

STATE OF WISCONSIN, CIRCUIT COURT, \_\_\_\_\_ COUNTY

IN THE MATTER OF

Amended

Name \_\_\_\_\_

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

**Order on Petition for**  
 **Standby Guardian**  
 **Successor Guardian**  
**(With Hearing)**

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

A Petition for Appointment of Standby/Successor Guardian was filed and a hearing was held. After consideration of the reports and other documents on file, all factors required by the statutes, and such additional information presented;

**THE COURT CONSIDERED:**

1. The report of the guardian ad litem;
2. The preferences, desires, and values of the ward with regard to personal needs or property management, and
3. Other relevant evidence.

**THE COURT FINDS:**

**1. JURISDICTION, VENUE, NOTICE, APPEARANCES AND EVALUATIONS TO COURT**

A. This court  does  does not have jurisdiction over the subject matter and the individual.

B. This court  is  is not a proper venue.

C. Notice  was  was not properly served.

D. The ward is

present.

not present because the guardian ad litem waived the ward's attendance.

Other: [Specify] \_\_\_\_\_

E. The proposed  standby  successor guardian is

present as follows: [Name] \_\_\_\_\_

not present and the court permits attendance by telephone for good cause.

[Specify] \_\_\_\_\_

not present and the court excuses the attendance of [Name] \_\_\_\_\_.

F. Additional evaluations are not necessary.

**2. SUITABILITY OF GUARDIAN**

Based upon the

- Statement of Acts by Proposed Guardian and Consent to Serve;
- the recommendation of guardian ad litem; and

- the court having considered all nominations; and
  - applicable preferences and criteria, including the opinions of the ward and of the members of his or her family; and
  - any potential conflicts of interest resulting from the proposed guardian's employment or other potential conflicts of interest,

each of the following is/are competent and suitable to be appointed:

Type of Guardian	Name	Mailing Address [Street, City, State, Zip]	Telephone Number
Standby Guardian of the Person			
Standby Guardian of the Estate			
Successor Guardian of the Person			
Successor Guardian of the Estate			

**THE COURT ORDERS:**

1. The Petition is  
 dismissed for the following reason(s): \_\_\_\_\_.  
 granted.

2. The guardianship of the estate is terminated without the appointment of a successor guardian of the estate and the former guardian will be discharged after filing any required accounts and receipts.

3. The court appoints the following:

Type of Guardian	Name	Mailing Address [Street, City, State, Zip]	Telephone Number
Standby Guardian of the Person			
Standby Guardian of the Estate			
Successor Guardian of the Person			
Successor Guardian of the Estate			

**4. LIMITATIONS AND POWERS**

- A. The powers of the  standby  successor guardian will be the same as previously authorized or modified for this ward.  See attached Determination and Order Appointing Guardian dated \_\_\_\_\_.
- B.  Co-guardians must agree with each other when making decisions on behalf of the ward.  
 Co-guardians may act independently when making decisions on behalf of the ward.  
 Co-guardians may act independently when making decisions on behalf of the ward only in these limited circumstances: \_\_\_\_\_

**5. BOND**

The Guardian of the Estate

- be issued Letters of Guardianship upon filing  surety bond  signature bond in the amount of \$\_\_\_\_\_.
- is not required to file a bond provided the guardian deposits the ward's funds of \$100,000 or less in an insured account in the name of the guardian and the ward, and payable only upon further order of the court. Proof of deposit must be filed with the court within \_\_\_\_\_ days.
- be issued Letters of Guardianship without filing a bond.
- Other: \_\_\_\_\_

**6. CHANGE OF ADDRESS**

The guardian shall immediately notify the court in writing of any change in the address of the ward or of the guardian.

**7. ALTERNATIVE TO GUARDIANSHIP OF ESTATE**

The guardian of the estate is authorized to transfer the ward's funds of \$50,000 or less under one of the alternatives for small estates under §54.12(1), WI Stats., as follows: \_\_\_\_\_.

The guardianship of the estate will be terminated upon the filing of a final account and receipt confirming the transfer as ordered.

**8. FEES AND COSTS OF PROCEEDING**

- A. Guardian is not appointed. The petitioner shall pay the compensation of the guardian ad litem and the ward's attorney.
- B. Guardian is appointed.
  - (1) Reasonable compensation of the guardian ad litem and ward's attorney shall be paid from the ward's income or assets, if sufficient. If the ward's income or assets are insufficient, the guardian ad litem shall be paid by the county of venue and the ward's attorney shall be paid at public expense or by the county of venue.
  - (2) Petitioner's reasonable attorney fees and costs (if any) shall be paid
    - by the petitioner.
    - from the ward's income or assets.
- C. Other: \_\_\_\_\_

**9. GUARDIAN'S COMPENSATION AND REIMBURSEMENT**

The guardian's compensation and reimbursement of expenses, if any, must be approved by the court before payment is made.

- 10. Other: \_\_\_\_\_

**THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.**

**DISTRIBUTION:**

- 1. Court
- 2. Ward/Ward's Legal Counsel, if any/Guardian ad litem
- 3. Guardian/Ward's Agent under a Power of Attorney
- 4. Corporation Counsel
- 5. Social worker/ County Dept. of Human Services
- 6. Spouse/Adult Children/Parent of Minor
- 7. Facility, if any
- 8. Other: \_\_\_\_\_