

## Petitioning for Guardianship of the Person of a Minor:

Forms can be found online at: <https://www.wicourts.gov/forms1/index.htm>

You can also purchase forms from the Dane County Law Library. Call the law library at 608-266-6316 for assistance.

### Procedure for Petitioning for Guardianship of the Person of a Minor

1) Complete the forms and then file the forms by mailing, filing in person or faxing to the probate office 215 S. Hamilton St Madison 53703. Your originals will be mailed back to you including an Order and Notice of Hearing. **Please call (608)266-4311 to discuss questions about the process, ask for Gina Bosben.**

2) These documents need to be served on the ward (if 12 or older), any current guardian, and on any other interested parties along with the other forms filed with the court.

3) Once service is completed, then you must file an Affidavit of Service (GN-3120) with the Probate Court to show that you have served all the interested parties. If service is not completed, your Petition may be set over or denied.

4) Attorneys should call ahead to get a date and time for a hearing and to acquire the name of the Guardian ad Litem that will be appointed. Attorneys should then prepare an Order and Notice of Hearing, and also an Order Appointing a Guardian ad Litem and e-file these proposed orders along with the other forms required. (Note: an attorney is not required to file a petition for legal guardianship, a prospective guardian can file the petition).

### FORMS

1) IW-1501 Petition for Appointment of Guardian Full/Limited/Temporary/Emergency

File this form (1) only if the child is a member of an American Indian Tribe. Otherwise file the petition listed under number 2 below.

2) JN-1501 Petition for Appointment of Guardian Full/Limited/Temporary/Emergency

3) GF-150 Uniform Child Custody Jurisdiction and Enforcement Act Affidavit

4) JN-1514 Statement by Proposed Guardian.

5) JN-1510 Nomination of Guardian by Parent or child. This form can be filled out by either parent and/or child if 12 years or older.

6) JD-1825 Affidavit of Service

**\*Disclaimer-**This information is intended solely as a guideline for those petitioning the Probate Court for Temporary or Permanent Guardianship of a Minor or Adult/or other Petitions in probate court. It is not meant to be legal advice, nor is it legal advice in any fashion. The following information does not in any way remove from the petitioner the responsibility to research and comply with all applicable statutory requirements for the filing and processing of a minor guardianship action, including service requirements. For those petitioners who have specific legal questions concerning the filing of a Minor Guardianship and legal requirements relating to the same, you may wish to consult with an attorney.