

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

IN THE MATTER OF

Amended

\_\_\_\_\_  
Name

**Order on Petition to Transfer Income and Assets  
of Person under Guardianship**

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

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

This matter is before the court on a Petition to Authorize Transfer of Income and Assets of Person under Guardianship.

**THE COURT CONSIDERED:**

- Wishes of the ward, if known;
- Whether the duration of the ward's impairment is likely to be sufficiently brief so as to justify dismissal of the proceedings in anticipation of the ward's recovered ability to decide whether, and to whom, to transfer his or her assets;
- Whether the proposed transfer will benefit the ward, the ward's income or assets or members of the ward's immediate family;
- Whether the donees or beneficiaries under the proposed disposition are reasonably expected objects of the ward's generosity and whether the proposed disposition is consistent with ascertained wishes of the ward or known estate plan or pattern of lifetime gifting;
- Whether the proposed disposition will produce tax savings that will significantly benefit the ward, his or her dependents, or other persons for whom the ward would be concerned;
- Factors specified in §54.21(2)(a) to (i), Wis. Stats., and any statement or evidence under §54.21(3), Wis. Stats., AND
- Any other factors that the court determines are relevant.

**THE COURT FINDS:**

- 1. The ward has incapacity to perform the act for which approval is sought and the incapacity is not likely to change positively within a reasonable period of time.
- 2. A competent individual in the position of the ward would likely perform an act under the same circumstances, AND
- 3. That before the ward had incapacity to perform the act for which approval is sought, he/she did not manifest intent that is inconsistent with the act.
- 4. It is not appropriate to grant the Petition.

**THE COURT ORDERS:**

- 1. The Petition is dismissed for the following reason(s): \_\_\_\_\_.
- 2. The guardian of estate [Name] \_\_\_\_\_ is authorized to transfer the income and assets of the ward as requested in the petition or as follows: \_\_\_\_\_.
- 3. The guardian of estate is directed to sign all necessary documents and pay the necessary expenses to complete this transaction.
- 4. Reasonable compensation of the guardian ad litem and ward's counsel shall be paid  
 from the ward's income or assets.

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by petitioner.  
 Other: \_\_\_\_\_  
 5. 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: \_\_\_\_\_