

PROBATE COURT OF CUYAHOGA COUNTY, OHIO

ANTHONY J. RUSSO, PRESIDING JUDGE

LAURA J. GALLAGHER, JUDGE

GUIDELINES – E-FILE GUARDIANSHIP OF INCOMPETENT ADULT

Contents

General Guidelines and Documents	2
Document Preparation and Signatures	3
Preparation and Submission of Waivers	3
Notification of Filing Status	3
New Guardianship of Adult Application Setup	4
Filing on an Existing Guardianship Case	6
Inventories, Accounts, Reports, Bonds and other Guardianship Filings	8

General Guidelines and Documents

E-Filed Documents REQUIRED to Open a New Case

- [Application for Appointment of Guardian of Alleged Incompetent](#) (Form 17.0, 15.0, and 15.2 as one file)
(Forms must be typed complete with signatures.)
- [Affidavit of Guardian Applicant](#) (Form 66.05)
*Not REQUIRED by Attorney Applicants, Adult Guardianship Services (AGS),
Advocacy & Protective Services, Inc. (APSI), or GUARDIAN CONNECTION staff Applicants
- [Statement of Expert Evaluation](#) (Form 17.1)
(Completed by a Physician or a Clinical Psychologist.)

If the proposed Ward refuses medical examination, Form GD17.1R must be filed in place of Form 17.1.

- [Refusal of Prospective Ward to Submit to Examination \(Form GD17.1R\)](#)
(Must be typed with explanation and signed by Applicant.)
 - Upload separately with its own code but send with Application submission.

- [Waiver of Notice and Consent \(Form 15.1\) \(for applicable Next of Kin of the alleged incompetent adult\)](#)
Form 15.1 may be E-Filed after a case number is issued but before your Hearing.

E-Filed Documents that You May Need to Submit (before your Hearing Date)

- [Additional Waivers \(Form 15.1 – See link above\)](#)
- [Supplement for Emergency Guardian of Person \(Form 17.1A\) \(if applicable\)](#)

Appointment Procedure

1. Application for guardianship is filed in the Probate Court of the County of the ward's residence by an interested party, or on the Court's own motion.
2. Application must include a statement of the guardian's willingness to perform as guardian, a bond as required by law, and, in the case of a prospective incompetent ward, a statement of the ward's mental and physical condition from a treating physician, psychiatrist, or licensed psychologist.
3. The prospective ward, as well as the adult next of kin, are notified of the impending guardianship and date and time of hearing as prescribed by law. In the case of an incompetent proceeding, the notice and a statement of rights will be served on the prospective ward by a Court Investigator.
4. An investigation is conducted by a Court Investigator which includes an interview with the prospective ward in order to assist the Court in determining the advisability of guardianship.
5. Formal hearing is conducted by the Judge or Magistrate to determine if a guardian is necessary and whether the guardian is suitable to serve.

For more information, contact the Guardianship Department at (216) 443-8995.

Please bring to your hearing printed copies of ALL documents listed above.

Document Preparation and Signatures

Forms downloaded from the Court's web pages are fillable PDFs and **MUST be typed** complete with signatures. Handwritten forms will not be accepted. **Exception: Forms 17.1 and 17.1A.**

Signatures on Applications and pleadings may be submitted in the following ways:

- 1) As an ink signature, the signed document then converted to a scanned PDF copy, or
- 2) As an **E-Signature**, formatted by typing **/S/** in front of the **typed name** on signature lines, or
- 3) As an electronically signed or captured signature using software with audit tracking capability (e.g., DocuSign, RightSignature, Adobe Sign).

Note: The audit track is not required with submission for forms or pleadings but must be presented if requested by a hearing officer reviewing the document.

Exception: Waivers may NOT be submitted using the E-Signature format. See details below.

Preparation and Submission of Waivers

Waivers for Guardianship pleadings may be signed and submitted to E-File in the following ways:

- 1) An ink-signed waiver scanned as a PDF copy, or
- 2) Electronically signed PDF waivers, using signature capture software which includes audit tracking capability (e.g., DocuSign, RightSignature, Adobe Sign).

Attach to each electronically signed waiver its audit track in the same PDF file, behind the waiver form.

Waivers submitted without an audit track will be rejected. Electronically signed waivers may be subject to further review by hearing officers.

Whenever possible, please type the party's name below the signature.

Notification of Filing Status

You will receive an email from the Court indicating your filing has been **Accepted** or **Rejected**. If the filing is **Rejected**, you will receive notification of the reason for rejection by email.

Corrected filings may be resubmitted within 72 hours. If you do not correct the rejected filing within 72 hours, you must start the filing again with a new confirmation number.

