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## MINOR GUARDIANSHIP

POLK COUNTY  
PROBATE OFFICE  
1005 W MAIN STREET, SUITE 500  
BALSAM LAKE, WI 54810

HOURS:  
MONDAY – FRIDAY  
8:30 AM – 4:30 PM

PHONE: 715-485-9238

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**NOTE:** This guideline is provided only as a public service and is not meant to be legal advice. The Register in Probate office cannot give legal advice or complete the forms for you; please contact an attorney if you have legal questions.

**TO OPEN A TEMPORARY MINOR GUARDIANSHIP:** complete and file the following with the Register in Probate office:

- GN – 3290 Petition for Guardianship of Minor
- GN – 3300 Order and Notice of Hearing Petition for Guardianship of Minor
- GN – 3310 Waiver and Consent to Petition for Guardianship of Minor
- GN – 3140 Statement of Acts by Proposed Guardian and Consent to Serve as Guardian
- GN – 3320 Nomination of Guardian by a Minor
- GN – 3120 Affidavit of Service
- GN – 3250 Order on Petition for Temporary Guardianship of Minor
- GN – 3340 Letters of Temporary Guardianship of the Person of Minor
- GN – 3345 Letters of Temporary Guardianship of the Estate of Minor

### HEARING:

- The Register in Probate office will schedule a hearing on the temporary guardianship petition no earlier than 48 hours after the petition is filed.
- The Petitioner shall give notice of the petition to the proposed ward before or when the petition is filed. The Petitioner shall give notice of the Order for Hearing on the proposed ward before the hearing or not later than 3 calendar days after the temporary hearing. If notice is served after the hearing, the petitioner shall include the court's order (if entered).
- The Court will appoint a Guardian ad Litem (GAL) and determine who shall pay the GAL's fees.
- The Guardian ad Litem shall attend the hearing in person, by telephone or shall provide a written report to the court concerning the proposed ward.

### TIMELINES:

- The temporary guardianship is valid for 60 days and can be renewed for an additional 60 days.
- A Petition to Extend Temporary Guardianship must be filed with the Court **prior** to the expiration of the first 60 days.

- GN – 3270 Petition to Extend Temporary Guardianship
- GN – 3280 Order on Petition to Extend Temporary Guardianship

- If the Court does not timely receive the Petition to Extend Temporary Guardianship and Order on Petition to Extend Temporary Guardianship, the temporary guardianship will expire.
- The file will be closed and the temporary guardianship will expire after either the first 60 days expiration date (if not extended) or after the second 60 days expiration date.
- During the term of the temporary guardianship, a hearing may be held *prior* to the expiration date to request a permanent guardian.
- **Note:** pursuant to 54.50(2), Wis. Stats., the court may impose no further temporary guardianship on the ward for at least 90 days after the expiration of the temporary guardianship.

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**TO OPEN A *PERMANENT* MINOR GUARDIANSHIP:** complete and file the following:

- GN – 3290 Petition for Guardianship of Minor
- GN – 3300 Order and Notice of Hearing Petition for Guardianship of Minor
- GN – 3310 Waiver and Consent to Petition for Guardianship of Minor
- GN – 3140 Statement of Acts by Proposed Guardian and Consent to Serve as Guardian

### HEARING/GIVING NOTICE:

- A hearing will be scheduled. Copies of the Petition and the Order for Hearing will be provided to the petitioner.
- The petitioner is responsible for serving the Petition and the Order for Hearing at least 10 days prior to the hearing as follows: by personal service on the proposed ward; by mail or personal service on all interested parties listed on the petition.
- A Guardian ad Litem will be appointed for the minor in a permanent guardianship hearing.

**PRIOR TO THE COURT HEARING:** file the following documents:

- GN – 3330 Determination and Order on Petition for Guardianship of Minor
- GN – 3340 Letters of Guardianship of the Person of Minor
- GN – 3345 Letters of Guardianship of the Estate of Minor
- GN – 3120 Affidavit of Service, showing that the petitioner complied with sec. 54.38, Wis. Stats., for notice requirements.

**CERTIFIED COPIES:** The fee for certified copies of the Letters is \$3.00 for each document to be certified and \$1.00 for each page certified. Requests for certified copies may be made in person or by mail. If the request is by mail, please enclose the correct fee **and** a stamped, self-addressed return envelope. Payment must be received before the issuance of certified copies.

**ADDITIONAL INFORMATION:** After the permanent guardianship hearing, additional information will be sent to the guardian.

**NOTE:** if you are appointed permanent guardian of the estate of the minor, an inventory is due 60 days after appointment. A statutory inventory filing fee is due when the inventory is filed. The fee is .2% of the assets or a minimum of \$20.00 if the assets are under \$50,000.00. See sec. 814.66, Wis. Stats.

**FORMS:** forms can be found at: [www.wicourts.gov](http://www.wicourts.gov)