

IN THE MATTER OF

Amended

Name _____

**Petition for
Modification of Guardianship**

Date of Birth _____

Case No. _____

UNDER OATH, I STATE:

1. I am the ward who is 18 years of age or older.
 a person acting on the ward's behalf _____.
 the ward's Guardian of Person.
 Guardian of Estate.
2. This is a Petition to have the guardianship limited and specific rights restored.
3. This Petition is filed more than **180 days after any previous hearing** on the Petition for Guardianship or Petition for Receipt and Acceptance of a Foreign Guardianship, or there are exigent circumstances, including presentation of new evidence, that require a review at any time. [Specify circumstances] _____.
4. At a hearing held on [Date] _____, the ward was determined to be incompetent and in need of a guardian
 in Wisconsin. [County] _____
 out-of-state. [State where determined] _____ (Certified copy of order is attached)
5. A Report of Examination of Ward by a Physician or Psychologist is filed with this Petition or will be filed at this hearing.
6. I believe the court should modify the guardianship of the person as follows:
 - A. **Rights to be restored in full.** These rights were previously removed from the ward and should be restored to the ward. Due to the prior removal, no one is able to exercise the right. Right to be restored in full to
 (1) execute a will.
 (2) serve on a jury.
 (3) register to vote or to vote in an election.
 - B. **Rights to be restored, removed in full, or exercised by ward only with consent of guardian of person.** The ward has the incapacity or limited capacity to exercise the following rights to:

(If any box is <u>not</u> checked for a right, the ward <u>retains</u> that right in full.)	Ward may not exercise this right. Remove right in full.	Ward may exercise only with the consent of the guardian of the person.
(1) consent to marriage.	<input type="checkbox"/>	<input type="checkbox"/>
(2) apply for an operator's/driver's license.	<input type="checkbox"/>	<input type="checkbox"/>
(3) apply for a fishing license.	<input type="checkbox"/>	<input type="checkbox"/>
(4) apply for a license under Ch. 29, Wis. Stats., other than fishing.	<input type="checkbox"/>	<input type="checkbox"/>
(5) apply for any other license or credential under §54.25(2)(c)1.d., Wis. Stats. Specifically: _____	<input type="checkbox"/>	<input type="checkbox"/>
(6) consent to sterilization.	<input type="checkbox"/>	<input type="checkbox"/>
(7) consent to organ, tissue, or bone marrow donation.	<input type="checkbox"/>	<input type="checkbox"/>

- C. **Powers to be transferred to guardian of the person in full or in part to**
 - 1.A. give informed consent to the voluntary receipt by the ward of a medical examination, medication, including any appropriate psychotropic medication, and medical treatment that is in the ward's best interest, if the guardian has first made a good-faith attempt to discuss with the ward the voluntary receipt of the examination, medication, or treatment and if the ward does not protest.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
 - 1.B. give informed consent, if in ward's best interests, to the involuntary administration of a medical examination, medication other than psychotropic medication, and medical treatment that is in ward's best interest.
 Full Transfer. Partial Transfer. The ward retains the power to: _____

- 2. authorize ward's participation in an accredited or certified research project if the research project might help the ward, or others if minimal risk of harm.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 3. authorize ward's participation in research that might not help the ward but might help others if greater than minimal risk of harm to the ward but evidence indicates ward would have elected to participate.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 4. consent to experimental treatment in the ward's best interests.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 5. give informed consent to receipt by ward of social and supported living services.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 6. give informed consent to release of confidential records other than court, treatment, and patient health care records and redisclosure as appropriate.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 7. make decisions related to mobility and travel.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 8. choose providers of medical, social, and supported living services.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 9. make decisions regarding educational and vocational placement and support services or employment.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 10. make decisions regarding initiating a petition for termination of marriage.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 11. receive all notices on behalf of ward.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 12. act in all proceedings as an advocate of the ward, except the power to enter into a contract that binds the ward or the ward's property or to represent the ward in any legal proceedings pertaining to the property, unless the guardian of the person is also the guardian of the estate.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 13. apply for protective placement or for commitment on behalf of ward which does not require court approval.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 14. have custody of the ward.
 Full Transfer. Partial Transfer. The ward retains the power to: _____
- 15. Other: _____

See attached

7. **GUARDIAN OF THE ESTATE**

I believe the court should modify the **guardianship of the estate** as follows:

- A. appoint a guardian of the estate to perform duties under §54.19, Wis. Stats., and exercise the powers that do not require court approval under §54.20(3), Wis. Stats., except as follows: (Choose one)
 - (1) The ward retains all powers, except for the following powers to be transferred to the guardian:

 - (2) All powers to be transferred to the guardian, except for the following powers:

 - (3) All powers to be transferred to guardian.
- B. authorize the guardian of the estate to perform the following additional powers (other than to make gifts) that require court approval under §54.20(2), Wis. Stats.: _____
 See attached
- C. deposit the ward's funds of \$100,000 or less in an insured account of a bank, credit union, savings bank or savings and loan association in the name of the guardian and the ward, payable only upon further order of the court, and waive bond for the guardian of the estate.

8. **ALTERNATIVE TO GUARDIANSHIP OF ESTATE FOR SMALL ESTATES**

I request the court dispense with the guardian of the estate and transfer the ward's funds of \$50,000 or less

according to one of the alternatives for small estates under §54.12(1), Wis. Stats., as follows:

See attached

I REQUEST THE COURT:

- 1. Order a hearing on this Petition.
- 2. Designate persons entitled to notice of hearing and the manner in which notice shall be given.
- 3. Limit the guardianship of person and restore specific rights.
- 4. Limit the guardianship of estate and restore specific rights.
- 5. Award appropriate fees and costs.
- 6. Other: _____

State of _____

County of _____

Subscribed and sworn to before me on _____

Notary Public/Court Official

Name Printed or Typed

My commission/term expires: _____

▶ _____
Petitioner

Name Printed or Typed

Street Address

City, State, Zip

Date