

PROBATE COURT OF CUYAHOGA COUNTY, OHIO

Anthony J. Russo, Presiding Judge

Laura J. Gallagher, Judge

INSTRUCTIONS TO GUARDIANS

Every guardian should consult with an attorney, during the progress of the administration of the guardianship.

Every person who receives letters of appointment as guardian from the Probate Court becomes an officer of the Court, and as such is responsible by law, and under the bond, to faithfully discharge all duties, among them being the following:

1. Immediately after being appointed and pending investment, as provided by law, the guardian must deposit all funds on hand, or received, in one or more depositories in the name of the guardian of his wards, or ward. Each depository must be a national bank located in the state, or a bank in the state, or trust company operating under the laws of the state. Satisfactory proof of such deposits must be made to the Court when the account is filed. Funds belonging to the ward must be kept separate and distinct from other funds. All wills of the ward must be deposited with the Court for safekeeping.
2. Within three months after the date of the appointment, the guardian shall make and return to this court an inventory showing all real and personal property belonging to the ward. A form for such purpose is supplied by the Court
3. **No funds shall be used for the support, maintenance or education of a ward unless authorized by the Court.**
4. The guardian shall pay all just debts of the ward including Court costs when due from the ward's assets and collect all debts due to the ward. The guardian shall also settle and adjust the assets with the approval of the Court.
5. The guardian is required to secure receipts for each and every expenditure. Receipts signed or purported to be signed by the ward will not be allowed as a credit to a guardian in the settlement of accounts.
6. Every guardian is charged by law to manage the estate to the best interests of the ward. Guardians may invest in "legal Investments" authorized by state law.
7. When the ward receives payments from the United States Veterans Administration, **an account must be filed each year on the anniversary date of the appointment of the guardian.**
Every other guardian shall file an account in this Court of all receipts and disbursements every two years. A receipt for each expenditure must be presented. Satisfactory proof of all balances and investments must be exhibited to the Court. **ALSO REQUIRED AT TIME OF FILING THE ACCOUNT IS A BIENNIAL REPORT ON THE MENTAL AND PHYSICAL CONDITION OF THE WARD.**
8. All guardians of the person only of an adult incompetent must every two years as of their anniversary date of appointment file a biennial report on the mental and physical condition of the ward.
9. Every guardian appointed pursuant to the Uniform Veterans Guardianship Act is especially cautioned to consult with an attorney of the United States Veterans Administration, or with the Court, before discharging the duties.
10. Compensation of the guardian and attorney fees should be allowed and paid in the Guardianship, as fixed by Rule or by Order of Court.
11. When a minor ward becomes eighteen years of age, a Final account must be filed, within thirty days.
12. **When the Ward dies, a guardian has NO POWER THEREAFTER, and must file a Final account immediately.**