

PROBATE COURT OF PORTAGE COUNTY, OHIO
PATRICIA J. SMITH, JUDGE

IN THE MATTER OF _____, AN ADULT
CASE NO. _____

**ORDER AUTHORIZING THE PROVISION OF
PROTECTIVE SERVICES**
[R.C. 5101.682]

This case came before the Court on _____, 20____ for a hearing on a Petition for Protective Services filed by Portage County Department of Job and Family Services seeking an Order authorizing Petitioner to provide protective services for the Adult identified in the Petition. The Adult and all other persons entitled by law or required by order of this Court received proper notice of this hearing.

Petitioner was present at the hearing with representation through the Greene County Prosecutor's Office.

The Adult ☐ was present in person at the hearing ☐ was not personally present at the hearing.

The Adult ☐ was represented by personal legal counsel selected by the Adult ☐ was represented by court-appointed legal counsel ☐ knowingly waived the right to be represented by legal counsel.

Based upon the evidence produced at the hearing, the Court finds all of the following by clear and convincing evidence:

1. The person who is the subject of this Petition is over 60 years of age living in an independent living arrangement and is incapacitated for the reasons stated in the Petition, which prevents the Adult from providing for proper self-care or protection.
2. The Adult is impaired to the extent of lacking sufficient understanding or capacity to make and carry out reasonable decisions concerning the Adult's self or resources, with or without the assistance of a caretaker, as alleged in the Petition.
3. The Adult has been abused, neglected or exploited, as alleged in the Petition.
4. The Adult is in need of protective services for the prevention, correction or discontinuance of acts or conditions resulting from abuse, neglect or exploitation, as alleged in the Petition.
5. The Adult has not consented to protective services and there is no other person authorized by law or court order available to give consent to protective services on the Adult's behalf.
6. ☐ Placement is not an issue in this case. ☐ With respect to placement of the Adult, the Court makes the following specific findings:
 - a. The Court has given due consideration to the Adult's choice of residence.
 - b. ☐ The Court finds that institutional placement of the Adult is not required or contemplated at this time, but that the placement Petitioner proposes in the Petition is in a setting sufficient for the Adult's present needs and approved by Petitioner as meeting at least the minimum community standards for safety, security and the requirements of daily living.
 - c. ☐ The Court finds that institutional placement of the Adult is required, as stated in the Petition. The Court specifically finds that under the particular facts of this case, no less restrictive alternative can be found to properly meet the needs of the Adult.

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The Court further finds that the protective services Petitioner proposes in the Petition are reasonable, necessary and in the Adult's best interest. The Court approves the Protective Services Plan attached to the Petition as Exhibit B and incorporates it into this Order as if fully rewritten.

Therefore, the Court Orders that Portage County Job and Family Services is authorized to provide, or arrange for the provision of, all of the protective services described in the Protective Services Plan for the Adult. Any refusal to comply with this Order, or interference with the provision of protective services for the Adult, will constitute contempt of court and will subject the person or entity so refusing or interfering to appropriate sanctions, as provided by law.

This Order remains in effect for a period of six months, unless terminated earlier by Petitioner or by further order of this Court. Before expiration of this Order, Petitioner may apply for renewal of this Order for additional periods not exceeding one year each. The Adult may petition this Court for modification of the court-ordered services at any time.

It is so ordered.

Patricia J. Smith, Probate Judge