



COURT ANGEL

A Stark County Probate Court Volunteer Program

**JUDGE DIXILENE PARK
STARK COUNTY PROBATE COURT**

WHAT IS GUARDIANSHIP OVERSIGHT?

- Sources
 - Statutory
 - Supreme Court Rules of Superintendence
 - Local Rules

OHIO REVISED CODE

- BEFORE GUARDIAN IS APPOINTED

- R.C. 2111.02(B)(3)
 - Emergency orders prior to guardian's appointment
- R.C. 2111.04(A)(2)
 - Prospective Ward's Rights
- R.C. 5101.70
 - APS Emergency Order

OHIO REVISED CODE

- AFTER GUARDIAN IS APPOINTED

- R.C. 2111.50
 - Court is Superior Guardian – Best Interest of the Ward
- O.R.C.2111.07 Continuing Due Process
- O.R.C. 2111.49 (A)(1)
 - Guardian's Report & Statement of Expert Evaluation
- O.R.C. 2111.49(C) Review Hearing

RULES OF SUPERINTENDENCE

- Rule 66
 - 66.02 Application of Rules
 - 66.03 Local Guardianship Rules
 - Emergency Guardianship
 - Comments or Complaints
 - 66.04 Establishment of Guardianship
 - Scope
 - Waive Guardian of Estate
 - Direct Service Providers restriction

RULES OF SUPERINTENDENCE CONT'D

- 66.05 Responsibilities of Court establishing guardianship
 - Criminal background check
 - Pre-appointment education and continuing education
 - Guardians with more than 10 wards
- 66.06 Guardian Pre-Appointment Education
- 66.07 Guardian Continuing Education

RULES OF SUPERINTENDENCE CONT'D

- 66.08 General Responsibilities of Guardian
 - Orders, rules and laws
 - Reporting abuse, neglect or exploitation
 - Limitation or termination of guardianship
 - Change of residence
 - Annual Plan
 - Annual registration
 - Ward's principal income
 - Guardian's compensation
 - Conflict of Interest
 - Filing of Ward's legal papers

RULES OF SUPERINTENDENCE CONT'D

- 66.09 Responsibilities of Guardian to Ward
 - Professionalism, character and integrity
 - Exercising due diligence
 - Less restrictive alternative
 - Person-centered planning
 - Ward's support system
 - Communication with ward • Extraordinary medical issues
 - Direct Services • End of Life decisions • Caseload
 - Monitor and coordinate services and benefits • Confidentiality

LOCAL RULES

LOCAL RULE 66.2 - EMERGENCY GUARDIANSHIP

LOCAL RULE 66.3 - COMMENTS/COMPLAINTS

LOCAL RULE 66.4 - ANNUAL PLAN

LOCAL RULE 66.5 - MONTHLY MEETINGS

LOCAL RULE 66.6 - STATEMENT OF EXPERT EVALUATION

LOCAL RULE 66.7 - GUARDIAN'S REPORT

LOCAL RULE 66.8 - CHANGE OF GUARDIAN'S ADDRESS

LOCAL RULE 66.9 - CHANGE OF WARD'S ADDRESS

LOCAL RULE 66.10 - LEGAL PROCEEDINGS

INFORMATION ABOUT WARD

- Annual Report
- Annual Plan
- Statement of Expert Evaluation
- Comments/Complaints

WHAT IS THE COURT ANGEL PROGRAM?

- Volunteer based guardianship monitoring program
- Confirms Wards' well-being
- Ensures Guardians receiving adequate support and are referred to available resources

WARD

GUARDIAN



COURT ANGEL

A Stark County Probate Court Volunteer Program

A VOLUNTEER VISITOR PROGRAM

VOLUNTEERS

- Undergo criminal background check
- Attend training
- Supported by Court Personnel
- Communicate with Guardians
- Visit with Wards
- Complete Reports

PROBATE COURT

- Train Volunteers
- Support Volunteers
- Hold Quarterly meetings
- Review Volunteer Reports & Recommendations
- Follow up: Re-visit by Bailiff or Court Investigator; Review Hearing; Court Orders

WHY DO WE NEED COURT ANGELS?

- More than 47,000 guardianship cases statewide December 2017
- Guardians of the Wards are comprised of family members, friends, or *professional* guardians
- Professional guardians may be social workers or attorneys.

