

Cover Page for Statement of Expert Evaluation

Attention: Please thoroughly review these instructions and resources before completing the Statement of Expert Evaluation.

Purpose and Impact

The Statement of Expert Evaluation is a form required by the Supreme Court of Ohio to initiate or continue the guardianship of an adult with a mental impairment. It may also be used to support a request to terminate a guardianship.

This form is a critical piece of evidence presented about the respondent's mental impairment, functional abilities, and prognosis. It is heavily relied upon by the Probate Court in deciding whether to appoint or continue a guardianship.

Guardianship is a serious legal imposition on an adult's right to make their own decisions. Once a guardian is appointed for a person, the guardianship often remains in place for the person's lifetime. Therefore, it is very important that the decision to appoint or continue a guardianship be accurate and necessary.

Guardianship should not be recommended solely based on a diagnosis or IQ score, but rather considering the person's decision-making capacity and the appropriateness of less-restrictive alternatives to guardianship.

Alternatives include:

- Informal supports and accommodations from family members, friends, professionals, and service providers
- Supported decision-making, where trusted supporters assist the person in understanding, communicating, and implementing their own decisions
- Powers of attorney
- Financial management supports such as payees and trustees

Avoid Common Errors

Only a licensed physician or licensed clinical psychologist may complete a Statement of Expert Evaluation to initiate a guardianship. A licensed independent social worker, licensed professional counselor, or intellectual/developmental disability team member may complete a Statement of Expert Evaluation to continue or terminate a guardianship.

The original Statement of Expert Evaluation must be filed with the court. Sign the completed statement in ink (preferably blue) and provide the original document to the guardian or applicant for guardianship for filing.

The Statement of Expert Evaluation must be based on an examination or evaluation that occurred within three months of the report being filed with the court.

Ohio law requires that guardianship only be established if it is the last resort—the least restrictive alternative that will meet the person's needs. If the person has capacity to make decisions with support or accommodations, or if advanced directives such as a power of attorney are in place, guardianship should not be recommended. See <https://dodd.ohio.gov/your-family/advocacy/SDM-Toolkit-Healthcare> for more information.

