

LOC.R. 66.08 GENERAL RESPONSIBILITIES OF THE GUARDIAN TO THE COURT

The person seeking to be appointed as the guardian is expected to have met with the proposed ward at least once prior to appearing before the Court for the hearing on the application, unless the Court has waived the pre-appointment meeting for good cause.

If the guardian becomes aware of allegations of abuse, neglect or exploitation of the ward, the guardian shall immediately report the same to the appropriate law enforcement authorities and the Court.

A guardian appointed by this Court shall inform the Court of any change of address for either the guardian or the ward. This notification must be filed with the Court within ten (10) days of the address change. The Notice of Change of Address form (Loc. F. 75.0A) may be used for that purpose, but it is not required. If the ward's residence has changed, the reason for the change should be indicated. Failure to notify the Court, as provided in this rule, may result in the guardian being removed and/or the guardian's compensation being reduced or denied.

The guardian shall not move the ward from Lorain County, Ohio or into a more restrictive setting without prior Court approval, unless a delay in obtaining authorization for the change of residence or setting would affect the health and safety of the ward. Until a standard probate form is adopted for this purpose, the guardian may use the local form "Application for Approval of More Restrictive Setting" that is available at the Adult Guardianship tab on the Court's website.

While a guardian is required to seek prior approval of this Court before filing a lawsuit for the ward, prior approval shall not be required when the lawsuit is being filed in this Court. Until a standard probate form is adopted for this purpose, the guardian may file a motion entitled "Application to Commence Legal Proceedings for Ward".

The guardian shall avoid conflicts of interest with the ward and endeavor to avoid the appearance of impropriety (perceived self-serving, self-dealing or perceived actions adverse to best interests decisions) when dealing with the ward's assets and needs. A potential conflict for the guardian may arise if the guardian's immediate family (parent, spouse, or child) is being employed or contracted by the guardian. The guardian shall disclose all conflicts to the Court in a clear and unequivocal manner. Doing so, facilitates a determination whether the conflict can be mitigated or eliminated through the use of a guardian ad litem, a limitation of the powers of the guardian, or other actions.

The guardian shall obey all orders of this Court and shall perform all guardianship duties in accordance with the state and federal laws and rules and this Court's local rules, as all of them may be effective during the guardianship.