PROGRAM GOALS

Detect/Prevent:

- *Abuse
- *Neglect
- *Exploitation

Support:

- *Wards
- *Guardians
- *Caregivers
- *Family

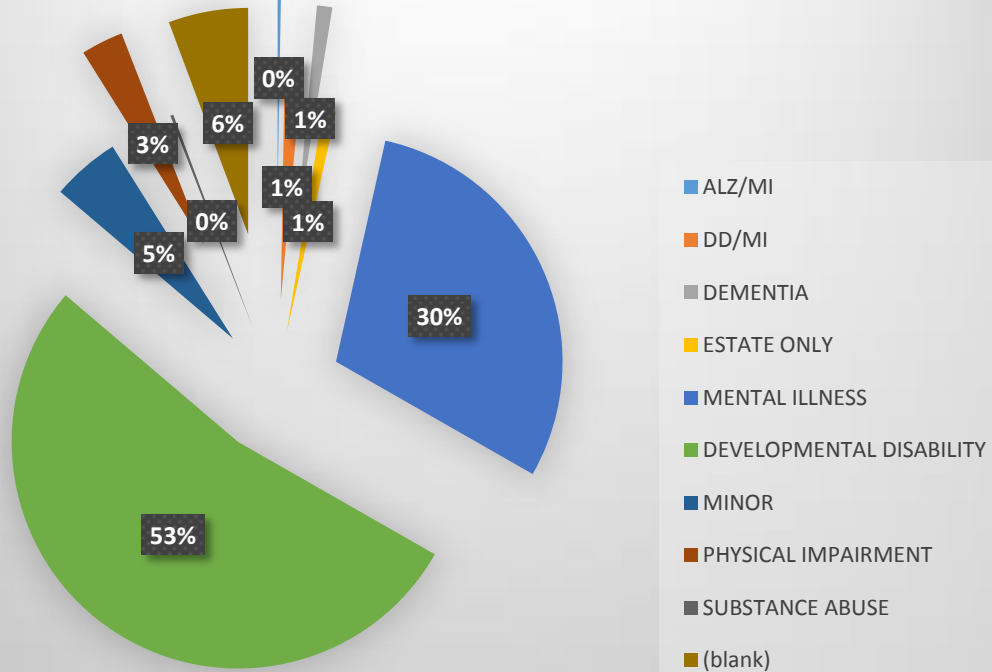
Visits:

