian"
- _____ **Affidavit for Unknown Address of Parent**
- _____ **Form 15.2 - Fiduciary Acceptance – Guardian** (RC 2109.02, 2111.14, 2109.15)
- _____ **Form 15.01 - Judgment Entry Setting Hearing on Application for Appointment of Guardian**
- _____ **Form 16.3 - Notice of Hearing on Application for Appointment**, to minor over age 14 (RC 2111.04)
- _____ Minor to be served by Personal Service (RC 2111.04)
- _____ **Form 16.4 - Notice of Hearing for Appointment of Guardian of Minor**, to parent, known next of kin and person having custody (RC 2111.04)

HEARING REQUIREMENTS: (Forms to be filed with Initial Filings)

- _____ **Form 15.3 - Guardian's Bond** (RC 2109.04)
- _____ **Form 16.2 - Selection of Guardian by Minor over Fourteen Years of Age** (RC 2111.12)
- _____ **Form 15.9 - Oath of Guardian** (RC 2111.02)
- _____ **Form 16.5 - Judgment Entry – Appointment of Guardian of Minor** (RC 2111.02)
- _____ **Form 15.4 - Letters of Guardianship** (RC 2111.02)

IMPOUNDMENT FORMS

- _____ **Motion for Deposit with Custodial**, if applicable
- _____ **Entry Restricting Withdrawals**, if applicable
- _____ **Journal Entry Extending** if applicable

PROCEEDING GUARDIAN'S APPOINTMENT

_____ **Form 22.3 – Verification of receipt and Deposit – Initial**

_____ Must be filed within seven (7) days of the issuance of Entry (RC 2111.05, SupR 67)

GUARDIAN'S INVENTORY

_____ **Form 15.5 – Guardian's Inventory**, due within 3 months after appointment (RC 2111.14)

_____ Inventory must have signatures of Attorney and Guardian(s)

_____ **Form 45D - Confidential Disclosure of Personal Identifiers**

APPLICATION FOR AUTHORITY TO EXPEND FUNDS

_____ **Form 15.7 - Application for Authority to Expend Funds / Order**

_____ Inventory must be filed before expenditure will be approved (SupR 66)

_____ Must have signature of Guardian(s)

_____ Except as provided in RC 2111.131, no part of ward's estate shall be used for support, maintenance or education of ward unless ordered and approved by Court (RC 2111.13)

BANK VERIFICATION

_____ Court costs to be paid (Local Rule 58.1)

_____ **Verification of Funds on Deposit – To be filed every (2) two years**

GUARDIAN'S ACCOUNT

_____ **Form 15.8 - Guardian's Account** (RC 2109.302)

_____ Costs must be paid at the time of filing an account (Local rule 58.1)

_____ All disbursements must list the approval date of the application to expend funds (Local Rule 64.1A)

_____ All disbursements shall be identified by consecutive numbers and all vouchers shall be presented in the same consecutive order (Local Rule 64.1A)

_____ All disbursements that are not self-explanatory shall identify what the expenditure is for

_____ Beginning balance from inventory or previous account

_____ Calculations / totals must be correct

_____ Must have signature of both Attorney & Guardian

_____ **Form 45D - Confidential Disclosure of Personal Identifiers**

_____ **Form 15.81 - Certified Bank Certificate** (RC 2109.302)

_____ **Bond Sufficiency Form**

_____ Additional Bond to be filed, if required

_____ **Guardian Fee Computation** (Local Rule 73.1)

_____ To be completed and signed, even if waived (Local Rule 64.1(D))

COUNSEL / GUARDIAN FEES

_____ **See guidelines on file in Court** (Local Rule 64.1 (D))

_____ Applications for approval of counsel fees and / or guardian fees in a guardianship shall be filed preceding or simultaneous with the filing of a Partial Account or Final Account, to ensure the frequency of the filing of an application at least every year or every two years.

EXTENSION OF TIME

_____ Application to extend time to file inventory or account shall not be granted unless guardian(s) has signed the application (SupR 78)

TERMINATION OF GUARDIANSHIP

_____ Court costs to be paid (Local Rule 58.1)

_____ **Form 115.60 – Application to Terminate Guardianship** (RC 2111.47)

_____ Must have signature of Guardian(s)

_____ **Form 115.63 - Notice of Hearing on Application to Terminate Guardianship**

_____ **Form 115.66 - Waiver of Notice of Hearing on Application to Terminate Guardianship**

_____ **Form 115.62 - Entry Terminating Guardianship**

_____ Final Account due within thirty (30) days of termination (RC 2109.32, see also SupR64)

_____ Notes _____
