

ORDER

DISTRICT RULE: GUARDIANSHIP PROCEDURES

IT IS HEREBY ORDERED that the following rules are adopted in the Circuit Courts of the 7th Judicial District, effective the date of this order. These rules are intended to explicate and augment Sections 54.19, 54.20 and 54.25 of the Wisconsin Statutes as well as the Letters of Guardianship. Any deviation from these rules shall require prior Court approval.

TRAINING & EDUCATION OF GUARDIANS

All guardians shall receive education and training in the duties and legal responsibilities of a guardian. Registers in Probate shall provide manuals, publications, workshops and other similar resources and training materials.

GUARDIANS OF THE ESTATE

1. **GIFTS, LOANS & CHARITABLE CONTRIBUTIONS** – Guardians shall not use the assets of wards to make gifts, loans or charitable contributions in the name of the ward. Conversion or commingling of assets is grounds for removal and may result in a referral for criminal prosecution.
2. **FEES & EXPENSES** – Non-corporate guardians are presumed to serve without fees. Corporate guardian fees shall be set by the court and reviewed periodically. All requests for fees and expenses shall be reviewed and approved by the court prior to payment.
3. **BONDS** – The court shall review each case to determine the need for, amount and terms of a bond.
4. **INVENTORY** – Within 60 days of appointment guardians shall file an initial inventory and pay the statutory filing fee.
5. **ANNUAL ACCOUNT** – Notwithstanding Section 54.62(3) of the Statutes, guardians shall file an annual account by April 15th of each year. Registers in Probate shall review all annual accounts.
6. **BURIAL TRUSTS** – If sufficient funds are available, guardians shall establish a burial, casket and vault trust.

7. EXPENDITURES – Prior approval from the Court is required for any expenditure over \$500. This requirement does not apply to monthly nursing home fees or rent.
8. TERMINATION & DISCHARGE – Guardians shall promptly notify the court of events (such as death of the ward or attainment of the age of majority) requiring termination of the guardianship. Guardians of the estate shall not be discharged until they have submitted a final account and any other paperwork required by the court.

GUARDIANS OF THE PERSON

1. ANNUAL REPORT – Guardians of the person shall file an annual report on or about the anniversary of the guardianship or at such other time as is ordered by the court. The guardian shall review any annual reports of the department and guardian ad litem.
2. CONTACTS & VISITS – Guardians shall contact the ward not less than monthly and shall visit the ward not less than quarterly.
3. RESPONSIBILITIES – Guardians shall insure that the ward receives proper care, including but not limited to food, shelter, clothing, medical care and personal needs.
4. MEDICAL DECISIONS – Whenever circumstances permit, the guardian shall act in accordance with the expressed wishes of the ward. When required to make medical choices for wards, guardians shall gather, weigh and consider all relevant information so as to make an informed and intelligent decision.
5. TERMINATION & DISCHARGE – Guardians shall promptly notify the court of events (such as death of the ward or attainment of the age of majority) requiring termination of the guardianship. Guardians of the person shall not be discharged until they have submitted any final paperwork required by the court.

Dated this 31st day of January 2007.



Honorable Michael J. Rosborough
Chief Judge
7th Judicial District