- *Visit each ward at least once per year
- *Visits to date: 2000+ wards visited

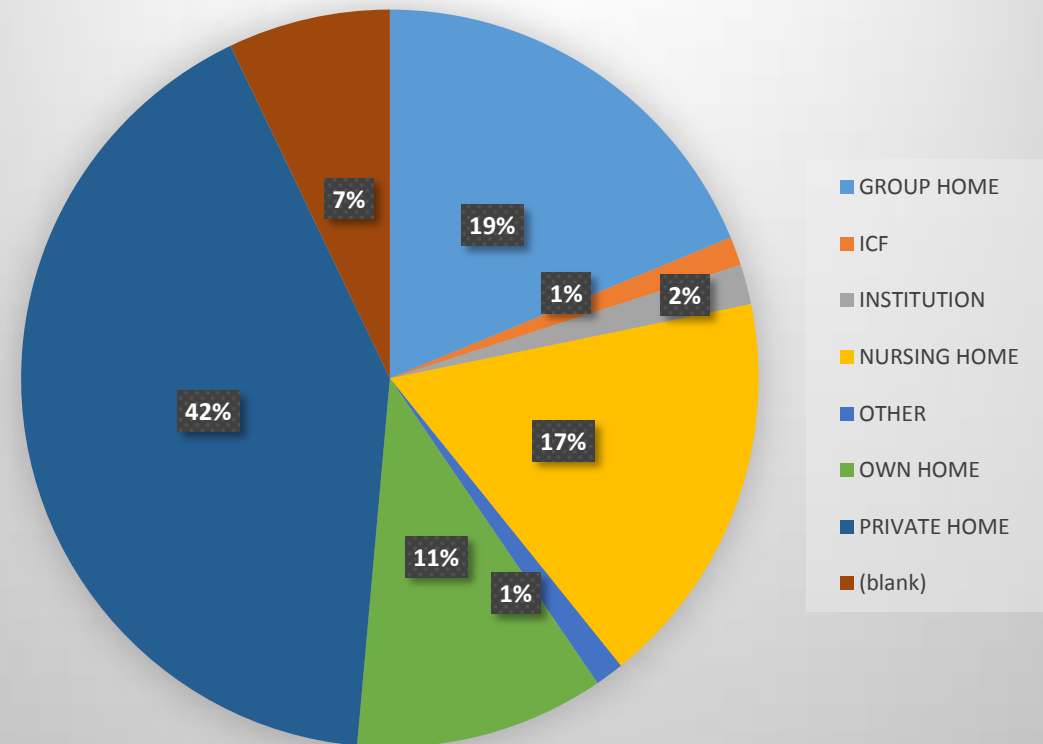
ADULT WARDS UNDER GUARDIANSHIP

+1800 WARDS IN STARK COUNTY, OHIO

Adult Ward Incompetency Diagnoses



Adult Ward Residences



WHAT DOES A COURT ANGEL DO?

Court Angels devote 4 to 8 hours per month by:

- Stopping by the Court to sign out a prepared case summary - complete with information needed;
- Calling the Guardian to make an appointment;
- Visits with and interviews the Guardian and the Ward – a sort of wellness check;
- Returns to the Court to submit the Court Angel's Report
 - 3 different locations & via email

107 TRAINED VOLUNTEERS

Common Backgrounds

- Nursing
- Social Work
- Health Care Administration
- Psychology
- Ministry
- Education

Students

- Gerontology
- Psychology
- Social Work
- Nursing
- Human Development & Family Studies

4 PARTS OF A COURT ANGEL FILE

- Cover Form/Case Summary
- Judgment Entry
- Guardian's Report
- Statement of Expert Evaluation

COURT ANGEL COVER FORM

COURT ANGEL COVER FORM	
Probate Case Number _____	
Guardian: _____ <div><input type="radio"/> Advocacy Protective Services, Inc. <input type="radio"/> Coleman Professional Services <input type="radio"/> Guardian Support Services, Inc.</div> Address: _____ _____ Telephone: _____ Date Guardianship Filed: _____ Name of Researcher: _____ Date Confirmed: _____	Ward: _____ Address: _____ _____ Facility (if any): _____ Telephone: _____ Workshop: <input type="radio"/> Yes <input type="radio"/> No Home After: _____ <div><input type="radio"/> Verbal <input type="radio"/> Non-verbal</div> Date Expert Waived (if applicable): _____
Notes of Interest: 	



THE COURT OF COMMON PLEAS
Stark County Probate Court



HON. DIXIE PARK
PROBATE JUDGE

Chris Doe
123 Main Street NW
Anytown, Ohio 43210

In Re: Guardianship of: Alex Doe
Case No. 123456

Dear Guardian,

The Stark County Probate Court has a program to monitor the more than 1700 guardianships that are in Stark County. The Court has a group of volunteers called "Court Angel Visitors" who have been trained by the Court. One of these volunteers will soon contact you in order to visit with your ward and talk to you and others involved with your ward's care. Following the visit, the Court Angel Visitor will report his or her observations to the Court.

In the near future, a Court Angel Visitor will be calling you to make arrangements for meeting with you and your ward. Your cooperation will be invaluable in helping the Court Angel provide the Court with an accurate picture of this guardianship.

Should you have any questions, you may call Theresa A. Wolf, 330-451-7955.

Very truly yours,

Hon. Dixie Park
Probate Judge

DNP/blk

LETTER TO GUARDIAN

PROBATE COURT OF STARK COUNTY, OHIO

IN THE MATTER OF GUARDIANSHIP OF: ALEX DOE
CASE NO. 123456

JUDGMENT ENTRY APPOINTING COURT ANGEL VISITOR

This matter came on to be heard this day upon the Court's own motion. The Court finds that as the superior guardian a Court Angel Visitor is necessary to inquire into the circumstances of the within guardianship.

It is **ORDERED, ADJUDGED AND DECREED:**

- I. That a Court Angel Visitor is hereby appointed in this case and shall inquire into the current circumstances of the within ward and Guardian. This appointment shall continue until further order of the Court.
2. That the Court Angel Visitor shall make a written report to the Court of all relevant information concerning this guardianship.
3. That all persons involved with the guardianship shall cooperate with and assist the Court Angel Visitor in this information gathering function.

DATE

HON. DIXIE PARK
PROBATE JUDGE

JUDGMENT ENTRY

GUARDIAN'S REPORT

- Guardians file an annual report in a form prescribed by the Court.
- Information includes addresses, number of times Guardian has had contact with Ward and any major changes
- Opinion of Guardian about continuation of Guardianship

PROBATE COURT OF STARK COUNTY, OHIO
DIXIE PARK, JUDGE

GUARDIANSHIP OF _____
CASE NO. _____

GUARDIAN'S REPORT
(R.C. 2111.49)

NOTE: If allotted space is inadequate to respond, write "See Exhibit" in the space and add appropriate exhibit letter sequence, then attach exhibit containing information requested for that space.

