
EMERGENCY MINOR GUARDIANSHIP

ST. CROIX COUNTY
PROBATE OFFICE
1101 CARMICHAEL RD
HUDSON WI 54016

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

PHONE: 715-386-4619

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 or complete the forms for you; please contact an attorney if you have legal questions.

TO OPEN AN *EMERGENCY* MINOR GUARDIANSHIP: read the following forms prior to completing them; once completed, file them with the Register in Probate office:

- ☐ JN-1504 Petition for Appointment of Emergency Guardian
- ☐ JD-1724 Notice of Hearing (Juvenile)
- ☐ GF-150 Uniform Child Custody Jurisdiction and Enforcement Act Affidavit
- ☐ JN-1510 Nomination of Guardian by Parent or Child
- ☐ JN-1514 Statement by Proposed Guardian
- ☐ [proposed] JN-1520 Temporary Order Appointing an Emergency Guardian
- ☐ [proposed] JN-1521 Letters of Guardianship and Dispositional Order Appointing an Emergency Guardian
- ☐ JD-1825 Affidavit of Service (Chapter 48 and 938)

SCHEDULING HEARING/SERVICE OF DOCUMENTS:

- The Register in Probate office will schedule a hearing on the emergency guardianship petition as soon as possible or, for good cause shown, the court may issue a temporary order appointing an emergency guardian without a hearing. The temporary order shall remain in effect until a hearing is held on the emergency guardianship petition.
- The Petitioner is responsible for serving the following: Petition, Notice of Hearing, any attachments and form JN-1540 - Request to Modify Guardianship, Extend Limited/Temporary Guardianship, Reconsider/Modify Emergency Guardianship, Terminate Guardianship.
- Petitioner shall serve the documents on the following: the child if 12 years or older; child's Guardian ad Litem; child's counsel, if any; child's parents, guardian, and legal custodian; and the person nominated as emergency guardian.
- Service shall be as soon after the filing of the petition as possible and served by the most practical means possible, including personal service or service by electronic mail or telephone. NOTE: Should service not be accomplished until after the hearing, the petitioner remains responsible for serving the petition with any attachments, the notice of hearing and form JN-1540 together with the court's temporary order, if any.
- The Court will appoint a Guardian ad Litem (GAL) in an emergency guardianship proceeding. The Court will determine who shall pay the GAL's fees.

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TIMELINES:

- The emergency guardianship is valid for 60 days
 - ☐ JN-1540 Request to Modify Guardianship, Extend Limited/Temporary Guardianship, Reconsider/Modify Emergency Guardianship, Terminate Guardianship
 - ☐ [proposed] JN-1546 Order on Request to Reconsider/Modify Emergency Guardianship Order
 - ☐ [proposed] JN-1548 Order on Request to Terminate Guardianship

- Any further guardianship proceeding requested (full, limited or temporary) should be filed and heard prior to the expiration date of the emergency guardianship. Separate filing procedure guidelines are available for a *full*, *limited* or *temporary* guardianship.

- **CERTIFIED COPIES:** Certified copies of Orders are available from the Register in Probate Office. The certification fee is \$3.00, plus \$1.00 for each page copied and certified. Requests for certified copies may be made in person or by mail. If the request is by mail, please enclose the correct fee **and** a stamped, self-addressed return envelope. Payment must be received before the issuance of certified copies.

FORMS: the forms listed above (with an alpha-number) can be found at: www.wicourts.gov.
Select: Forms, Circuit Court, Guardianship, Chapter 48 Guardianships, 48.9795