
MINOR GUARDIANSHIP

CHIPPEWA COUNTY
PROBATE OFFICE
711 N. BRIDGE ST
CHIPPEWA FALLS WI 54729

HOURS:
MONDAY – FRIDAY
8:00 AM – 4:30 PM

PHONE: 715-726-7737

NOTE: This guideline is provided only as a public service and is not meant to be legal advice. The Register in Probate office cannot give legal advice or complete the forms for you; please contact an attorney if you have legal questions.

TO OPEN A TEMPORARY MINOR GUARDIANSHIP: complete and file the following with the Register in Probate office:

- GN – 3290 Petition for Guardianship of Minor
- GN – 3310 Waiver and Consent to Petition for Guardianship of Minor
- GN – 3300 Order for Hearing Petition for Guardianship of Minor
- GF – 0131 Order Appointing Guardian ad Litem
- GN – 3230 Consent to Serve as Temporary Guardian
- GN – 3320 Nomination of Guardian by a Minor

Prior to Hearing:

- GN – 3120 Affidavit of Service
- GN – 3250 Order on Petition for Guardianship of Minor
- GN – 3260 Letters of Temporary Guardianship of the Person
- GN – 3265 Letters of Temporary Guardianship of the Estate

HEARING:

- The Register in Probate office will schedule a hearing on the temporary guardianship petition no earlier than 48 hours after the petition is filed.
- The petitioner shall give notice of the petition to the proposed ward before or when the petition is filed. The Petitioner shall give notice of the Order for Hearing on the proposed ward before the hearing or not later than 3 calendar days after the hearing. If notice is served after the hearing, the petitioner shall include the court's order (if entered).
- The petitioner is responsible for serving the Petition and the Order for Hearing on all interested parties listed on the petition by mail or by personal service.
- The Court will appoint a Guardian ad Litem (GAL) but the petitioner is responsible to pay the GAL's fees.
- The Guardian ad Litem shall attend the hearing in person, by telephone or shall provide a written report concerning the proposed ward to the court.

TIMELINES:

- The temporary guardianship is valid for 60 days and can be renewed for an additional 60 days.
- A Petition to Extend Temporary Guardianship must be filed with the Court **prior** to the expiration of the first 60 days.

- GN – 3270 Petition to Extend Temporary Guardianship
- GN – 3280 Order to Extend Guardianship

- If the Court does not receive the Petition to Extend Temporary Guardianship and Order to Extend Guardianship, the temporary guardianship will expire.
- The file will be closed and the temporary guardianship will expire after either the first 60 days expiration date (if not extended) or after the second 60 days expiration date.
- During the term of the temporary guardianship, a hearing may be held to request a permanent guardian *prior* to the expiration date.
- **Note:** pursuant to 54.50(2), Wis. Stats., the court may impose no further temporary guardianship on the ward for at least 90 days after the expiration of the temporary guardianship.

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FEES: If the Register in Probate office supplies the forms, a \$6.00 form fee is charged. If certified copies of the Letters are requested, the fee is \$4.00 for a one-page document, \$5.00 for a two-page document, \$6.00 for a three-page document, etc.

TO OPEN A PERMANENT MINOR GUARDIANSHIP: complete and file the following:

- GN – 3290 Petition for Guardianship of Minor (can be requested at same time as temporary guardianship)
- GN – 3310 Waiver and Consent to Petition for Guardianship of Minor
- GN – 3300 Order and Notice of Hearing Petition for Guardianship of Minor
- GF – 0131 Order Appointing Guardian ad Litem
- GN – 3320 Nomination of Guardian by a Minor
- GN – 3140 Statement of Acts by Proposed Guardian and Consent to Serve as Guardian

HEARING/GIVING NOTICE:

- A hearing will be scheduled. Copies of the Petition and the Order for Hearing will be provided to the petitioner.
- The petitioner is responsible for serving the Petition and the Order for Hearing at least 10 days prior to the hearing as follows: personal service on the proposed ward; service on all interested parties listed on the petition by mail or personal service.
- The Court will appoint a Guardian ad Litem but the petitioner is responsible to pay the GAL fees.

PRIOR TO THE COURT HEARING: file the following documents:

- GN – 3120 Affidavit of Service showing that the petitioner complied with sec. 54.38, Wis. Stats., for notice requirements
- GN – 3325 Report of Guardian ad Litem
- GN – 3330 Determination and Order on Petition for Guardianship of Minor
- GN – 3340 Letters of Guardianship of the Person of Minor
- GN – 3345 Letters of Guardianship of the Estate of Minor

CERTIFIED COPIES: Request for certified copies may be made in person or by mail. If the request is by mail, please enclose the correct fee **and** a stamped, self-addressed return envelope. Payment must be received before the issuance of certified copies.

ADDITIONAL INFORMATION: After the permanent guardianship hearing, additional information will be sent to the guardian.

NOTE: if you are appointed permanent guardian of the estate of the minor, an inventory is due 60 days after appointment. A statutory inventory filing fee is due when the inventory is filed. The fee is .2% of the assets or a minimum of \$20.00 if the assets are under \$50,000.00. See sec. 814.66, Wis. Stats.

FORMS: additional/duplicate forms can be found at: www.wicourts.gov