1. This is the **(circle one)**: 1st, 2nd, 3rd, 4th, 5th, 6th, or _____, Guardian's Report.

2. Ward's present address: _____
City _____ State _____
Zip _____ Telephone(_____) _____

3. Ward's living arrangements at the above address are best described as:

☐ a. His or her own apartment or home (includes assisted living facilities).

☐ b. Private home or apartment of:

☐ (1) the ward's guardian

☐ (2) a relative of the ward, whose name is _____
and relationship is _____

☐ (3) a non-relative whose name is _____

☐ c. A foster group or boarding home

STATEMENT OF EXPERT EVALUATION

- When a Guardianship is filed, documentation from a licensed professional is needed for the Court to determine if the proposed Ward is incompetent.
- Typically updated annually.

PROBATE COURT OF STARK COUNTY, OHIO

IN THE MATTER OF THE GUARDIANSHIP OF _____

CASE NO. _____

STATEMENT OF EXPERT EVALUATION

[Sup. R. 66 & R.C. 2111.49]

Definition of Incompetent (R.C. 2111.01(D)): "Incompetent" means any person who is so mentally impaired as a result of a mental or physical illness or disability, or mental retardation, or as a result of chronic substance abuse, that the person is incapable of taking proper care of the person's self or property or fails to provide for the person's family or other persons for whom the person is charged by law to provide, or any person confined to a correctional institution within this State."

The Statement of Evaluation does not declare the individual competent or incompetent, but is evidence to be considered by the Court. The fee for completing this evaluation **WILL NOT** be paid by the Probate Court. Each evaluator should secure payment from the Applicant/Guardian.

1. This Statement of Expert Evaluation is to be filed with or attached to:

- ☐ A. Guardianship Application: Completed by ☐ Licensed Physician or ☐ Licensed Clinical Psychologist prior to the filing and attached to the application.
- ☐ B. Guardian's Report: Completed by ☐ Licensed Physician ☐ Licensed Clinical Psychologist
☐ Licensed Independent Social Worker ☐ Licensed Professional Clinical Counselor or
☐ Mental Retardation Team.
The evaluation or examination shall be completed within three months prior to the date of the Report. R.C. 2111.49
- ☐ C. Application for Emergency Guardian: ☐ of the person: a Licensed Physician shall complete the Supplement for Emergency Guardian, form 17.1A with specificity indicating the emergency, and why immediate action is required to prevent significant injury to the person. The Supplement shall be signed, dated, and attached as part of this completed Statement.


REPORTING FORM

- Overall Assessment of Ward's Care

Recommendations and Comments

Name of Volunteer: _____ Date Returned: _____

**REPORTING FORM
COURT ANGEL PROGRAM
SUMMARY REPORT TO THE COURT**



In the Matter of _____ Case # _____
First Name Last Name

In this section, record your overall assessment of the ward's care by checking one of the options in the chart. If you indicate that further action is needed, please specify in the comments section what that action should be.

Ward's overall care is:	No further action recommended	Further action needed
Superior	<input type="checkbox"/>	<input type="checkbox"/>
Satisfactory	<input type="checkbox"/>	<input type="checkbox"/>
Marginal	<input type="checkbox"/>	<input type="checkbox"/>
Unacceptable	<input type="checkbox"/>	<input type="checkbox"/>

Definitions of care levels:
Superior: Care is better than adequate; beyond meeting the basic needs of the ward; extra assistance is provided. May be exemplary in one or more ways.
Satisfactory: Care is adequate to meet housing, socialization, and if applicable, habitation needs of the ward.
Marginal: Overall care is less than adequate but not dangerous to the ward.
Unacceptable: Inadequate care is causing or about to cause a serious negative effect on the ward's health or welfare; remedial action is necessary.

