

FORM SUMMARY

Name of Form: **Petition for Appointment of Guardian (Full/Limited/Temporary/
Emergency) (§48.9795, Wis. Stats.) – Indian Child Welfare Act**

Form Number: **IW-1501**

Statutory Reference: §48.9795, Wisconsin Statutes

Benchbook Reference:

Purpose of Form: Petition to the court to appoint a guardian for a child.

Who Completes It: Party seeking the appointment.

Distribution of Form: Court; copies to the child, child's parents, child's Guardian/Legal Custodian, child's Guardian ad Litem/Adversary Counsel, Tribe, Indian Custodian, and any Additional Interested Persons.

Accompanying Forms: The Uniform Child Custody Jurisdiction and Enforcement Act Affidavit (GF-150). Statement by Proposed Guardian (JN-1514) for Full, Limited, or Temporary guardianship.

New Form/Modification: Modified; last update 05/20.

Modifications: Added the proposed guardian must file the Statement by the Proposed Guardian at least 96 hours before the hearing on the Full, Limited, or Temporary guardianship petition. Added checkbox to request to consolidate the minor guardianship of the person and minor guardianship of the estate cases.

Comments: This guardianship form requests the court to appoint a guardian for a child under §48.9795, Wis. Stats. Use GN-3290 to Petition for Guardianship of the Estate (Minor Guardianship).

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.

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 be made by first class mail or by personal service.

The court may appoint coguardians of the person for a child, subject to any conditions that the court imposes. Unless the court orders otherwise, any decision concerning the child must be concurred in by all coguardians or is void. Wis. Stat. §48.9795 (2)(b)(4). If coguardians are nominated, both names shall be included on the petition.

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.