



**SERVICE.  
INTEGRITY.  
COMPASSION.**

**A message from Judge Elinore Marsh Stormer**

As your Probate Judge, I urge you to carefully read this information about advance directives. Some of the most difficult decisions we may make deal with health care, business and personal affairs for those who have not made their choices known.

As relates to health care, advance directives give you a way to let your family, friends and health care providers know your wishes about whether you would want to be maintained on life-support or what kind of other medical treatment you might want if you are unable to communicate your choices.

Ideally, you should have a conversation about your care with those people who are important to you. I know this can be very uncomfortable. A good resource to begin this process is The Conversation Project, a website dedicated to helping people of all ages talk with loved ones about their choice for treatment, before a medical crisis happens.

Judge Elinore Marsh Stormer  
Court of Common Pleas, Probate Division



**ADVANCE DIRECTIVES**



**SUMMIT COUNTY  
PROBATE COURT**

**FOR MORE INFORMATION ABOUT ADVANCE DIRECTIVES**

**Summit County Probate Court**  
Help Desk: 330-643-2323  
[www.summitohioprobate.com](http://www.summitohioprobate.com)

**Akron Bar Association**  
57 South Broadway  
Akron, Ohio 44308  
330-253-5007  
[www.akronbar.org](http://www.akronbar.org)

**Community Legal Aid**  
50 South Main Street, Suite 800  
Akron, Ohio 44308  
330-535-4191  
[www.communitylegallaid.org](http://www.communitylegallaid.org)

**Midwest Care Alliance**  
2233 North Bank Drive  
Columbus, OH 44320  
614-763-0036  
[www.midwestcarealliance.org](http://www.midwestcarealliance.org)

**The Conversation Project**  
[www.theconversationproject.org](http://www.theconversationproject.org)

**Ohio Department of Mental Health**  
30 East Broad Street, Floor 8  
Columbus, Ohio 43215  
614-466-2596  
[www.mh.state.oh.us](http://www.mh.state.oh.us)

**Ohio Hospital Association**  
155 East Broad Street  
Columbus, Ohio 43215  
614-221-7614  
[www.ohanet.org](http://www.ohanet.org)

**Ohio State Bar Association**  
1700 Lake Shore Drive  
Columbus, Ohio 43204  
1-800-282-6556  
[www.ohiobar.org](http://www.ohiobar.org)

**Ohio State Medical Association**  
3401 Mill Run Drive  
Hilliard, Ohio 43026  
1-800-766-6762  
[www.osma.org](http://www.osma.org)



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Adoptions: (330) 643-2326  
Help Desk: (330) 643-2323  
Guardianships: (330) 643-8771  
Community Outreach: (330) 643-2332

**Summit County Probate Court Hours**  
Open Monday through Friday  
8:00 a.m. to 4:00 p.m.

[www.summitohioprobate.com](http://www.summitohioprobate.com)



## SUMMIT COUNTY PROBATE COURT SERVICE. INTEGRITY. COMPASSION.

### What is the role of Summit County Probate Court regarding my health care and end-of-life decisions?

In the event you are unable to make health care and/or end-of-life decisions, and you do not have advance directives, the Court may become legally responsible for making these decisions for you. Properly drafted advance directives reduce the need for family disagreement and Court intervention. The Court is committed to respecting your wishes about the care and medical treatment you receive in the event you are unable to speak for yourself.

### What is an Advance Directive?

Advance directives allow you to express your wishes regarding personal, business, health care and end-of-life decisions. If you are unable to make your own decisions, advance directives provide reassurance that your affairs will be conducted in the manner you desire. The individuals you name in your advance directives as your attorneys-in-fact or agents will have control over your life and your assets. Therefore, you should carefully select these individuals.

### How long is an Advance Directive good for and can I change it?

Most advance directives remain in effect unless you make changes. All advance directives can be changed at any time as long as you are competent to make decisions.

### How do I get started?

You can begin to think about the situations you are likely to face by talking to your physician and a legal representative. Then, you should decide what is most important to you, and what you would want. It is best if you can talk to your family, but this may not feel right to you. In any case, you should make sure the person you name as your decision-maker understands what the role involves.

Several types of advance directives exist under Ohio law. Advance directives are legal documents and it is strongly recommended that you consult an attorney in order to make sure you fully understand the documents and to make sure the documents are properly executed.

### LIVING WILL

A Living Will tells your family and health care providers what you want in regards to life-sustaining treatment. It records your decisions about artificially or technologically supplied nutrition and hydration being withheld or withdrawn if you are unable to make informed medical decisions AND you are in a terminal condition OR in a permanently unconscious state. A Living Will can be modified or revoked by you at anytime.

### DO-NOT-RESUSCITATE (DNR) FORM

The Ohio Do-Not-Resuscitate (DNR) Law allows you to choose to limit the care you would receive in emergency situations in special circumstances. This includes care received from emergency personnel when 911 is dialed. A DNR tells the treating physician to follow the DNR Law and it authorizes him/her to write an order advising health care personnel that a patient does not wish to be resuscitated in the event of cardiac arrest or respiratory arrest. This is separate from a Living Will.

### ORGAN AND TISSUE DONATION

Ohio law requires that a Living Will include a person's preferences about organ and tissue donation. There are two ways to register your preferences. You can complete the Donor Registry Enrollment Form, which is a part of your Living Will, or you can state your preferences when you renew your State of Ohio ID or Driver's License.

### DECLARATION FOR FUNERAL ARRANGEMENTS

A Declaration for Funeral Arrangements designates a representative to decide how to dispose of your body. Your instructions to your representative can include that your body be buried, cremated or donated to science. This document will prevent disagreement as to how you wish your remains to be handled.

### POWER OF ATTORNEY

A Power of Attorney can be very useful, but because it lets another person make decisions for you, you should be very careful about signing such a document. The person giving the power(s) under a power of attorney is called the principal or grantor. The person who receives the authority is called the attorney-in-fact or agent. The attorney-in-fact has the same power to make decisions on behalf of the principal just as the principal could. A power of attorney is only good during the lifetime of the principal.

A power of attorney can be either durable or non-durable. "Durable" means that the power to make decisions continues if the principal becomes incapacitated or incompetent. "Non-durable" means the powers stop if the principal becomes incapacitated or incompetent.

### There are three types of Powers of Attorney:

#### GENERAL POWER OF ATTORNEY

This document authorizes the attorney-in-fact to act on the principal's behalf in business and personal transactions, but it **cannot** be used to make health care decisions. It allows someone else to control all of your bank accounts, for example.

#### DURABLE POWER OF ATTORNEY FOR HEALTH CARE

This document authorizes the attorney-in-fact to make health care decisions for the principal if the principal becomes unable to make them. It may be used in all types of health situations, not just when the principal is terminally ill or permanently unconscious. For example, this document allows the attorney-in-fact to make decisions on the principal's behalf if the principal becomes temporarily unconscious. This document will not overrule a Living Will.

#### LIMITED POWER OF ATTORNEY

This document authorizes the attorney-in-fact to act on the principal's behalf in specific and limited situations, but it cannot be used to make health care decisions. You may designate someone to act in just certain areas and you select the areas of authority.

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For more information, visit our website at

[www.summitohioprobate.com](http://www.summitohioprobate.com) or call us at 330-643-2350

