

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE INTEREST OF

Amended

Name _____

**Dispositional Order Appointing
Guardian for Child Without a Living Parent
 (§48.831, Wis. Stats.)**

Date of Birth _____

Case No. _____

THE COURT FINDS:

1. A hearing on the Petition for Appointment of Guardian was held on [Date] _____.
2. The person nominated as the guardian of the child is:
Name _____
Address _____
Phone _____
3. An inquiry has been made on the record to each participant in this proceeding as to whether the participant knows or has reason to know that the child is an Indian child.
 A. The child is not subject to the Indian Child Welfare Act.
 B. The child is subject to the Indian Child Welfare Act, AND
 1. Continued custody of the child by the parent or Indian custodian is is not likely to result in serious emotional or physical damage to the child. _____
 2. Active efforts were were not made to prevent the breakup of the Indian child's family.
 See attached Statement of Active Efforts (IW-1609). _____
 3. Placement has been made in accordance with the order of preference set forth in the Indian Child Welfare Act or §48.028, Wis. Stats.
OR
 There is good cause to depart from the order of placement preference in the Indian Child Welfare Act or §48.028, Wis. Stats. _____
4. The child has no living parent.
 A. Adoption is in the child's best interest. The proposed guardian is:
 the county department authorized to accept guardianship under §48.57 (1)(e) or (hm), Wis. Stats.
 a licensed child welfare agency under §48.61 (5), Wis. Stats., to accept guardianship: _____
 the department.
 B. Adoption is not in the child's best interest.
 The proposed guardian is the department.
 The child is placed in the custody of a county department or agency under contract with the department.

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5. It is is not in the child's best interests that the person be appointed guardian with
 full powers enumerated under §48.023, Wis. Stats.
 powers limited to: _____

THE COURT ORDERS:

The Petition is

1. **GRANTED** and [Name] _____ is appointed guardian with
 full powers enumerated under §48.023, Wis. Stats:
The duty and authority to make important decisions in matters having a permanent effect on the life and development of the child and the duty to be concerned about the child's general welfare, including but not limited to:
- The authority to consent to marriage, enlistment in the U.S. armed forces, major medical, psychiatric and surgical treatment, and obtaining a motor vehicle operator's license.
 - The authority to represent the child in legal actions and make other decisions of substantial legal significance concerning the child but not the authority to deny the child the assistance of counsel as required by Chapter 48.
 - The right and duty of reasonable visitation of the child.
 - The rights and responsibilities of legal custody except when legal custody has been vested in another person or when the child is under the supervision of the department of corrections under §§938.183, 938.34 (4h), (4m), or (4n), or §938.357 (3) or (4), Wis. Stats., or the supervision of a county department under §938.34 (4d), (4m), or (4n), Wis. Stats.
- powers limited to: _____
2. **DENIED** and this matter is dismissed.
3. Other: _____

THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.

DISTRIBUTION:

1. Court
2. Child's Guardian ad Litem/Adversary Counsel
3. Child's Guardian/Legal Custodian
4. Relative Caregiver/Foster Parent
5. Tribe
6. Indian Custodian