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Successor Guardianship Guidelines

NOTE: This guideline, consisting of two (2) pages, 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 process usually does not require a court hearing, however, the Court may order a hearing at any time if it feels that a hearing is necessary.

Whenever possible, the current guardian should sign a *Resignation of Guardian*.

► **Resignation of Guardian (Form GN-3400)**

► **Petition for Appointment of Successor Guardian (without hearing) (Form GN-3410, 1 page)**

The petition shall be based on personal knowledge of the petitioner and state with particularity the factual basis for the allegations contained in it.

The petition shall be completely filled out prior to filing. Any petition that is incomplete or does not contain all of the information requested will not be accepted for filing.

The petitioner's signature on the petition shall be notarized.

Once the petitioner has completed the *Order and Notice of Hearing* the Register in Probate will submit it to the assigned judge for signature. A copy of the signed order will then be provided to the petitioner.

► **Statement of Acts by Proposed Guardian and Consent to Serve as Guardian (Form GN-3140, 1 page)**

The proposed Successor guardian shall complete and submit to the court with the *Petition for Appointment of Successor Guardian*, the *Statement of Acts by Proposed Guardian and Consent to Serve as Guardian*.

The proposed Successor guardian's signature on the *Statement of Acts by Proposed Guardian and Consent to Serve as Guardian* shall be notarized.

► **Order Appointing Successor Guardian of Person (Form GN-3420)**

▶ **Order Appointing Successor Guardian of Estate (Form GN-3423)**

▶ **Letters of Guardianship of the Person (Due to Incompetency) (Form GN-3200, 2 pages)**

▶ **Letters of Guardianship of the Estate (Due to Incompetency) (Form GN-3210, 1 page)**

The judge will not sign an incomplete document, so it is important that you have the *Orders* and *Letters* complete and ready for signing when you bring them to the office.

Once you have been appointed, you will notify the ward and all interested parties of your appointment by mailing them a completed copy of:

▶ **Notice of Appointment of Successor Guardian (Form GN-3430)**

If you have been appointed Successor Guardian of the Estate, you will likely be required to file a *Guardianship Inventory* within sixty (60) days of your appointment.

▶ **Guardianship Inventory (Form GN-3440, 2 pages)**

The guardian's signature on the *Guardianship Inventory* shall be notarized.

The *Guardianship Inventory* must be supplemented with copies of bank statements, deeds, titles, etc. that support the information contained on Page 2 of the form.

All of the forms referenced in this *Guideline* can be found on the Wisconsin Court System Website: www.wicourts.gov The Register in Probate DOES NOT provide forms to the public.