


	Milwaukee County REGISTER IN PROBATE	
	Adult Guardianship Procedure Checklist	Revised: 01/09/2015 Page 1 of 1

This checklist is designed to help people who do not have attorneys who are filing in Milwaukee County. Nothing in this document is intended to be taken as legal advice. If you are seeking legal advice, or have questions regarding your specific situation, you should consult with an attorney.

Fees: **\$15.00 Milwaukee County Filing Fee**
Personal Service Fees (prices vary)
Approximately \$6.00 per set of certified copy of letters of guardianship
Bond for guardian of estate only (prices vary)

Jurisdiction: Adult Guardianships are filed in the county where the ward resides OR the county in which the ward is physically located.

Important Information Before Starting:

- By filing for guardianship, you are opening a court case which will result in a formal hearing before a judge or court commissioner. While court staff can give procedural information, they cannot fill out the forms or take the necessary steps for you. You are responsible for making sure all of the documents are complete and accurate, that you serve the documents timely and properly and you must represent yourself in court. If you do not think you can do so, you should hire an attorney. The Milwaukee Bar Association’s Lawyer Referral Number is 414-274-6768. The Marquette Brief Legal Advice Clinics can provide a one time consultation for help with filling out the forms and answering questions. See <http://law.marquette.edu/mvlc> for locations and hours.
- A doctor’s report must be obtained before you can file for guardianship. The report must be done by a physician or psychologist, must be done after an examination specifically for the purpose of guardianship, and must be on the proper court form (GN-3100).
- If you are seeking to become guardian of the estate, you will be required to obtain a bond in the approximate amount of the wards assets. You will want to make sure you are bondable in that amount before starting. You may want to consult with your insurance agent, look in the phone book or speak to the private bonding agents who rent space in the probate office before filing your forms.

Steps:

1. Fill out the following forms:
 - a. GN-3100 **Petition for Guardianship** – filled out and signed (in front of a notary) by the person seeking to have the court order guardianship for another adult.
 - b. GN-3140 **Statement of Acts** – filled out and signed (in front of a notary) by proposed guardian. A separate one should be filled out by each proposed guardian/standby guardian.
 - c. GN-3110 **Order and Notice For Hearing** – fill out up to “The Court Orders”
 - d. GF-101 **Order Appointing Guardian ad Litem** – fill out up to “The Court Orders”

2. Obtain from doctor the GN-3130 – **Examining Doctor’s Report**.
3. Make 2 copies of all of the signed documents and prepare a self-addressed, stamped envelope.
4. Bring all documents, your self-addressed, stamped envelope and your \$15 fee to Room 207 of the courthouse to file and get a court date. A Deputy Register in Probate must review your paperwork before you will be given a court date. Their customer service hours are generally 9:00-11:30am and 1:00-4:00pm, Monday through Friday. However, they are sometimes in court, so you should call 278-4444 (press “0”) before you come to make sure someone will be available.
5. Arrange to have the ward personally served. You can use the Sheriff (Room 203 of the Safety Building), a private process server, or have an adult other than you or another interested person serve the ward and explain the contents. Have the server prepare an Affidavit of Service (GN-3120) and sign in front of a notary.
6. Serve the other interested parties by mail, fill out an Affidavit of Service (GN-3120) and sign in front of a notary.
7. You will be contacted by the Guardian ad Litem. You must cooperate with the Guardian ad Litem and assist the Guardian ad Litem in meeting with the proposed ward, if necessary. Remember that the Guardian ad Litem does not represent you or the proposed ward, but is assisting the court.
8. Prepare the following documents to bring to court:
 - GN-3170 Determination and Order
 - GN-3200 Letters of GuardianshipThese should be filled out completely, other than the judge/commissioner signature.
9. If you are seeking to become guardian of the estate, obtain a bond in the approximate amount of the ward’s assets. The Deputy Register may be able to figure out that amount when you file your paperwork.
10. Attend the hearing. The Guardian ad Litem will determine if it is necessary for the proposed ward to attend. Make sure to bring your Affidavits of Service and Bond (if applicable), as well as your proposed Determination and Order and Letters of Guardianship.
11. After the hearing, return to Room 207 to obtain one or more certified copies of your Letters of Guardianship. This is the document you will use to show you have the powers given to you by the court.
12. Once guardian, you will be required to file an Annual Report of the Ward with the probate office by April 15 of each year (GN-3480). If you are guardian of the estate, you will need to file an Inventory within 60 days (GN-3440) and you must file out an Annual Account by April 15 each year (GN-3500).