

This folder contains important information about your guardianship duties.

Guardian of the Person (GOP) information is in the left pocket.

Guardian of the Estate (GOE) information is in the right pocket.

Introduction to Guardianship

Basic Requirements:

A guardian must have the physical and mental capacity to act and the time to devote to the duties and responsibilities of a guardianship. A guardian is willing to act voluntarily, with or without bond and with or without compensation. Enclosed you will find some brochures that answer the most commonly asked questions, as well as provide you guidance in your role as guardian of the person and/or estate.

Required Guardianship Training:

Starting January of 2023, any new petitions for guardianship have a new requirement for proposed guardians. Prior to being appointed as a permanent guardian over an adult ward you must complete the required training and submit your certificate of completion and Form GN-3135 (attached), stating that you have completed this training to the Court. To enroll in this free online course, individuals will need to visit:

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Guardianship Training Registry - <https://www.uwgb.edu/guardianship-training/registry-search/>

Guardianship Training: <https://www.uwgb.edu/guardianship-training/>

Please see Required Guardianship Training handout.

Court Reporting Requirements:

There are several reports required by the court. Some of these reports are listed below; all form may be found on the Wisconsin Court System web site – www.wicourts.gov.

Annual Reports:

The *guardian of the person* (GOP) must report on the ward's condition each year. This requirement is met by filing GN-3480, *Annual Report on the Condition of the Ward* (a generic copy is enclosed). The court will mail you this form early in January following the reporting year and you must complete, sign and return the form to the court **no later than March 1st**.

The *guardian of the estate* (GOE) must account for all funds received and spent within the calendar year. This requirement is met by filing *GN-3500, Account of Guardian or Conservator* (a generic copy is enclosed). The court will also mail you this form early in January following the reporting year and you must account for all financial transactions for the preceding year by listing the transactions in the appropriate section, then sign and return the completed form to the court **no later than April 15th**. (To balance, the Ending Balance [Line 5] on Page 1 must be the same as the Grand Total on Page 3).

If you are the guardian of both the person and estate of a ward, the required due date for filing both the Annual Report on the Condition of Ward and the Account of Guardian is **April 15th** each year.

Other Required Reports:

The court requires the GOE of a *new* guardianship (or permanent) to file an inventory of the ward's assets **within 60 days** of becoming a guardian. The inventory is a list of the ward's assets as of the date the guardian is appointed. This requirement is met by filing *GN-3440, Guardianship or Conservatorship Inventory* (a generic form is enclosed). The net value of property on this form will be the beginning balance on your first Annual Account of Guardian, so be sure to keep a copy for your record. (You do not file an inventory if you are being named a successor Guardian on an existing guardianship.)

If the guardian (GOP and/or GOE) and /or the ward moves, the guardian must complete *GN-3520, Notice of Change of Address* (a copy is enclosed for your use) and file with the court at the time of the move. This is very important, as the court sends annual reports to the guardian, as well as other important information throughout the year.

Similarly, if the GOP moves the *ward that is under protective placement* to a different facility or residence, the guardian must complete and file *GN-4340, Notice of Transfer of Protective Placement* at the time of the move. If the ward is moved and *is not under protective placement*, the GOP would complete and file *GN-3520, Notice of Change of Address* at the time of the move.

If a *standby guardian* has been appointed for either the GOP or the GOE and the permanent guardian is unable or unwilling to act in their role as guardian, *GN-3220, Notification to Court of Assumption of Duties by Standby Guardian* must be completed, signed and filed with the court. Upon receipt of this form, the court will issue Letters of Guardianship to the standby guardian, which gives that person the authority to act and to make decisions in the best interest of the ward.

All of these forms are also available on the wicourts.gov website. (To access the website, go to "forms" on the blue tool bar; in the drop down box, select "circuit court;" from the categories list, choose "Guardianship;" then click on "View all guardianship forms;" scroll down the list to find the form number and form (ex: GN-3520, Notice of Change of Address); the "Form English W" Word format will allow you to fill in the form online

and print or you may simply print the form in either Word or PDF format and complete legibly. (If you have any questions, you may call the Register in Probate at 920-386-3550, although we are prohibited from giving legal advice.) All forms are to be mailed to: Register in Probate, 210 West Center Street, Juneau, WI 53039.

The court retains jurisdiction over all guardianships and may review the guardian's actions if necessary. There may be legal consequences for not complying with the court's orders, which include required reporting, or for not acting in the best interests of the ward. The guardian is immune from civil suit if decisions are made in good faith.

If the guardian can no longer act as guardian, he/she has a responsibility to notify the court.

Resources:

For Dodge County guardians, the following resources are available:

- ❖ Dodge County Register in Probate
Dodge County Courthouse
210 West Center Street
Juneau, WI 53039
Telephone: (920) 386-3550
e-mail: danell.behrens@wicourts.gov
mary.pfitzinger@wicourts.gov
- ❖ Dodge County Aging and Disability Resource Center
Henry Dodge Office Building – Third Floor
199 County Road DF
Juneau, WI 53039
Telephone: 920-386-3580 or 800-924-46407
- ❖ Greater Wisconsin Agency on Aging Resources (GWAar)
Guardianship Support Center
1414 MacArthur Road, Suite A
Madison, WI 53714
Phone: 608-243-5670
Website: www.gwaar.org

Guardian Standards:

- A good guardian maintains direct personal contact with the ward on a regular, frequent basis.
- A good guardian keeps informed about the ward's physical, mental and financial condition and services available to the ward.

- A good guardian is the legal custodian of the ward and has a duty to advocate for and/or defend the ward.
- A good guardian must use the same care and discretion when making decisions in the best interest of their ward as they do in making decisions when managing their own affairs.
- A good guardian ensures that the ward is living in the least restrictive living and service environment consistent with the ward's needs.
- A good guardian involves the ward in decisions whenever possible.
- A good guardian is prepared to make medical decisions in life threatening situations, including decisions about administering or withholding treatment.