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## GUIDELINE FOR CONSERVATORSHIP

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

Email: [Jenell.Anderson@wicourts.gov](mailto:Jenell.Anderson@wicourts.gov)

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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; please contact an attorney if you have legal questions. This Guideline is subject to change or amendments.

A conservatorship action is used to have a person appointed by the court at an individual's request to manage the estate of that individual. There is no finding of incompetency. Although attorneys often complete conservatorships, the law allows for individuals to petition the court without hiring an attorney. *\*Note\*: Self-represented individuals are responsible for completing all legal requirements.*

If you are commencing a conservatorship proceeding without an attorney, you must:

- Review the following information carefully.
- Complete all forms required. ***\*You will need to complete all forms before they are submitted.***
- File the completed forms and other required documents with the Probate Office.
- e-Filing is now available and if you wish to e-File this proceeding, see the e-Filing section at the end of this document.

**FORMS:** All forms are available on-line and can be found at: [www.wicourts.gov](http://www.wicourts.gov). You can fill the forms in on-line as a Word document and then print; or you can print the forms and complete them by hand.

*\*An appointment is recommended when you are ready to file your papers. Please call the Register in Probate Office at 715.485.9238 to set up an appointment.*

**TO START THE GUARDIANSHIP:** Complete and file the following with the Register in Probate Office:

Form GN-3350 Petition for Appointment of Conservator.

Form GN-3360 Proposed Order for Hearing Petition for Appointment of Conservator (the hearing date will be set with the Probate Court at the time the petition is filed).

Form GN-3370 Consent to Serve as Conservator.

### **HEARING/GIVING NOTICE:**

Once the petition and any accompanying paperwork has been received and filed with the court, a hearing will be scheduled with the assigned court official. Once the hearing is scheduled, the petitioner will be required to give notice to all interested persons.

- A copy of the file-stamped petition(s) and the Order for Hearing will be provided to the petitioner. Petitioner shall provide copies of these documents at the time they file the originals for this purpose.
- **Service requirements:** The petitioner is responsible for serving the petition and order for hearing on all interested persons prior to the hearing unless potential recipients have waived receipt of notice.

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

Form GN-3120 Affidavit of Service, showing petitioner complied with notice requirements on interested persons.  
Form GN-3380 Proposed Order on Petition for Appointment of Conservator  
Form GN-3390 Proposed Letters of Conservatorship

**NOTE:** *The petitioner is required to prepare the final paperwork for the conservatorship proceedings. Court staff cannot complete the final paperwork for you.*

**AT THE HEARING:**

The petitioner and proposed conservator must be present at the hearing. You must be prepared to provide all evidence required by the court before your petition(s) can be granted.

If the conservatorship is granted, you will receive copies of the signed Order and Letters of Conservatorship issued by the court. Additional information will be provided to the conservator concerning duties and responsibilities once a conservator has been appointed.

**AFTER THE HEARING:** If you are appointed conservator, you will be required to complete and file an Inventory (Form GN-3440) of the assets subject to the conservatorship as of the date of appointment. This form must be completed and filed with the Register in Probate within 60 days of appointment. A 0.2% filing fee (minimum of \$20.00 if assets are \$50,000 or less) must accompany the Inventory. Each January you will receive an annual accounting form to complete and file by the following April 15<sup>th</sup>.

**CERTIFIED COPIES:** The fee for a certified copy of the Letters of Conservatorship is \$4.00. The fee for plain copies is \$1.00 per page copied. Requests for 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 envelope. Payment must be received before the requested copies are provided.

The law and legal requirements for conservatorships is covered under Sec. 54.76, Wis. Stats. You can review the statute on-line or at your local library. You can refer to the statutes to review legal procedure and requirements.

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**E-FILING IS NOW AVAILABLE:** Individuals are now able to e-File guardianship actions with the Circuit Court. Follow the following steps:

- To register for an eFiling account: [www.wicourts.gov](http://www.wicourts.gov)
- Click **eFile/eCourts** on the tool bar
- Click on the **Circuit Court eFiling** from the drop down
- Follow the instructions to register for an eFiling account and filing instructions