

Medina County Common Pleas Court
PROBATE DIVISION

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EMERGENCY GUARDIANSHIP/EMERGENCY ORDERS

1. The primary consideration when requesting either an emergency guardianship or an emergency order is that the prospective ward be **Incompetent**. A person is not incompetent solely because they refuse recommended treatment. It is also essential to determine that there is an **emergency** that will harm the ward within a twenty-four (24) hour period. Issues of concern to health care providers or family members are not sufficient, in and of themselves, to warrant emergency measures. The nature of the harm to the ward must be **immediate** and **significant**. All available alternatives must be explored.
2. Upon the filing of an Application of Appointment of Emergency Guardianship, the Supplement for Emergency Guardianship of Person, and the Statement of Expert Evaluation, the Court may appoint an emergency guardian when the ward needs imminent attention, although his/her situation may not be life-threatening. Similarly, there may be times that Notice to the Ward must be dispensed with or delayed until service of the routine Application or Motion to Continue the Emergency Guardianship.
3. EMERGENCY GUARDIANSHIP AND EMERGENCY ORDERS SHOULD BE USED AS A LAST RESORT.