

PROPOSED CHANGE TO LOCAL RULE 66.1

In accordance with Rule 5 of the Rules of Superintendence for the Courts of Ohio, notice is hereby given that the Wayne County Probate Court is considering the below revisions/additions to its Local Rules and adoption of the attached local forms.

(Substantive changes to the local rules appear in italics below.)

Comments regarding the local rule can be forwarded in writing for consideration to Judge Latecia Wiles, 107 W. Liberty Street, Wooster, Ohio, on or before April 15, 2019, for further consideration.

Local Rule 66.1 ESTABLISHMENT OF GUARDIANSHIPS

- (A) When establishing a guardianship, the Court will consider a limited guardianship before establishing a plenary guardianship in accordance with Sup. R. 66.04.
- (B) The Court will not issue Letters of Guardianship to any direct service provider of the ward unless otherwise authorized by law.
- (C) The Court will not accept for filing any guardianship application for a minor where the sole purpose of the guardianship is to establish a residency for school purposes.
- (D) A separate guardianship must be established for each prospective ward.
- (E) An applicant for appointment as a guardian, including as an emergency guardian, must submit to a civil and criminal record check satisfactory to the Court and execute such consent, if any, as may be requested by the Court to authorize the Court to perform that record check. In place of a civil and criminal background check, an Ohio attorney applicant currently in good standing with the Supreme Court of Ohio, may obtain and submit to the Court a Certificate in Good Standing with disciplinary information, issued by the Supreme Court of Ohio.
- (F) The Court will require each guardian appointed by the Court for an incompetent to submit proof of compliance with the guardian's educational requirements as outlined in Local Rule 66.5 below.
- (G) The Court will not issue Letters of Guardianship to any applicant who has not met their ward prior to the hearing on the application.
- (H) At a hearing on an application to establish a guardian over a minor's person, the proposed ward is required to be present unless prior permission not to appear is received from the Court.
- (I) A certified copy of the minor's birth certificate shall be filed with all applications to establish a guardian over a minor's person.
- (J) *Guardians of minor persons shall not move the minor's residence outside the State of Ohio without written permission from the Court.*

**PROPOSED FORMS CONSIDERED FOR ADOPTION BY THE
WAYNE COUNTY PROBATE COURT**

Notice is hereby given that the proposed forms attached hereto are being considered for adoption by the Wayne County Probate Court.

Questions/comments regarding the forms should be sent to the Wayne County Probate Court either in writing or via email at lwiles@waynecourts.org on or before April 15, 2019.

**PROBATE COURT OF WAYNE COUNTY, OHIO
LATECIA E. WILES, JUDGE**

GUARDIANSHIP OF _____

CASE NO. _____

CONSENT TO CRIMINAL AND CIVIL BACKGROUND CHECK

I hereby certify that I have given the Wayne County Probate Court permission to obtain all criminal history and/or civil judgment information pertaining to me, as well as any Bankruptcy, Judgment and Lien information, if deemed appropriate by the Court, using OPENonline, for the purpose of establishing a guardianship on the above referenced individual.

I also give the Wayne County Probate Court permission to request any records from any public children’s services agency where I have been identified as an alleged perpetrator of abuse or neglect of a child.

Further, I understand that my criminal/civil history information received from OPENonline will be filed as a confidential record in the Court’s record keeping system.

Printed Full Name (including middle name)

Signature

Date

Prior Names (including maiden name)

Date of Birth

Address

Telephone Number