VOLUNTEER RECOMMENDS THE FOLLOWING ACTION BY THE COURT:

1. <input type="checkbox"/> No further action required.	<u>Specific comments by volunteer:</u> _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____
2. <input type="checkbox"/> Ward should be visited again on: _____	
3. <input type="checkbox"/> Letter or call requesting information from Guardian.	
4. <input type="checkbox"/> Letter or call advising Guardian of resources.	
5. <input type="checkbox"/> Letter requesting plan for improvements from Guardian.	
6. <input type="checkbox"/> Letter requesting Guardian to take action within a specific time.	
7. <input type="checkbox"/> Appoint volunteer or GAL for further investigation	
8. <input type="checkbox"/> Referral to another agency. (APS, DDS).	
9. <input type="checkbox"/> Order for Guardian to appear at hearing	
10. <input type="checkbox"/> Emergency appointment of new Guardian.	
11. <input type="checkbox"/> Removal of Guardian - new Guardian appointed.	
12. <input type="checkbox"/> Termination of guardianship/restoration.	
13. <input type="checkbox"/> Other	

For Court Use Only:

1. <input type="checkbox"/> No action needed.	_____
2. <input type="checkbox"/> Action needed; agree with volunteer recommendations.	
3. <input type="checkbox"/> Action needed; different from volunteer recommendations.	
4. <input type="checkbox"/> Action recommended; no action needed.	

INFORMATION FROM GUARDIAN

- Volunteer inputs details about the relationship between the Guardian and the Ward.

GUARDIAN'S NAME: _____

Address: _____ City: _____

Telephone Number: _____ State: _____ Zip: _____

6. Guardian of: _____ Person _____ Estate _____ Both

7. Guardian's relationship to ward:

a. _____ spouse	e. _____ friend
b. _____ parent of ward	f. _____ private attorney
c. _____ child of ward	g. _____ public guardian or agency
d. _____ other relative	h. _____ other

8. Does the ward live with the guardian? _____ Yes _____ No

9. If not, how many times does the guardian visit the ward each month? _____

10. On average, how long is the visit (in minutes)? _____

11. What does the guardian do for the ward? Check all that apply.

a. _____ manage financial affairs	e. _____ provide necessities
b. _____ housekeeping	f. _____ take on outings
c. _____ provide transportation	g. _____ bathe
d. _____ feed	h. _____ provide continuous care

List anything else: _____

12. What is the guardian's view of the ward's overall situation, including any significant changes in physical health, intellectual functioning, emotional health and living situation that have occurred over the past year?

13. Does the guardian feel that the guardianship should continue? _____ Yes _____ No

14. Any changes needed in this guardianship? _____

15. Has eligibility for such programs as Social Security, Medicare, Medicaid, SSI, or food stamps ever been checked? _____ Yes _____ No

16. Does the guardian need assistance, whether from the court or from a community agency? If so, please specify. _____

Volunteer's Current Assessment of Ward Matrix

	Excellent	Satisfactory	Fair	Poor	Don't Know
Physical Health					
Emotional Health					
Intellectual Functioning					
Living Situation					

REVIEWING THE REPORT

- Recruiter reviews each Court Angel Report submitted.
- Are there any changes needed in the Guardianship?
- Is the ward happy and well-cared for?

WHAT IF SOMETHING IS NOT *RIGHT*?

- Transmits data in reporting spreadsheet
- Recruiter provides Court Angel Report to Staff Attorneys
- Staff Attorneys review Report in conjunction with overall case
- Make recommendation of next steps to Judge Park

COURT RESPONSE

- FOLLOW UP CALL
- COURT INVESTIGATOR VISIT
- REFERRAL TO LAW ENFORCEMENT
- REVIEW HEARING
- COURT ORDERS
- REMOVAL HEARING

OCT 2016 THRU AUGUST 2019

- 3071 WARDS VISITED
- 31 POTENTIAL CASES OF ABUSE REPORTED
 - Financial Abuse 10
 - Sexual Abuse 1
 - Neglect 10
 - Physical Abuse 7
 - Verbal Abuse 1
 - Emotional Abuse 1
 - Self-Abuse 1

PROGRAM DETAILS

- Volunteer Visitor Program began in 1990s
- Program restarted in 2005
- Currently Grant-funded: October 2016-September 2020
- Grant Source: Stark County Elder Justice Innovation Grant, Administration for Community Living, US Department of Health and Human Services
- For more information:

starkcountyohio.gov/probate/volunteers

Stark County Probate Court: 330-451-7752



2018 COURT ANGEL VOLUNTEER APPRECIATION LUNCHEON

MATERIALS AVAILABLE

- APPLICATION
- TRAINING MANUAL
- REPORTING FORMS
- SAMPLE PRESS RELEASES
- BROCHURES
- SAMPLE PROMOTIONAL COLLATERALS