

## FORM SUMMARY

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<b>Name of Form:</b>	<b>Petition for Appointment of Guardian (§48.977, Wis. Stats.) Indian Child Welfare Act</b>
<b>Form Number:</b>	<b>IW-1605</b>
<b>Statutory Reference:</b>	§ 48.977, Wisconsin Statutes
<b>Benchbook Reference:</b>	JV 16
<b>Purpose of Form:</b>	Petition to the court to appoint a §48.977 guardian for a person under the age of 18.
<b>Who Completes It:</b>	Party seeking the appointment.
<b>Distribution of Form:</b>	Court, Child – if 12 years or older, Child’s Guardian ad Litem/Adversary Counsel, Parents, Parents’ Attorney(s), Child’s Guardian/Legal Custodian, District Attorney/Corporation counsel, Caseworker, Proposed Guardian, Proposed Successor Guardian, Tribe, and Indian Custodian.
<b>Accompanying Forms:</b>	The Uniform Child Custody Jurisdiction and Enforcement Act Declaration (GF-150).  If #8 is checked, the department eligibility statement containing the determinations made under §48.623(1), Wis. Stats.
<b>New Form/Modification:</b>	Modified; last update 11/23.
<b>Modifications:</b>	Updated #9 – changed “Affidavit” to “Declaration” pursuant to 2023 WI Act 245 – Unsworn Declaration.
<b>Comments:</b>	<p>This petition for appointment of guardianship was designed for when a child was adjudicated in need of protection or services and has been placed, or continued in a placement, outside of his or her home pursuant to one or more court orders.</p> <p>The party seeking the appointment of guardian for a child must provide notice of the hearing and this petition to the Indian child, Indian child’s parents, Indian custodian, and Indian tribe at least 10 days before the date of the hearing. If the identity or location of the Indian child’s parent, Indian custodian, or tribe cannot be determined, notice shall be provided at least 15 days before the date of the hearing to the U.S. Secretary of the Interior. Proof of registered mail is required.</p> <p>The party seeking the appointment of guardian for a child must also provide notice of the hearing and this petition to the child’s guardian, legal custodian, and guardian ad litem / adversary counsel, at least 7 days before the date of the hearing. Service shall</p>

be made by first class mail.

Notice of Hearing IW-1724 can be used to provide notice to all parties.

**About this Form:**

This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

**If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.**