

FORM SUMMARY

Name of Form: **Petition for Appointment of Guardian (Full/Limited/Temporary) (§48.9795, Wis. Stats.) – Indian Child Welfare Act**

Form Number: **IW-1501**

Statutory Reference: §48.9795, Wisconsin Statutes

Benchbook Reference:

Purpose of Form: Petition to the court to appoint a guardian for a child.

Who Completes It: Party seeking the appointment.

Distribution of Form: Court; copies to the child – if 12 years or older, child’s parents, child’s Guardian, child’s Legal Custodian, child’s Guardian ad Litem/Adversary Counsel, Tribe, Indian Custodian, and any Additional Interested Persons.

Accompanying Forms: The Uniform Child Custody Jurisdiction and Enforcement Act Declaration (GF-150). Statement by Proposed Guardian (JN-1514) for Full, Limited, or Temporary guardianship.

New Form/Modification: Modified; last update 11/23.

Modifications: Updated #16 – changed “Affidavit” to “Declaration” pursuant to 2023 WI Act 245 – Unsworn Declaration.

Comments:

This guardianship form requests the court to appoint a guardian for a child under §48.9795, Wis. Stats. Use GN-3290 to Petition for Guardianship of the Estate (Minor Guardianship).

The party seeking the appointment of guardian for a child must provide notice of the hearing and this petition to the parties. The Indian child’s parents, Indian custodian, and Indian tribe must receive notice at least 10 days before the date of the hearing. If the identity or location of the Indian child’s parent, Indian custodian, or tribe cannot be determined, the U.S. Secretary of the Interior must receive notice at least 15 days before the date of the hearing. Proof of registered mail is required.

The party seeking the appointment of guardian for a child must also provide notice of the hearing and this petition to the child (if 12 years or older), child’s guardian, legal custodian, guardian ad litem / adversary counsel, and any other interested persons at least 7 days before the date of the hearing. Service shall be made by first class mail or by personal service.

U.S. Secretary of Interior address:
Midwest Regional Director
Bureau of Indian Affairs
5600 American Blvd. W Ste. 500
Bloomington, MN 55437

The court may appoint coguardians of the person for a child, subject to any conditions that the court imposes. Unless the court orders otherwise, any decision concerning the child must be concurred in by all coguardians or is void. Wis. Stat. §48.9795 (2)(b)(4). If coguardians are

nominated, both names shall be included on the petition.

About this Form:

This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.