

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

IN THE MATTER OF

Amended

Name \_\_\_\_\_

### Order on Petition to Modify Guardianship

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

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

Use this order to **modify** guardianship. Use form GN 3660 to **deny** Petition or **terminate** guardianship.

A Petition to Modify Guardianship 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 FINDS:

##### 1. NOTICE AND JURISDICTION

- A. Notice  was  was not properly served.  
B. This court  does  does not have jurisdiction over the subject matter and the ward.

##### 2. MODIFICATION TO RIGHTS AND POWERS OF GUARDIAN OF PERSON AND ESTATE

The ward continues to be incompetent as previously found by the court. However, the level of incapacity has changed since the last review of competency. As a result, the rights and powers of the ward and powers of the guardian are now as follows:

#### GUARDIANSHIP OF THE PERSON

(CAUTION: The boxes checked below should reflect all rights and powers transferred to the guardian by any prior court order that were not restored to the ward in this proceeding. This should reflect the current rights and powers of the guardian.)

##### A. Rights to be **removed** in full. If removed, these rights may not be exercised by any person.

The ward continues to be incompetent and has incapacity to exercise the following right 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 to

(If any right is <b>restored</b> by this order, do <b>NOT</b> check the box.)	Ward <b>may not</b> exercise this right. Remove right in full.	Ward <b>may</b> 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 the ward's best interests, to the involuntary administration of a medical examination, medication other than psychotropic medication, and medical treatment that is in the 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 the 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 the 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: \_\_\_\_\_

**GUARDIAN OF THE ESTATE**

The ward continues to be incompetent. It is appropriate to

A. appoint and authorize a permanent 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. direct the guardian of the estate to 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.

D. Other: \_\_\_\_\_

**THE COURT ORDERS:**

1. The rights and powers of the ward and guardian are modified as indicated in the findings above.

2. Letters of Guardianship of the  Person  Estate be issued consistent with this Order.

3. Reasonable compensation of the guardian ad litem and ward's attorney shall be paid

from the ward's income or assets.

by petitioner.

by county.

Other: \_\_\_\_\_

4. 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: \_\_\_\_\_