

Guidance for Filing for Guardianship “Pro Se”

“Pro se” means “for himself,” and in legal terms it means a person represents himself/herself in court without the assistance of an attorney.

These directions are for information only and should not be considered legal advice

Step One

These are the forms you will need to get started to petition for guardianship pro se. Please see below for guidance on how to use the forms. All of the forms can be found [here](#):

- a. **Petition for Guardianship** - [GN-3100](#)
- b. **Statement of Acts** - [GN-3140](#) (one for EACH person filing to be a guardian – so one for each parent if co-guardianship. Must be notarized.)
- c. **Examining Physicians or Psychologist Report** - [GN-3130](#) (print or email to Physician, needs to be completed by a PhD Psychologist/Psychiatrist or Medical Doctor)
- d. **Affidavit of Service** - [GN-3120](#) (to be completed by individual serving paperwork. Will need notarized)
- e. **Order Appointing Guardian ad Litem or Attorney** - [GF-131A](#) (fill out the first half of the form up until “The Court Orders”)
- f. **Order and Notice of Hearing** - [GN-3110](#) (complete the top 1/3 of the form up until “The Court Orders”)
- g. **Guardianship training requirements** - Wisconsin state law requires each person (parent, family member or other potential guardian) to complete Guardianship Training and Evaluation. The training must be completed no later than four days—96 hours—before the final hearing. There is no charge for this training. For additional information and to register for the free training go to: <https://www.uwgb.edu/guardianship-training/>

****The clerk at Probate Court will fill in the Case # on all forms****

Important that parents/petitioners NOT sign the above paperwork until they are in front of a notary. Can be notarized by the Paralegal at Probate Court or can be notarized at a bank.

Step Two

Send the **Examining Physician's or Psychologist's Report – GN-3130** to your child's doctor. Allow plenty of time for this as it needs to be completed by a doctor well before the hearing occurs. Often the doctor completing this might be the child's psychiatrist or neurologist, but can also be the pediatrician or other physician who knows the adult child well. This document needs to be submitted with the Petition for Guardianship. Probate court will not schedule a hearing until this is submitted.

Step Three

Call Probate Court (608-266-4331) and make an appointment with the Paralegal. Appointments will not be made till six weeks before the child turns 18yrs old. At the appointment, the Paralegal will review the forms, discuss the process, and file the paperwork. The Paralegal will also be able to notarize the signatures. During this appointment, the Paralegal will schedule the guardianship hearing and assign a Guardian Ad Litem (GAL).

Step Four

Child will need to be served the **Petition for Guardianship** form. Parents can serve their child the paperwork only if by certified mail; otherwise, school personnel or child's case manager, etc. can. Once served the **Affidavit of Service – GN-3120** form needs to be completed and notarized. Mail into Dane County Courthouse, Probate Court, Room 1005, 215 S. Hamilton, Madison, WI 53713.

Step Five

The Dane County Corporation Counsel (DCCC) also needs to be served the Petition for Guardianship form. Anyone, including parents, can serve the papers. Once served the **Affidavit of Service – GN- 3120** form needs to be completed and notarized. The forms can be mailed to: City County Building, Dane County Corporation Counsel, 210 Martin Luther King Jr. Blvd, Room 419, Madison, WI 53703- 3345.

*If the same third party serves the child and the DCCC, they can use the same Affidavit of Service.

Step Six

The Guardian Ad Litem (GAL) who is assigned will contact the guardian(s) and schedule a meeting to meet with the prospective guardian(s) and child. The GAL's job is to act in the best interest of the child. The GAL is also a good resource in helping with the forms if there are any questions

Step Seven

The following forms can be completed by the guardian(s) prior to the hearing or the GAL can contact Probate Court and let them know the guardian(s) are asking that the court complete the forms. Parents should only be completing the top portion of each form. Uncontested Hearings are held via zoom. The GAL will not be able to review any of the documents at the hearing. The documents should be provided to the GAL prior to the hearing to confirm that he/she is in agreement with the Order and Letters.

Step Eight

- a. **Determination and Order on Petition for Guardianship Due to Incompetency – [GN-3170](#)**
(Complete top portion of the form only up until “The Court Considers”) This form can be completed before the hearing as it is similar to the Petition for Guardianship. It also may be possible for the GAL to review it at the hearing before it is given to the Court Commissioner at the hearing.
- b. **Letters of Guardianship of the Person Due to Incompetency – [GN-3200](#)** (complete “In the Matter of” portion and leave the rest blank --file with petition) This form can be completed before the hearing. It also may be possible for the GAL to review it at the hearing before it is given to the Court Commissioner at the hearing.
- c. **Letters of Guardianship of the Estate Due to Incompetency – [GN-3210](#)** (complete “In the Matter of” portion and leave the rest blank --file with petition) This form can be completed before the hearing. It also may be possible for the GAL to review it at the hearing before it is given to the Court Commissioner at the hearing.

Step Nine

The **Hearing**, if not contested, typically lasts between 5-10 minutes. Hearings are being done via zoom. Probate will provide a copy of the Order and Letters to the guardian. But if a seal on the Order is desired (most financial institutions require this) then the guardian will need to go to Probate Court in person to pay/receive these Orders or send Probate a check and have the sealed Order sent to them.

Other Guardianship Resources:

Guardian Support Center: <https://gwaar.org/guardianship-resources>

Guardianship for Adults: DHS guide which is very helpful and answers many questions about guardianship and the process. [Guardianship of Adults, P-20460 \(wisconsin.gov\)](#)