

STATE OF WISCONSIN, CIRCUIT COURT, \_\_\_\_\_ COUNTY

IN THE INTEREST OF

Amended

\_\_\_\_\_  
Name

**Order for Appointment  
of Successor Guardian  
(§48.977, Wis. Stats.)**

\_\_\_\_\_  
Date of Birth

Case No. \_\_\_\_\_

A Petition for Appointment of Successor Guardian (§48.977, Wis. Stats.) was filed.

**THE COURT FINDS:**

1. The current guardian [Name] \_\_\_\_\_ is no longer able to serve as guardian of the child due to  
 death.  incapacitation.
2. The successor guardian was named in a subsidized guardianship agreement or amended subsidized guardianship agreement that was entered into before the death or incapacity of the guardian as successor guardian to assume the duty and authority of guardian.
3. The following conditions have been met:
  - The child, if 14 years of age or over, has been consulted with regarding the successor guardianship arrangement.
  - The person named as successor guardian has a strong commitment to caring permanently for the child.
  - The named successor guardian was interviewed, the home was inspected, and determined that placement of the child with the successor guardian is in the best interests of the child.
    - In the case of an Indian child, the best interests of the Indian child were determined in accordance with §48.01 (2).
  - The named successor guardian has entered into a subsidized guardianship agreement.
  - A background investigation has been conducted of the person and the home of the named successor guardian and any nonclient resident and meets the requirements in §48.685.
  - Any order placing the child or continuing the placement of the child outside of the child's home has been terminated or any proceeding in which the child has been adjudged CHIPS has been dismissed.
  - If the county has reason to know that the child is an Indian child, notice of the Indian child's placement in the successor guardian's home has been provided to the Indian child's parent, Indian custodian, and tribe. The home of the successor guardian complies with the order of placement preference unless there is good cause to depart from that order.

**THE COURT ORDERS:**

1. The Court appoints [Name] \_\_\_\_\_ as successor guardian of the child with  
 full powers enumerated under §48.023, Wis. Stats.  
The duty and authority to make important decisions in matters having a permanent effect on the life and development of the child and the duty to be concerned about the child's general welfare, including but not limited to:

- The authority to consent to marriage, enlistment in the U.S. armed forces, major medical, psychiatric and surgical treatment, and obtaining a motor vehicle operator's license.
- The authority to represent the child in legal actions and make other decisions of substantial legal significance concerning the child but not the authority to deny the child the assistance of counsel as required by Chapter 48.
- The right and duty of reasonable visitation of the child.
- The rights and responsibilities of legal custody except when legal custody has been vested in another person or when the child is under the supervision of the department of corrections under §§938.183, 938.34 (4h), (4m), or (4n), or §938.357 (3) or (4), Wis. Stats., or the supervision of a county department under §938.34 (4d), (4m), or (4n), Wis. Stats.

powers limited to: \_\_\_\_\_.

2. The successor guardian shall receive a copy of the initial guardianship order and any court order revising that initial order.

3. Other: \_\_\_\_\_

**THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.**

**DISTRIBUTION:**

1. Court
2. Child – if 12 years or older
3. Child's Guardian ad Litem/Adversary Counsel
4. Parents
5. Parents' Attorney(s)
6. Child's Successor Guardian
7. Child's Legal Custodian
8. District Attorney/Corporation Counsel
9. Caseworker
10. Tribe (if any)
11. Indian Custodian (if any) \_\_\_\_\_