

IN THE INTEREST OF

Amended

Name \_\_\_\_\_

**Report of Guardian ad Litem for  
Guardianship of a Child  
 (§48.9795, Wis. Stats.)**

Date of Birth \_\_\_\_\_

Case No. \_\_\_\_\_

I am the court appointed Guardian ad Litem for the above-named child and report to the court that I have completed the following duties and make the following report and recommendations:

**GENERAL DUTIES**

1. I conducted a diligent investigation sufficient to represent the best interests of the child in court, which included the following activities: (Select all that apply)

I personally met with or observed the child. The date last met with or observed the child was [Date] \_\_\_\_\_.

I personally met with or spoke to the proposed guardian.

I personally met with or spoke to other interested persons, including: \_\_\_\_\_.

I personally visited the home of the  child and/or  guardian.

A trained designee [Name] \_\_\_\_\_ performed the following: \_\_\_\_\_.

Additional activities: \_\_\_\_\_  See attached

2. I inspected the following reports and records relating to the child and, upon presentation of necessary releases, records relating to the child's family and the proposed guardian: \_\_\_\_\_

**CHILD'S WISHES**

3. The best interests of the child  are  are not substantially inconsistent with the wishes of the child.

Adversary counsel  is  is not requested by the minor.

Adversary counsel  is  is not recommended.

**RECOMMENDATION**

4. Based on my investigation, I recommend that the court find that:

It is in the best interest of the child to appoint the proposed guardian [Name] \_\_\_\_\_ as the child's guardian.

It is in the best interest of the child to appoint another person [Name] \_\_\_\_\_ as the child's guardian.

It is not in the best interest of the child to grant the proposed guardianship.

5. It is my opinion that the proposed guardian [Name] \_\_\_\_\_  is  is not fit, willing, and able to serve as guardian of the child based on the following information: \_\_\_\_\_

See attached

6. It is my opinion that the proposed successor guardian [Name] \_\_\_\_\_  is  is not fit, willing, and able to serve as guardian of the child based on the following information: \_\_\_\_\_

See attached

7. It is my opinion that the standard for the following type of guardianship and conditions have been met:

**Full Guardianship**

- All of the duties and authority specified in §48.023, Wis. Stats., the duty and authority to make important decisions in matters having a permanent effect on the life and development of the child and the duty to be concerned about the child's general welfare, including but not limited to:

- The authority to consent to marriage, enlistment in the U.S. armed forces, major medical, psychiatric and surgical treatment, and obtaining a motor vehicle operator's license.
- The authority to represent the child in legal actions and make other decisions of substantial legal significance concerning the child but not the authority to deny the child the assistance of counsel as required by Chapter 48.
- The right and duty of reasonable visitation of the child.
- The rights and responsibilities of legal custody except when legal custody has been vested in another person or when the child is under the supervision of the department of corrections under §§938.183, 938.34 (4h), (4m), or (4n), or §938.357 (3) or (4), Wis. Stats., or the supervision of a county department under §938.34 (4d), (4m), or (4n), Wis. Stats.
- Subject to an order of a court of competent jurisdiction, the authority to determine reasonable visitation with the child.
- The right to change the residence of the child from this state to another state.
- The duty to immediately notify the court that appointed the guardian of any change in the address of the guardian or child and to make an annual report to that court on the condition of the child. The report shall include the location of the child, the health condition of the child, and any recommendations regarding the child.

**Limited Guardianship**

- The following duties and authority should apply to the guardian:
  - The authority to represent the child in legal actions and make other decisions of substantial legal significant concerning the child but not the authority to deny the child the assistance of counsel as required by Chapter 48.
  - The right and duty of reasonable visitation of the child.
  - The rights and responsibilities of legal custody except when legal custody has been vested in another person or when the child is under the supervision of the department of corrections under §§938.183, 938.34 (4h), (4m), or (4n), or §938.357 (3) or (4), Wis. Stats., or the supervision of a county department under §938.34 (4d), (4m), or (4n), Wis. Stats.
  - Subject to an order of a court of competent jurisdiction, the authority to determine reasonable visitation with the child.
  - The right to change the residence of the child from this state to another state.
  - The duty to immediately notify the court that appointed the guardian of any change in the address of the guardian or child and to make an annual report to that court on the condition of the child. The report shall include the location of the child, the health condition of the child, and any recommendations regarding the child.
  - Other: \_\_\_\_\_
- It is my opinion that the guardian's authority should be limited in the following manner:
  - The parent [Name] \_\_\_\_\_ retains power to make the following decisions within the parent's ability to exercise effectively: \_\_\_\_\_.
  - Other: \_\_\_\_\_.
- The Limited Guardianship should expire on: \_\_\_\_\_.

**Temporary Guardianship**

- The duties and authority of the temporary guardian should include:
  - \_\_\_\_\_.
  - \_\_\_\_\_.
  - \_\_\_\_\_.
  - \_\_\_\_\_.
- The Temporary Guardianship should expire on [Date] \_\_\_\_\_. **[Not to Exceed 180 days]**

**Emergency Guardianship**

- The duties and authority of the emergency guardian should include:
  - \_\_\_\_\_.
  - \_\_\_\_\_.
  - \_\_\_\_\_.
  - \_\_\_\_\_.
- The Emergency Guardianship should expire on [Date] \_\_\_\_\_. **[Not to Exceed 60 days]**

8. I recommend that the court establish reasonable rules of parental visitation for:  
 Parent 1 [Name] \_\_\_\_\_. These rules include: \_\_\_\_\_  
 \_\_\_\_\_  See attached  
 Parent 2 [Name] \_\_\_\_\_. These rules include: \_\_\_\_\_  
 \_\_\_\_\_  See attached

9. **PROTECTIVE PLACEMENT, PROTECTIVE SERVICES (if requested)**  
 It is my opinion that the court  
 should  should not approve protective placement.  
 should  should not approve protective services.  
 should find the least restrictive placement consistent with the minor's needs is a:  
 group home.  foster home.  community based residential facility.  nursing home.  
 intermediate care facility.  Other: \_\_\_\_\_  
 in an unlocked unit.  
 in a locked unit because: \_\_\_\_\_  See attached  
 should find that protective placement in the intermediate facility or nursing facility is the most integrated setting appropriate to the needs of the minor with a developmental disability.

10. **ADDITIONAL EVALUATIONS (if requested)**  
 Additional medical, psychological or other evaluation  is not requested  is requested. Specify evaluation requested and reason: \_\_\_\_\_  
 I advised the minor of the right to an independent medical or psychological examination (if requested).

11. Additional comments: \_\_\_\_\_

 \_\_\_\_\_  
 Guardian ad Litem Signature  
 \_\_\_\_\_  
 Name Printed or Typed  
 \_\_\_\_\_  
 Address  
 \_\_\_\_\_  
 Email Address Telephone Number  
 \_\_\_\_\_  
 Date State Bar No.

**DISTRIBUTION:**

1. Court
2. Child - if 12 years or older
3. Child's Parents
4. Child's Guardian
5. Child's Legal Custodian
6. Child's Adversary Counsel
7. Tribe (if any)
8. Indian Custodian (if any)
9. Additional Interested Persons (if any)