

RULE 17 – GUARDIANSHIPS (Amended 7/1/09)

- 17.1** Adequate statutory provisions exist to control timeliness of filings. Each case shall be reviewed not less than bi-annually.
- 17.2** When Application for Appointment of Guardian for an incompetent person is filed, the costs of the expenses of an investigation by the Court Investigator provided for by Revised Code Section 2111.04.1 shall be charged against the estate of the incompetent if the person is determined to be incompetent and a guardian is appointed.
- 17.3** If the person is determined not to be incompetent or a guardian is not appointed, the costs of such investigation shall be charged to the applicant.
- 17.4** If the Court finds that the alleged incompetent or a ward is indigent, the Court may waive the court costs, fees and costs of investigation.
- 17.5** The fee for the investigation will be fifty dollars (\$50.00) plus any additional mileage costs per the current Belmont County Commission policy established and approved rates.

17.6 Indigent Guardianship Fund

Costs, fees charges, and expenses may be paid from the Indigent Guardianship Fund established by this Court to attorneys for the following purposes:

- (A) The establishment, opening, maintenance, or termination of a guardianship of the person only.
- (B) The hourly rate approved by the Court is a maximum of seventy-five dollars (\$75.00) per hour.
- (C) A maximum fee of three hundred dollars (\$300.00) per case for routine guardianships of the person and a maximum of five hundred dollars (\$500.00) per case for other guardianships of the person may be approved by the Court. In the case of multiple guardianship

filings within the same family, the maximum fee applies to all cases collectively.

(D) All fees must receive Court approval before payment.

Other expenditures may be approved by the Court from the Indigent Guardianship Fund in the Court's discretion and pursuant to O.R.C. §2111.51.