

# Volunteer Guardianship Program of Coshocton County

*Helping Those Who Cannot Help Themselves*

Judge Van Blanchard II,  
Coshocton County Probate Court

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## **How Did the Program Get Started?**

There has been a growing realization over the years that a guardianship program was needed in Coshocton County to provide volunteers to serve as guardians for those individuals who were no longer able to make basic life decisions for themselves and had no one else to assist them.

Coshocton County Probate Court Judge Van Blanchard II, concerned by the growing need for guardians, an insufficient number of individuals available for appointment in that capacity, and often times a lack of funds is spearheading this forum. The Coshocton

County Probate Court will oversee this program and looks forward to serving the needs of the people of Coshocton County.

### **What is the Mission of the Program?**

The Mission of the Volunteer Guardianship Program is to enhance the quality of life of adults living in Coshocton County who have been deemed by the Probate Court to be incompetent, by providing qualified legal guardians to serve as concerned, caring advocates and as surrogate decision-makers

### **What is Guardianship?**

There may come a time in the lives of some individuals in our community when, due to disease, age, mental illness or retardation, or substance abuse, they are no longer capable of managing themselves (their “person”), their property and assets (their “estate”) or both. Under Ohio law, such a person is said to be incompetent. These individuals are in desperate need of having someone to assist them, to treat them with dignity and respect and help make basic decisions in life that most of us take for granted, like where are they going to live, what medical care are they going to need, etc. A finding of incompetency by the Probate Court will result in the appointment of a guardian to assist the “ward” thus establishing a legal relationship called a guardianship.

There are three basic forms of guardianships; guardians of the estate, guardians of the person and guardians of the person and the estate. Generally, a person who is appointed a guardian of the estate is charged with all decision making and management of their ward’s financial affairs. This includes, but is not limited to, collecting money owed to the ward, make payments on behalf of the ward, managing and overseeing their assets and providing for their care and maintenance.

A guardian of the person is responsible for the medical care, health, and well-being of the ward. The guardian of the person is responsible for seeking services that will help the ward reach or maintain his or her highest degree of functionality in the least restrictive environment as possible. The guardian is also responsible for assuring that the ward’s rights and dignity are defended. Some of the decisions a guardian of the person will make for the ward will relate to such issues as medical and surgical services, rehabilitative services, recreational services, and residency. A guardian of the person will also be required to give consents on behalf of their ward for receiving medical services, surgery, receiving non-residential services such as counseling, education, vocational rehabilitation, releasing confidential records, releasing others (i.e. providers) from liability such as photographs, field trips, special activities and the like, and receiving residential services (i.e. placement).

A person who is designated a guardian of the person and the estate has responsibility for all of these functions on the ward's behalf.

### **Why is a Volunteer Guardianship Program Needed?**

Usually, a family member or close friend will be the first choice of the Court to be appointed to serve as a guardian. For a wide variety of reasons, however, there continue to be cases where no suitable person either exists or is willing and able to serve as the guardian. In the past, the Court has turned to local attorneys to serve as guardians in these cases; however, the attorney fees associated with their services come at an additional cost to Coshocton County. Also, the number of such cases has grown to the point that local attorneys cannot absorb all of them.

This program is designed to fill that void. The Volunteer Guardianship Program of Coshocton County is designed to meet the needs of individuals in our community who need assistance making decisions that affect their lives. The program will recruit, screen, train and support guardians for our county residents who require a court-appointed guardian. Our volunteer guardians will only be the guardians of "the person". This means that no money or other financial assets of the client will be administered by this program as well as no costs for their services being an additional burden to Coshocton County.

**Please consider giving your time and talents to assist us in helping those who cannot help themselves.**

### **Who Can Serve as a Guardian?**

Under the law of this state, to be appointed by the Court as a guardian, you must be

- a resident of this State
- at least 18 years of age (our program requires our volunteer to be at least 21 years of age)
- a law-abiding citizen

### **What Does a Volunteer Guardian Do?**

The Volunteer Guardianship Program is only involved in Guardianship of the Person cases and will not be in control of or responsible for any of the ward's finances (the Estate). Some of the responsibilities of a guardian of the person are as follows:

- Seeing that the basic needs of the ward are being met and ensure that he or she is living and functioning in the least restrictive environment possible;

- Seeking services that will help the ward reach or maintain the highest possible potential;
- Authorize, or approve of the provision of, medical care, counseling or other treatment;
- Execute releases of information, liability, etc., on the ward's behalf;
- Make end of life decisions for the benefit of the ward.

**Purpose:**

Guardians are appointed by the Probate Court to make or help make health-care and residential decisions the ward is unable to make independently, and to assure that the person's rights and dignity as a person are defended.

**Responsibilities:**

1. Fulfill all Probate Court requirements, specifically to:
  - a. Attend court hearings and follow the Oath of Guardianship.
  - b. Submit the Guardian's Report, Annual Plan and Statement of Expert Evaluation within the first six months of being appointed as guardian and then annually thereafter with the assistance of the Advisor of the Volunteer Guardianship Program.
  
2. In all medical and placement decisions, function as a surrogate family and advocate for the ward.
  
3. Introduce yourself to the residential facility staff and present your copy of the Letters of Guardianship to ensure that all recognize your role in making decisions on behalf of your ward.
  - a. Provide a copy of guardianship letters to be included in ward's medical/chart records.
  - b. Provide the Volunteer Guardianship Program of Coshocton County contact information with a list of contact numbers.
  
4. Visit ward regularly to observe and note any and all indications of health status and general well-being.
  
5. As your ward's advocate, you will need to:
  - a. Address with specific staff members, doctors, and residential administration any service needs or concerns.
  - b. Attend all care conferences (often held quarterly).

6. Notify Volunteer Guardianship Coordinator of any deficiencies or concerns not remedied in a timely manner.
7. Participate in Volunteer Guardianship Program meetings and other training opportunities, as applicable.
8. Notify residential facility, the attorneys of record, and Volunteer Guardianship Program Coordinator of changes in your contact information, including short-term occasions when you cannot be reached by your usual telephone number or address or when you will be out of town for more than 24 hours

### **How Does One Become a Volunteer Guardian?**

If you are interested in becoming a volunteer guardian, contact the Coshocton County Probate Court or click on the following link to obtain an application. [Volunteer Guardianship Application Form](#)

### **Training Sessions**

Prospective Volunteer Guardians must attend a training session to be eligible for appointment. Please complete a Volunteer Application Form and return it to Kelly Bratton at the Coshocton County Probate Court, 426 Main Street, Coshocton, OH 43812.

After the initial orientation and training provided to new volunteers to the program, ongoing training will be provided by the Court to all volunteers on an annual basis. Volunteers in the program will be required to attend the sessions each year. These sessions will include topics and speakers of interest to guardians and provide an opportunity for questions and answers with the Volunteer Guardianship Program Advisor and with other volunteers. Please feel free to contact the Volunteer Guardianship Advisor if you have suggestions for topics to be covered in these ongoing training sessions.

### **Volunteer Application Form**

To obtain a copy of the application form to become a volunteer guardian, contact Coshocton County Probate Court or simply click on the following link.

- [Volunteer Guardianship Application Form](#) - PDF
- [Volunteer Guardianship Application Form](#) - MS Word