

Forms and Procedure for Petitioning for Termination of Adult Guardianship

Forms can be found online at: <https://www.wicourts.gov/forms1/circuit/formcategory.jsp?Category=17>

Then click on the link Due to Incompetency for forms (see below).

You can also purchase forms at the Dane County Law Library/located in the basement of the Dane County Courthouse, 215 S. Hamilton St, Madison, WI 53703. Call 608-266-6316 for assistance.

- 1) Complete the forms. Make sure to have a PhD Psychologist/Psychiatrist or a Medical Doctor complete a new Examining Physician's or Psychologist's Report. Make sure the case number is on the form.
- 1) File the Petition for Termination and Examining Physician's or Psychologist's by mailing, filing in person or faxing to the probate office. These documents need to be served on the ward, any current guardian and on any other interested party. Please call to discuss service and ask for Gina.
- 2) Pro se parties may choose to electronically file a new case or opt into an existing case to e-file documents. If you are opting into an existing case, please see your notice of electronic filing or call the probate court for your opt in code. You must enter your name exactly as it is in the case. There is a one time \$20 opt in fee or electronic filing fee (for filing of a new case) but then you will have full access to the case.
- 2) If you file in person, bring an extra copy of both forms so that you can leave with a file stamped copy. Otherwise, make sure you keep a copy for service if mailing or faxing. You are responsible to send a copy to all the interested parties.
- 3) Once service (mailing of forms to interested parties) is completed, then you must file an Affidavit of Service (GN-3120) with the Probate Court to show that you have served all the parties. If service is not completed, your Petition may be set over or denied.
- 4) If necessary, attorneys should call ahead to get a date and time for a hearing and to acquire the name of the Guardian ad Litem that will be appointed. Attorneys should then prepare an Order and Notice of Hearing and an Order Appointing a Guardian ad Litem to e-file with the other required forms. If you have waivers and consents from interested parties and a doctor's report indicating that the person has regained competency, a hearing may not be required.

FORMS

- 1) [GN-3650 Petition for Termination of Guardianship of Person/Estate](#)
- 2) [GN-3130 Examining Physician's or Psychologist's Report](#)
- 2) [GN-3120 Affidavit of Service](#)

***Disclaimer-**This information is intended solely as a guideline for those petitioning the Probate Court for Temporary or Permanent Guardianship of a Minor or Adult/or other Petitions in Probate Court. It is not meant to be legal advice, nor is it legal advice in any fashion. The following information does not in any way remove from the petitioner the responsibility to research and comply with all applicable statutory requirements for any filings and processing of any filings or actions, including service requirements. For those petitioners who have specific legal questions concerning any filings or legal requirements relating to the same, you may wish to consult with an attorney.