

	Marquette County Probate Court	
GUIDELINE: 3290	GUARDIANSHIP OF A MINOR Person and/or Estate (Temporary and/or Permanent)	Revised: 12/11/2015 Page 1 of 2

PLEASE NOTE: This Guideline is provided as a public service and is not intended to be legal advice. If you have any questions about the forms or the procedures, please contact an attorney as Probate staff members cannot give legal advice.

Please print this Guideline for future reference

Guardianship of a Minor Child means the court appoints someone other than the child's biological parents to make all decisions for the care and control of the child. The guardianship will last until the child turns 18 or until it is terminated by a Judge. A guardian cannot resign without approval from a Judge. If you do not understand any of the forms or responsibilities, you are advised to seek the help of an attorney.

FORMS:

- A packet of forms is available from the Register in Probate for \$10.00.
- You may access all guardianship forms on the internet at: [Guardianship Forms](#) (Click Here)
- You can print ".pdf" forms and fill in by hand, OR you can fill in ".doc" forms on the internet and then print them.
- If you do not understand the forms or the information required, please seek the help of an attorney.

TO OPEN A GUARDIANSHIP FOR A MINOR PROCEEDING, please complete and file the following:

(Control/Click on) Form Number	Name of Form
GN-3290.DOC or GN-3290.PDF	Petition for Guardianship of Minor (Person and/or Estate) <i>Please note: the Washington County Attorney must always be listed as an interested party.</i>
GF-131.DOC or GF-131.PDF	Order Appointing Guardian ad Litem or Attorney <i>(Wis. Stats require appointment of a GAL)</i>
GN-3310.DOC or GN-3310.PDF	Waiver and Consent to Petition for Guardianship of Minor <i>(signed by both natural parents of minor)</i>
GF-150.DOC or GF-150.PDF	Uniform Child Custody Jurisdiction and Enforcement Act Affidavit <i>(required by the Court)</i>
GN-3140.DOC or GN-3140.PDF	Statement of Acts by Proposed Guardian and Consent to Serve as Guardian <i>Due no later than 96 hours prior to the hearing.</i>
GN-3300.DOC or GN-3300.PDF	Order and Notice of Hearing Petition for Guardianship of Minor <i>Please see Sec. 54.38, Wis. Stats. Regarding your responsibility to give Notice to all interested parties.</i>
<i>GAL Fee Required</i>	\$300 deposit for Guardian ad Litem fees must be paid at the time of filing the Petition.

HEARING: If the petition complies with Sec. 54.34, Wis. Stats., a hearing on the petition will be scheduled on a Tuesday afternoon. The Petitioner and/or proposed Guardian must be present in court to testify at this hearing. The Court is required to conclude the petition within 90 days of filing.

SERVICE OF DOCUMENTS:

- The Petitioner shall serve a copy of the Petition for Guardianship and the Order and Notice of Hearing on all interested persons, including the Guardian ad Litem by personal service no less than 10 days prior to the hearing date.
- A child age 14 or over must be served.
- To determine the interested parties, see Section 54.38(2)(a) and (b), Wis. Stats. or look at <http://www.legis.state.wi.us/rsb/Statutes.html>.
- Note: Failure to provide notice as required by statute will deprive the court of jurisdiction over this case and the case may be dismissed or the hearing may have to be rescheduled.

Phone:
(608) 297-3009
Fax:
(608) 297-9107

Marquette County Courthouse
77 W Park Street
P.O. Box 749
Montello, WI 53949

Room 205
Office Hours:
Monday – Friday
8:00 a.m. – 4:30 p.m.

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NO LATER THAN NOON THE *THURSDAY BEFORE THE HEARING* you must also file the following:

(Control/Click on) Form Number	Name of Form
GN-3325.DOC or GN-3325.PDF	Report of Guardian ad Litem (Guardian of a Minor) <i>(the GAL will file this report directly with the court)</i>
GN-3120.DOC or GN-3120.PDF	Affidavit of Service (Guardianship) <i>indicating when you provided notice to all interested parties listed on the Petition, including the Washington County Attorney</i>
GN-3190.DOC or GN-3190.PDF	Signature Bond (if required)
GN-3320.DOC or GN-3320.PDF	Nomination of Guardian by a Minor (if applicable) <i>(age 14 and older must appear at hearing)</i>
GN-3330.DOC or GN-3330.PDF	Proposed Determination and Order on Petition for Guardianship of Minor
GN-3340.DOC or GN-3340.PDF and/or GN-3345.DOC or GN-3345.PDF	Use either one or both of these forms as applicable: Proposed Letters of Guardianship of the Person of Minor Proposed Letters of Guardianship of the Estate of Minor

COPIES OF DOCUMENTS: Please be sure to make copies of all documents for your records *before* you file the documents with our office. If we have to make copies for you, there is a \$1.00/page statutory fee that must be charged.

CERTIFIED COPIES: If certified copies are required, the cost is \$3.00 for the certificate and \$1.00 for each page copied or compared.

If you are appointed GUARDIAN OF THE PERSON you must:

- File an annual Report on the Condition of the Minor Ward.
- The form will be mailed to you in January of the year following your appointment and each subsequent year, and must be filed no later than April 15.

If you are appointed GUARDIAN OF THE ESTATE you must:

- File an inventory within 60 days listing all of the assets of the ward as of the date you are appointed and pay the Inventory filing fee (see below).
- File an annual Account of Guardian every year setting forth all financial activity from the time you are appointed to December 31 of that same year. This form will be mailed to you in January of each year and must be filed no later than April 15.

Failure to file the appropriate annual report/account may result in an order to show cause for you to appear before the court.

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.

Form Number	Name of Form
GN-3440.DOC or GN-3440.PDF	Guardianship Inventory and filing fee required due within 60 days of appointment. Filing fee: Minimum of \$20 for assets to \$50,000; .2% of assets over \$50,000

A Folder with information on filing the Inventory, the Annual Account and the Annual Report on the Condition of the Ward is available for purchase for \$20.00 in the Register in Probate's office.

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