New Guardianship of Adult Application Setup

1. AFTER LOGIN: Select File a New Case from the blue E-Filing tab

Select GUARDIANSHIP

Select one of the following: GDN INC. ESTATE ONLY

GDN INC. PERSON & ESTATE

GDN INC. PERSON ONLY

Case Title: **Type the full name of the alleged incompetent adult.**

*[Click **Save and Proceed** to advance each screen]*

2. ADD PARTY MEMBERS: Case Party Role information must match the information on the *Application (Form 17.0)*.

Enter all names complete without abbreviations or initials.

The following roles are REQUIRED for *Application for Guardianship of Alleged Incompetent*.

Case Party Role on Web	Application Fields (Form 17.0)
<i>Applicant</i>	<i>Applicant</i>
<i>Ward</i>	<i>Alleged Incompetent</i>

3. ADD DOCUMENTS:

Upload the signed Application: *Forms 17.0, 15.0, and 15.2* in one PDF.

Select the Application code that matches the guardian powers requested on Form 17.0 (i.e., for Estate Only, Person and Estate, or Person Only Guardianship).

Note: "AGS" (Adult Guardianship Services) codes are for use by that agency only.

Upload separately the signed/notarized Affidavit of Applicant Guardian: *Form 66.05*

- Use the Affidavit code from the menu.

Upload separately the Statement of Expert Evaluation: *Form 17.1*, or

Upload separately *Form 17.1R* in place of *Form 17.1* if applicable.

- Use the dedicated codes for either of these forms from the menu.

Upload separately any Waivers of Notice and Consent: *Form 15.1* if applicable.

- Use the Waivers and Consent code from the menu.

4. **FILING REVIEW:** Review your data and documents for accuracy. [EDIT](#) for corrections.

5. **PAYMENT: Add Credit or Debit Card billing information:**

Your card will be charged only **AFTER** your E-Filing has been accepted by the Court.
The name on the credit/debit card **MUST** match the Registered E-File Account Name.
Third party payments will **NOT** be accepted without prior arrangement with E-File staff.

6. Submit the filing on behalf of the APPLICANT

Print a copy of the pending submission **Confirmation** for your records.

You will receive an email from the Court indicating your filing has been **Accepted** or **Rejected**.
If the filing is **Rejected**, you will receive notification of the reason for rejection by email. Corrected filings may be resubmitted within 72 hours. If you do not correct the rejected filing within 72 hours, you must start the filing again with a new confirmation number.

For assistance with E-Filing, contact the E-File Help Desk at (216) 443-8948.


For Guardianship information, contact the Guardianship Dept. at (216) 443-8995.

Filing on an Existing Guardianship Case

E-Filing Tab: Select *File On An Existing Case*

Search your existing case by **Case Number** or search by **Party** name.

Search Results will display in a new window. Click on the **Highlighted Name** of your case.

Click the green  to E-File on existing cases.

1. On the **ADD PARTIES** screen (scroll to the bottom of the screen to view case parties):

If you are already Guardian filing Pro Se	
	Click CLAIM PARTY next to your name Then click SAVE and PROCEED to advance to ADD DOCUMENTS

Non-Guardian Applicants and Next of Kin filing Pro Se	
To ADD yourself as a new Applicant Note: Existing Next of Kin parties filing to become Guardian must add themselves as Applicant and file as Applicant.	Complete all fields; click SAVE PARTY Then click SAVE and PROCEED to advance to ADD DOCUMENTS

Attorneys	
To CLAIM an existing party to represent	Click CLAIM PARTY next to the party's name
<i>If your party is already represented and claimed</i> <i>(Attorney name highlighted above party)</i>	Click SAVE and PROCEED to advance directly to ADD DOCUMENTS

<u>If you are NOT listed as a Guardian on the case</u> (but think you should be)	STOP! Contact the E-File Help Desk at (216) 443-8948 for assistance
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2. **ADD DOCUMENTS: Upload your Application/Motion or other pleadings.**

See pages 7 – 8 for detailed guidelines for Inventories, Accounts, Reports, and other common required pleadings on existing guardianship cases.

Forms **MUST be typed** complete with ink signature or **E-Signature** of parties and attorneys.

“AGS” (Adult Guardianship Services) document codes are for use by that agency only.
Next of kin and all other successor applicants (applying after a guardian already was appointed) should use one of the following successor application codes:
<ul style="list-style-type: none">- Application to Appoint Successor Guardian of Incompetent – Estate only- Application to Appoint Successor Guardian of Incompetent – Person & Estate- Application to Appoint Successor Guardian of Incompetent – Person only

3. **FILING REVIEW:** Review your data and documents for accuracy. [EDIT](#) for corrections.

