

CHAPTER 54 GUARDIANSHIP HEARING CHECKLIST

Questions for Proposed Guardian

1. What is your relationship to the child(ren)?
2. How long has the child(ren) resided in your home?
3. Are you here requesting that the court grant Guardianship of the child(ren) to you?
4. Do you understand that as Guardian of the child(ren) you would have the duty and authority to make important decisions in matters having permanent effect of the child(ren)'s life and development?
5. You understand you would have the duty to be concerned about the general welfare of the child (ren) until he/she is 18 years of age?
6. Do you understand that this would include the authority to consent to marriage, enlist in the US armed forces, make major medical, psychiatric and surgical decisions and consent to obtaining a motor vehicle operator's license?
7. You understand that this would include the authority to represent child(ren) in legal actions and make other decisions of legal significance concerning the child(ren) but not the authority to deny the child (ren) the assistance of counsel as required by the Children's Code, chapter 48 of the Wisconsin Statutes?
8. The right and responsibility of legal custody which includes the right and duty to protect, train and discipline the child (ren) and to provide food, clothing, shelter, legal services, education and ordinary medical and dental care?
9. You also understand that an order for Guardianship can be modified or terminated only upon death, physical or mental incapacity of the Guardian, or unwillingness or unfitness of the Guardian to continue as Guardian?
10. Do you also understand that a transfer of Guardianship of the child(ren) does not affect his/her/their parent's rights and responsibility of visitation and support?
11. You understand that an order for Guardianship can be modified or terminated only upon death, physical or mental incapacity of the Guardian, unwillingness or unfitness of the Guardian to continue as Guardian, or upon further order of the Court?
12. Are you currently in good health?

13. Are you employed? How much is your monthly income? Do you receive income from sources other than employment? How much?
14. Are you able to provide health insurance for the child(ren)?
15. Do you feel you are able to both physically and financially take care of the child(ren) until he/she/they reach the age of 18?
16. Does the child have any sources of income or significant assets?
17. Who else lives in your household?
18. How many rooms are there in your home?
19. Have you or anyone else in your household been referred to child protective services?
20. Have you or anyone else in your household been charged with or convicted of a crime other than a traffic offense?
21. Have you or anyone else in your household ever been treated for drug or alcohol abuse or mental illness?
22. Please explain in your own words why you are petitioning for Guardianship?
23. Do you have any questions concerning this matter?

Questions for Child, if 14 or Older:

1. Who do you wish to serve as your legal guardian until you are 18 years old?
2. Do you then nominate the petitioner to serve as your legal guardian?
3. Do you have any questions concerning this matter?

