

PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE

PLEASE PRINT
ONE-SIDED
ONLY!

**PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE**

IN THE MATTER OF THE 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

Attached is a list of the next of in of the minor. (Form 15.0)

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

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 _____, 20___

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 ___ 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

Address

Address

City State Zip

City State Zip

Phone Number (include area code)

Phone Number (include area code)

Supreme Court Registration Number

**PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE**

IN THE MATTER OF THE 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

IN THE COURT OF COMMON PLEAS ALLEN COUNTY, OHIO

Plaintiff/Petitioner

v./and

Defendant/Petitioner/Respondent

Case No. _____

Judge _____

Magistrate _____

Instructions: Check local court rules to determine when this form must be filed.
By law, an affidavit must be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court, including Dissolutions, Divorces and Domestic Violence Petitions. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceedings concerning the child(ren) in any other court in this or any other state. **If more space is needed, add additional pages.**

PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))

Affidavit of _____
(Print Your Name)

Check and complete ALL THAT APPLY:

1. I request that the court not disclose my current address or that of the child(ren). My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal to protect the health, safety, or liberty of myself and/or the child(ren).
2. Minor child(ren) are subject to this case as follows:

Insert the information requested below for all minor or dependent children of this marriage. You must list the residences for all places where the child have lived for the last **FIVE** years.

a. Child's name: _____ **Place of Birth:** _____
Date of Birth: _____ **Sex:** Male Female

Period of Residence		Check if <u>Confidential</u>	Person(s) With Whom Child Lived (name & address)	Relationship
to	present	<input type="checkbox"/> Address Confidential?	_____	_____
_____			_____	_____
to	_____	<input type="checkbox"/> Address Confidential?	_____	_____
_____			_____	_____
to	_____	<input type="checkbox"/> Address Confidential?	_____	_____
_____			_____	_____
to	_____	<input type="checkbox"/> Address Confidential?	_____	_____
_____			_____	_____

b. Child's name: _____ **Place of Birth:** _____

Date of Birth: _____ Sex: Male Female

Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

c. Child's name: _____ Place of Birth: _____
Date of Birth: _____ Sex: Male Female

Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CHILDREN, ATTACH A SEPARATE PAGE AND CHECK THIS BOX .

3. Participation in custody case(s): (Check only one box.)

I HAVE NOT participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case.

I HAVE participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case. For each case in which you participated, give the following information.

- a. Name of each child: _____
- _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX .

4. Information about other civil case(s) that could affect this case: (Check only one box.)

I HAVE NO INFORMATION about any other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this case.

I HAVE THE FOLLOWING INFORMATION concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning a child subject to this case. Do not repeat cases already listed in Paragraph 3. Explain:

- a. Name of each child: _____
- _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

5. Information about criminal case(s):

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who has a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

<u>Name</u>	<u>Case Number</u>	<u>Court/State/County</u>	<u>Convicted of What crime?</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX .

6. Persons not a party to this case who has physical custody or claims to have custody or visitation rights to children subject to this case: (Check only one box.)

I DO NOT KNOW OF ANY PERSON(S) not a party to this case who has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

I KNOW THAT THE FOLLOWING NAMED PERSON(S) not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

a. Name/Address of Person _____
 Has physical custody Claims custody rights Claims custody rights

Name of each child: _____

b. Name/Address of Person _____
 Has physical custody Claims custody rights Claims custody rights

Name of each child: _____

c. Name/Address of Person _____
 Has physical custody Claims custody rights Claims custody rights

Name of each child: _____

OATH

(Do Not Sign Until Notary is Present)

I, (print name) _____ swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

 Your Signature

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

 Notary Public

My Commission Expires:

**PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE**

IN THE MATTER OF THE 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 _____.

_____	_____
_____	_____
_____	_____
_____	_____

PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE

IN THE MATTER OF THE 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 Allen County, Ohio, as Guardian of the Person Estate Person and

Estate, and respectfully asked the Court to appoint _____

Guardian.

Signature

Date of Birth

PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE

IN THE MATTER OF THE 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 Guardian Limited Guardian of the Person Estate Person and Estate of _____.

It is ordered that the ____ day of _____, 20____ 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

Probate Judge

PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE

IN THE MATTER OF THE 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 guardian for your Person only Estate only 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.

The application will be for hearing before the Probate Court in _____

on the ____ day of _____, 20____ at _____ o'clock ____M.

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 _____, 20____

Probate Judge

By: _____

Deputy Clerk

CASE NO. _____

RETURN

_____ County, Ohio

_____, 20____

Received this writ on the ____ day of _____, 20____ at ____ o'clock ____M., and on the ____ day of _____, 20____, I served the same by delivering a true copy thereof personally to

_____ Fees _____

Service and return, 1st name \$ _____

_____ Additional names, at \$ _____

_____ Miles traveled, at \$ _____

Sheriff

TOTAL \$ _____

AFFIDAVIT OF SERVICE

The State of Ohio, _____ County.

_____, being first duly sworn, says that on the ____ day of _____, 20____, the within notice was served by delivering a true copy thereof personally to

Sworn to before me and signed in my presence, this ____ day of _____, 20____.

PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE

IN THE MATTER OF THE 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 _____

You are hereby notified that _____ filed in this Court an application for appointment of a guardian limited guardian of the Person Estate Person and Estate of the minor.

The application will be hearing before the Allen County Probate Court at 301 N. Main Street, 3rd Floor, Lima, OH 45801.

On the ____ day of _____, 20__ at ____ o'clock ____M.

Witness my signature and the seal of the Court, this

day ____ day of _____, 20__

(Seal)

Probate Judge

By: _____

Deputy Clerk

CASE NO. _____

_____ County, Ohio

Received this writ on the ____ day of _____, 20__ at ____ o'clock __.M., and on the ____ day of _____, 20__, I served the same by delivering a true copy thereof personally to

_____ Fees _____
Service and return, 1 st name \$ _____
_____ Additional names, at \$ _____
_____ Miles traveled, at \$ _____

TOTAL \$ _____

Sheriff

AFFIDAVIT OF SERVICE

The State of Ohio, _____ County.

_____, being first duly sworn, says that on the ____ day of _____, 20__, the within notice was served by delivering a true copy thereof personally to

Sworn to before me and signed in my presence, this ____ day of _____, 20__.

**PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE**

IN THE MATTER OF THE 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 annually, 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 his estate justifies if the ward is a minor and has no father or mother, 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.

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 ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE**

IN THE MATTER OF THE 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 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 is not over the age of fourteen years (and has 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, Guardian Limited Guardian of the Person Estate Person and Estate of _____, minor, with the powers conferred as described, and limited to those powers contained in the Letters of Guardianship issued by this Court.

The Court approves the bond as filed.

The Court finds a record of the hearing was waived.

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

Date

PROBATE JUDGE

**PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE**

IN THE MATTER OF THE 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
_____, _____.

Judge/Magistrate

PROBATE COURT OF ALLEN COUNTY, OHIO
GLENN H. DERRYBERRY, JUDGE

IN THE MATTER OF THE 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

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.

Probate Judge

By _____
Deputy Clerk

(Seal)

Date