

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 for Appointment of Guardian of Minor**, to parent, known next of kin and person having custody (RC 2111.04)
- ___ **Form 16.4 - Notice of Hearing on Application for Appointment**, to minor over age 14 (RC 2111.014)

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 _____
