

## **GUARDIANSHIP GUIDE (Chapter 54 Wis. Stats.)**

Packets of all required forms may be obtained at [www.waukeshacounty.gov](http://www.waukeshacounty.gov) or <http://wicourts.gov/>, or the Juvenile Court office.

### **FORMS/FEEES FOR FILING**

Petition for Guardianship of Minor (signed before a Notary) SF #[GN-3290](#)

Uniform Child Custody Jurisdiction and Enforcement Act Affidavit (signed before a Notary) - SF #[GF-150](#)

\$500.00 deposit for guardian ad litem fees (checks to be made payable to “Clerk of Juvenile Court”)

### **ADDITIONAL FORMS TO BE FILED PRIOR TO COURT HEARING**

Letters of Guardianship of the Person of Minor - Form #[GN-3340](#)

Determination and Order on Petition for Guardianship of Minor - Form #[GN-3330](#)

Nomination of Guardian by A Minor (to be signed in court) - SF #[GN-3320](#)

Statement of Acts by Proposed Guardian and Consent to Serve as Guardian - Form #[GN-3140](#)

Waiver and Consent to Petition for Guardianship of Minor - Form #[GN-3310](#)

Report of Guardian ad Litem (Guardianship of Minor) – Form #[GN-3325](#)

Proof of Service

### **GENERAL INFORMATION**

A guardian ad litem will be appointed for the minor at the time of case filing. Most petitions for guardianship must be heard within 90 days, per §54.44(1)(a). Notice must be given to all involved parties. This is to include the minor’s natural parents, anyone who may currently have custody of the minor, and the minor, if fourteen years of age or older. An “alleged” father does not need to be given notice of the hearing.

Notice must be served at least 10 days before the time set for hearing (with the exception of temporary guardianships.) Proof of service must be submitted to the court as soon as it is returned to the petitioner(s).

A “Waiver and Consent to Petition for Guardianship of Minor” form must be signed by the parents of the minor and/or any party who may currently have the care and custody of the minor (provided that this is an UNCONTESTED guardianship).

If the parties need to file a petition for the minor child’s **ESTATE**, those petitions must be filed in the **PROBATE DIVISION** at the main courthouse located at 515 W. Moreland Boulevard, Room 380, Waukesha, Wisconsin. The same petition form can be used. Contact the Probate Division for specific instructions and all of the necessary forms by calling (262) 548-7468.

## **TEMPORARY GUARDIANSHIP OF THE MINOR CHILD - (EMERGENCY) §54.50**

In a situation where the petitioning parties may need temporary guardianship over the minor prior to the court hearing (i.e. for emergency medical care, schooling, insurance coverage, etc.) and the natural parents cannot be located to get permission for such services or are deceased, the following documents should be completed:

Petition for Temporary Guardianship of Minor – **Form #[GN-3290](#)**  
Order and Notice of Hearing Petition for Guardianship of Minor – **Form #[GN-3300](#)**  
Uniform Child Custody Jurisdiction and Enforcement Act Affidavit – **Form #[GF-150](#)**  
Letters of Temporary Guardianship of the Person - **Form #[GN-3260](#)**  
Determination and Order Appointing Temporary Guardian - **Form #[GN-3250](#)**  
Statement of Acts by Proposed Guardian and Consent to Serve as Guardian - **Form #[GN-3140](#)**

These documents must be submitted at the time of filing to initiate the guardianship. If the court grants the temporary guardianship it will be good for 60 days. (The temporary guardianship may be extended ONE time for an additional 60 days upon the approval of the Judge). For an extension to occur, you must file a Petition to Extend Temporary Guardianship – **Form #[GN-3270](#)**

If a temporary guardianship is being requested, a hearing may be held no earlier than 48 hours after filing unless good cause is shown.

### **ANNUAL REPORT BY GUARDIANS**

An annual report of the condition of the ward is **required** to be filed with the court on an annual basis. The guardians **must** complete **Form #[GN-3480](#)** and send the **original** to the court and a **copy** to the Department of Health and Human Services, located at 500 Riverview Avenue, Waukesha, WI 53188, to the attention of Mr. Dennis Lyons. A copy of this form is also included in this packet or the form can be downloaded.

Please be advised that court staff cannot give legal advice or assistance. If you do not understand how to prepare the forms or how to properly serve notice to the parties, you are advised to obtain legal help.

#### **Contact Information:**

**Waukesha County Juvenile Court**  
**521 Riverview Avenue, JC-103**  
**Waukesha, WI 53188**  
**Phone: (262) 548-7449**  
**Facsimile (262) 548-7459**