
APPOINTMENT OF STANDBY OR SUCCESSOR GUARDIAN

CHIPPEWA COUNTY
PROBATE OFFICE
711 N. BRIDGE STREET
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; please contact an attorney if you have legal questions. This Guideline is subject to change or amendments.

A Standby Guardian is appointed by a court to assume duties if the present guardian dies, becomes incapacitated or resigns. A Successor Guardian is appointed by a court to replace a guardian who either has resigned, been removed or died. To petition the Court for appointment of a Standby or Successor Guardian, complete and file the following with the Register in Probate Office:

- | | | |
|--------------------------|-----------|----------------------------------------------------------------------|
| <input type="checkbox"/> | GN – 3435 | Petition for Appointment of Standby/Successor Guardian |
| <input type="checkbox"/> | GN – 3140 | Statement of Acts by Proposed Guardian and Consent to Serve |
| <input type="checkbox"/> | GN – 3400 | Resignation of Guardian or Conservator (only for Successor Guardian) |
| <input type="checkbox"/> | GN – 3110 | Order and Notice of Hearing |
| <input type="checkbox"/> | GF – 131 | Order Appointing Guardian ad Litem* |

***A GUARDIAN AD LITEM (ATTORNEY) WILL NEED TO BE APPOINTED FOR THE INCOMPETENT PERSON (WARD) TO REPRESENT THE BEST INTERESTS OF THE WARD** (Form GF-131). The Guardian ad Litem will be appointed by the Court. The Petitioner will be responsible for his/her fee unless the Court makes a determination otherwise. The Guardian ad Litem will meet with the ward and proposed successor or stand by guardian and will make a recommendation to the court.

HEARING AND NOTICE REQUIREMENT: A hearing will be scheduled by the Probate Court and the Order and Notice of Hearing (GN-3110) will be signed and copy provided to petitioner. The Petitioner shall serve notice of the Petition for Standby or Successor Guardian and the Order and Notice of Hearing on the ward and all interested persons either in person or by mail at least 10 days prior to hearing. See Wis. Stat. 54.38(2)(a) and (b) for interested persons. It can be found at: <http://www.legis.state.wi.us/rsb/Statutes.html>.

THE COURT HEARING: Forms to have completed and with you at time of hearing:

- | | | |
|--------------------------|-----------|----------------------------------------------------------------------------------|
| <input type="checkbox"/> | GN – 3120 | Affidavit of Service |
| <input type="checkbox"/> | GN – 3437 | Order on Petition for Standby Successor Guardian Due to Incompetency |
| <input type="checkbox"/> | GN – 3200 | Letters of Guardianship of the Person (only with request for Successor Guardian) |
| <input type="checkbox"/> | GN – 3210 | Letters of Guardianship of the Estate (only with request for Successor Guardian) |

CERTIFIED COPIES: of Letters of Guardianship are available from the Register in Probate Office. The certification fee is \$3.00, plus \$1.00 for each page copied or certified.

FORMS: guardianship forms are available on the Wisconsin Court System website at www.wicourts.gov by clicking on “Forms”, “Circuit Court”, then “Guardianship”.

ADDITIONAL RESOURCE: Information concerning guardianships and questions you may have with regard to acting in this capacity may be obtained at the Coalition of Wisconsin Aging Groups website: www.cwag.org/legal/guardian-support.