GEAUGA COUNTY PROBATE COURT
JUDGE TIMOTHY J. GRENDELL

CHECKLIST - GUARDIANSHIP- MINOR

These instructions are provided as a public service of the Geauga County Probate Court, are intended as a guideline only, and are not legal advice. Depending on the circumstances of each case, additional steps may be required that are not listed below. The clerks are not attorneys and therefore cannot answer legal questions or assist you in completing the forms or deciding which forms apply to your situation. The documents that you file must be typewritten or legibly handwritten, and completed in their entirety. The clerks may refuse for filing illegible or incomplete documents. The Court recommends that you obtain legal advice from your attorney or obtain assistance from the Court's Help Center before preparing and filing any forms. You may make an appointment with the Help Center by calling 440-226-7339. If you decide to proceed without assistance from your attorney or from the Court's Help Center, then you should read the following Probate Information Sheets before taking any action:

- Probate Information Sheet – "Guardianship of a Minor"

Filing Requirements

1. **Minor's Birth Certificate** – a copy of the minor's birth certificate, and an English translation if that birth certificate is not in English.

2. **Criminal Background Check** - Obtain from a probate deputy clerk, when filing the above documents, the Authorization Form – WebCheck Electronic Fingerprinting - see Geauga Probate Local Rule 66.1(E). Arrange for payment of all related fees.

3. **Identification** - [if applicant is not represented by an attorney - see Geauga Probate Local Rule 78.10] (1) a government-issued photographic identification (e.g. a current driver's license or passport), and (2) evidence of current mailing address (e.g. recent utility bill, bank statement account, property tax bill, voter registration card).

4. **Form 16.0 Application for Appointment of Guardian of Minor**

5. **Form 15.0 Next of Kin of Proposed Ward**

6. **Form 15.1 Waiver of Notice and Consent** - (prepare and obtain signature of all persons listed on Form 15.0 to the extent possible)

7. **Form 16.1 (Jurisdiction) Affidavit**

8. **Form GC PF 15.20 – Guardian's Affidavit**

9. **Form 15.2 Fiduciary Acceptance Guardian**

10. **Form 66.05 Affidavit of Guardian Applicant**

11. **Form GC PF 15.13 Acknowledgment/ Waiver Request of Guardianship Education Requirements**

12. **Form 16.2 Selection Of Guardian By Minor Over Fourteen Years Of Age** (if applicable)

13. **Determine Bond Requirement** - determine surety bond requirements - see Geauga Probate Local Rule 78.17.

14. **Court Cost Deposit -** arrange for payment of court cost deposit. See the "Probate Court Costs" on the Court's website. See additional note below regarding indigent Ward.

Additional Notes

- Jurisdiction. Confirm that this Court has jurisdiction and venue, including under The Uniform Child Custody Jurisdiction and Enforcement Act as set forth in R.C. Chapter 3127.

- Personal Identifiers. See Geauga Probate Local Rule 57.2(C). Do not insert protected personal identifiers into a court document. If ordered by the Court, prepare and file Form 45(D) - Confidential Disclosure of Personal Identifiers.

- Education Requirements. See Geauga Probate Local Rule 66.1(H) and Sup. R. 66.06 and 66.07.

- Minor over age of 14 years. A minor over the age of 14 years may select a guardian who shall be appointed if the person is "suitable."[1] If a minor over the age of 14 years fails to select a suitable person, then the probate court may appointment a guardian without reference to the minor's wishes. A minor may not select one person to be the guardian of the minor's estate only and another to be the guardian of the person only, unless the probate court that appoints the guardian is of the opinion that the interests of the minor will be promoted by that selection.[2]

- Indigency. Consider whether the Ward is indigent and whether to file the form Motion to Waive Court Costs (GCPF 66.1) together with the form Affidavit of Indigency (GCPF 15.14).

- Child Support. The guardian has a right to apply for child support. Review the Juvenile Information Sheet titled "Child Support."

[1] R.C. 2111.12(A)
[2] R.C. 2111.12(A)