
CHAPTER 48 MINOR GUARDIANSHIP INFORMATION SHEET

POLK COUNTY
Clerk of Circuit Court
1005 W. Main Street, Suite 300
Balsam Lake, WI 54810

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

PHONE: 715.485.9299

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

YOU MUST CONTACT THE JUVENILE COURT/CLERK OF COURT'S OFFICE TO FILE FOR GUARDIANSHIP OF THE PERSON OF A MINOR.

Effective August 1, 2020, all guardianship of the person actions involving a minor child will be under the jurisdiction of the Juvenile Court and Chapter 48 of the Wisconsin Statutes. If you are commencing a guardianship for the person of a minor without an attorney, you must review the following information carefully. As the petitioner in this action, it is your responsibility to complete the required forms, file the forms with the court, give notice to interested persons, and follow the statutory requirements and local court rules for guardianship of the person of a minor under Chapter 48, Wis. Stats.

There are four options when filing for the guardianship of the person of a minor under Sec. 48.9795 of the Wisconsin Statutes:

Full Guardianship:

- All of the duties and authority under Sec. 48.023.
- Guardianship is in place until terminated by order or minor attaining age of majority.
- Requires the filing of an annual report regarding the condition of the child.

Limited Guardianship:

- Limits the duties and authority of a full guardianship.
- Requires an expiration date (expiration date can be extended).
- An annual report of the child may be required to be filed at the discretion of the court.

Temporary Guardianship:

- Authority is limited to those acts that are reasonably related to the reasons for the appointment that are specified in a petition for temporary guardianship.
- Length of temporary guardianship cannot exceed 180 days (there may be a one-time extension granted by the court for up to an additional 180 days).
- Authority is for a shorter period of time

Emergency Guardianship:

- Must demonstrate that the welfare of the child requires the immediate appointment of an emergency guardian.
- Length of emergency cannot exceed 60 days and cannot be extended.

The petitioner must make the determination as to what type of guardianship for the minor they are seeking. Court staff cannot make this determination for you.

FORMS: All forms are available on-line and can be found at: www.wicourts.gov Select: Forms, Circuit Court, Guardianship, Chapter 48 Guardianships, 48.9795. Be sure to read the forms prior to completing them. You will need to complete all forms before they are submitted for filing.