4. **PAYMENT:** Add Credit or Debit Card billing information:

Your card will be charged only **AFTER** your E-Filing has been accepted by the Court. The name on the credit/debit card **MUST** match the Registered E-File Account Name. Third party payments will **NOT** be accepted without prior arrangement with E-File staff.

Existing Guardians	File on behalf of yourself as Guardian
New Applicants	File on behalf of yourself as Applicant (DO NOT file as Next-of-Kin, Other, etc.)
Attorneys	File on behalf of your client guardian, applicant, or party

Print a copy of the pending submission **Confirmation** for your records.

You will receive an email from the Court indicating your filing has been **Accepted** or **Rejected**.

If the filing is **Rejected**, you will receive notification of the reason for rejection by email. Corrected filings may be resubmitted within 72 hours. If you do not correct the rejected filing within 72 hours, you must start the filing again with a new confirmation number.

For assistance with E-Filing, contact the E-File Help Desk at (216) 443-8948.

For Guardianship information, contact the Guardianship Dept. at (216) 443-8995.

Inventories, Accounts, Reports, Bonds and other Guardianship Filings

Below are instructions to assist users with uploading groups of filings to increase efficiency in the review process and provide clarity on the Court's electronic docket.

Whenever possible, select codes provided for pleadings on the ADD DOCUMENTS screen. Contact the E-File Help Desk for further assistance or general questions about E-Filing.

For specific questions regarding Account and Inventory filings by guardians, please contact the Accounts department (216) 443-8776.

All other questions should be directed to the Guardianship department at (216) 443-8995. Have your case number available to reference.

Guardian's Inventory

- Upload the signed and completed [Guardian's Inventory, Form 15.5](#)

Note: Guardians may list complete account numbers and other personal identifiers on the Inventory. Alternatively, you may list partial identifiers but must then upload separately in the same submission [Form 45D – Confidential Disclosure of Personal Identifiers](#).

Guardian's Original or Additional Bonds

- File in person or by mail. For mailed bonds: attach a cover-letter with contact information and your case number, include the ink-signed original/additional bond with the bond agent's power of attorney attached, and mail to:

Probate Court Clerk's Office, Room 115, 1 Lakeside Ave., Cleveland, Ohio, 44113.

Waivers of Notice and Consent

- [Form 15.1](#) - **WAIVERS must be submitted before the hearing on the Application to become Guardian.** Upload per instructions on page 3. Multiple Waivers may be uploaded separately but sent in the same confirmation submission.

Applications to Settle the Claim of an Adult

- Upload [Form 22.5](#) and attach any related forms that are part of the packet as one PDF file, with the Application as the first page. All forms must be signed.
- To file a **Report of Distribution for an Adult Settlement case** – [See the separate guide](#).

Motions to Amend/Correct Forms on the Existing Court Docket

- Attach the corrected form behind your motion in one PDF file. (e.g., Next of Kin Form 15.0)

Application to Pay or Deliver for Adults without Appointment of Guardian of Estate

- [See the separate guide](#).

Guardian's Reports, Annual Plans, and Accounts

Guardian of Person Only (upload the following 3 documents separately but send together):

- [Guardian's Report – Form 17.7](#)
- [Guardian's Annual Plan of Person – Form 27.7](#)
- [Statement of Expert Evaluation – Form 17.1](#)

Guardian of Estate Only (upload the Plan and Account documents separately but send together):

- [Guardian's Annual Plan of the Estate – Form 27.8](#)
- [Guardian's Account](#)
 - Upload the signed **Account**, [Form 15.8](#)
Choose Docket Code: *Guardian's Partial Account* or *Guardian's Final Account*
 - Upload **Additional Pages of Accounting** as one PDF file for any computation pages separate from the Account and from any Vouchers
 - Upload **Voucher** receipts as one PDF file separate from the Account and the Additional Pages of Accounting

Guardian of Person & Estate (upload ALL the documents separately but send together):

- [Guardian's Report – Form 17.7](#)
- [Guardian's Annual Plan of Person – Form 27.7](#)
- [Guardian's Annual Plan of Estate – Form 27.8](#)
- [Statement of Expert Evaluation – Form 17.1](#)
- [Guardian's Account](#)
 - Upload the signed **Account**, [Form 15.8](#)
Choose Docket Code: *Guardian's Partial Account* or *Guardian's Final Account*
 - Upload **Additional Pages of Accounting** as one PDF file for any computation pages separate from the Account and any Vouchers
 - Upload any **Voucher** receipts as one PDF file separate from the Account and from any Additional Pages of Accounting

Questions about uploading documents?

Uncertain about an instruction in your Rejection email?

Email the E-File Help Desk at probate_efile@cuyahogacounty.us