
GUARDIANSHIP OF PERSON - MINOR

EAU CLAIRE COUNTY
REGISTER IN PROBATE OFFICE
721 OXFORD AVENUE
EAU CLAIRE, WI 54703

HOURS:
MONDAY – FRIDAY
8:00 AM – 4:30 PM

PHONE: 715-839-4823

NOTE: This guideline 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.

I. LETTERS OF GUARDIANSHIP

- A. Certified copies of the letters of guardianship may be purchased from the Register in Probate office.

II. DUTIES OF THE GUARDIAN OF PERSON

- A. General Duties and Limitations (not all inclusive):

1. Make an annual report to the Court.
2. Guardian to: make regular inspection, in person, of ward's conditions, surroundings and treatment; examine ward's health care records; attend and participate in staff meetings if the meetings include discussion of the ward's treatment and care; inquire into the treatment of the ward; consult with health care providers and social workers.
3. Notify the Court of any change of address of the guardian or ward. It is your responsibility to keep the Register in Probate office informed of your current mailing address. File the attached form: GN-3520 Notice of Change of Address with the Register in Probate office. You may also call (715) 839-4823 to report any address changes.

III. ANNUAL REPORT

- A. Every year each guardian (of the person of the ward) must file an annual report to show the condition of the ward with the court.
- B. Annual report forms are sent to the guardian by the Court at the end of each year.
- C. The purpose of the annual report is to provide information to the Court on the health, welfare, and condition of the ward.

IV. IF A GUARDIAN DOES NOT FILE THE REPORT

- A. The Court can remove the guardian.
- B. The Court can issue an Order to be served by the Sheriff on the guardian to show cause why the guardian should not immediately make and file the report.

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- C. If the guardian fails to do so or respond, the Court may issue a warrant directed to the sheriff ordering that the guardian be brought before the court to show cause why the guardian should not be punished for contempt.

V. HOW IS A GUARDIANSHIP TERMINATED

A. Guardianship of the person terminates:

1. When a minor ward becomes 18, unless minor is incompetent.
2. When a minor lawfully marries.
3. When the ward changes residence from this state to another state and a guardian is appointed in the new state of residence.

B. Guardian may resign from position.

1. Guardian must continue in role until a successor is appointed.
2. Guardian is discharged from responsibility when the Court appoints a successor guardian.

VI. ADDITIONAL INFORMATION

The Wisconsin Guardianship Association has developed Standards of Practice: Best Practices for Wisconsin Independent and Corporate Guardians manual. This manual may be found at the following website:

<http://www.wisconsin-guardianship-association.com/> (scroll down to “Information and Training.”)