



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [H.B. 624 of the 130th G.A.](#) **Date:** December 3, 2014
Status: As Reported by House Policy and Legislative Oversight **Sponsor:** Rep. Pelanda

Local Impact Statement Procedure Required: No

Contents: Ohio guardianship guide

State Fiscal Highlights

- The Attorney General has already developed and printed an Ohio guardianship guide and is preparing to pay for the cost of distributing copies to probate courts.

Local Fiscal Highlights

- It is expected that probate courts generally will be able to incorporate the bill's requirements into their daily operations without requiring any additional staff.
- As the Ohio guardianship guide summarizes existing rights, local governments (in particular counties) should incur no additional costs if they are fulfilling their obligations under current law.

Detailed Fiscal Analysis

The bill requires the probate court to furnish an Ohio guardianship guide to appointed guardians and to establish a form for a guardian to sign acknowledging receipt of the guardianship guide. These requirements are conditioned upon the Attorney General preparing such a guide, which the bill does not require or authorize.

As of December 2013, there were 61,076 active cases involving wards in Ohio. The number of guardians however is not recorded in an easily retrievable form. It is probably safe to say though that the number of guardians statewide is likely to be significantly fewer than the number of wards. The table below contains a summary of those active guardianship cases in nine counties selected on the basis of their size of population. Those counties are as follows: three with large populations (Cuyahoga, Franklin, and Hamilton), three with medium-sized populations (Summit, Lake, and Medina), and three with small populations (Hardin, Wyandot, and Vinton). The last row of the table displays the same information for the entire state.

| Guardianship Cases Pending in Ohio as of December 31, 2013 for Certain Counties | | | | | |
|--|--------------------------|--------------------------------|--------------------------------------|--------------------------------|----------------------------|
| County | County Population | Guardianships of Minors | Guardianships of Incompetents | Temporary Guardianships | Total Guardianships |
| Cuyahoga | 1,280,109 | 3,774 | 8,004 | 0 | 11,778 |
| Franklin | 1,163,414 | 1,918 | 3,974 | 35 | 5,927 |
| Hamilton | 802,374 | 940 | 2,833 | 3 | 3,776 |
| Summit | 541,786 | 279 | 2,160 | 0 | 2439 |
| Lake | 230,038 | 391 | 821 | 7 | 1,219 |
| Medina | 172,332 | 261 | 543 | 10 | 814 |
| Hardin | 32,058 | 21 | 82 | 0 | 103 |
| Wyandot | 22,615 | 38 | 66 | 6 | 110 |
| Vinton | 13,435 | 16 | 76 | 0 | 92 |
| STATEWIDE | 11,536,503 | 14,476 | 45,858 | 742 | 61,076 |

* Population data is from 2010 Census. Guardianship data is from the Supreme Court's 2013 Ohio Courts Statistical Report.

The Attorney General has already developed and printed 55,000 Ohio guardianship guides and is in the process of distributing a sufficient number to the probate court in each of Ohio's 88 counties. The printing cost totaled \$15,400. A copy of the guide is currently available to download at the Attorney General's website.

Based on a conversation with the Ohio Clerk of Courts Association, it appears that probate courts generally have sufficient resources, including staffing levels, to comply with the bill's requirements. This includes furnishing the guide to guardians and the latter's signing a form acknowledging receipt of the guide. The guide is furnished upon the guardian's appointment or upon the first filing of a specified account or report.

The Ohio guardianship guide states the rights that a ward is entitled to under current law. It does not enumerate any new or additional rights. Thus local governments, in particular counties, will not incur costs beyond what they should be incurring in fulfilling their obligations under current law.