



## **VOLUNTEER SERVICES**

Health & Human Services  
Youth & Family Services Division  
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### **LEGAL GUARDIAN**

**DEPARTMENT:**

Outagamie County Department of Health & Human Services, Volunteer Services

**RESPONSIBLE TO:**

Volunteer Coordinator

**CATEGORY:**

Volunteer

**DESCRIPTION:**

The legal guardian is court appointed to advocate and take care of the interests of the person and/or estate of a person who has been declared incompetent and is now a ward of the state.

**RESPONSIBILITIES OF ALL LEGAL GUARDIANS:**

- Complete required training
- Safeguard original Letters of Guardianship that have been electronically signed by the Court.
- Provide interested parties with copies of Letters of Guardianship
- Notify Register in Probate of address and phone number changes of ward and guardian
- Respect confidentiality of ward
- Use all statutory forms or forms provided by Register in Probate office
- Consent to release of confidential information and records
- Receive all notices on ward's behalf
- Act as advocate for the ward's best interests
- Visit the ward in the home setting one time per year and have a face to face meeting at least once every three months
- Maintain routine contact with the ward and/or service providers monthly
- Provide updated criminal background check and credit check every four years to Register in Probate office
- Follow all Court orders

**RESPONSIBILITIES OF GUARDIANS OF ESTATE (per state law and county policies):**

- Locate, itemize, and receive all income of ward
- Locate and itemize all financial accounts and real estate holdings of ward
- Ensure the ward does not have joint accounts with another individual
- Provide Letters of Guardianship to Social Security Administration (SSA) to apply and/or receive ward's Social Security benefits
- Establish guardianship bank account in the name of the ward with guardian's name listed on account
- Keep all receipts and financial statements for seven years
- Establish ledger sheet to record ward's personal allowance expenditures

- Receive the income and expense ledgers from housing provider including all receipts if applicable
- Complete a Guardianship or Conservatorship Inventory of assets and sources of income as of the date appointed as guardian
- Submit Inventory to the Register in Probate within 60 days of final court hearing along with statutory fee.
- Complete credit check, Circuit Court Access search on ward to determine outstanding debt.
- Ensure all bills for the ward are paid promptly
- Apply for appropriate public assistance programs for the ward
- Establish Irrevocable funeral trust if funds available for the ward
- Ensure ward's assets remain under appropriate asset level for Medicaid
- Obtain court approval for expenditures over \$500
- Complete and file the Monthly Budget Expense Form with verification to Court for approval
- Complete statutory Annual Account form and file with Register in Probate by deadline

**RESPONSIBILITIES OF GUARDIANS OF PERSON (per state law and county policies):**

- Choose medical providers based on ward's needs
- Consent to medical treatment for the ward
- Obtain legal advice prior to making end of life decisions
- Consent to living arrangement and services, unless Court ordered
- Make decisions related to travel for the ward
- Ensure the ward does not have access to firearms
- Complete statutory Annual Report form and file with Register in Probate by deadline

**QUALIFICATIONS:**

- Have a valid driver's license (if transporting client)
- Have current and legal insurance coverage on vehicle (if transporting client)
- Have a clean driving record (if transporting client)
- Ability to use online banking (for guardian of estate)
- Pass Background check

**SKILLS NEEDED:**

- Be dependable
- Be able to remain objective
- Show compassion while maintaining appropriate boundaries
- Be able to complete necessary paperwork

**TIME COMMITMENT:**

The work can be completed around the guardian's schedule. Court appointments are made for the lifetime of the ward. In the event a guardian does not wish to continue, the proper legal paperwork must be filed and a successor guardian appointment made before the guardian is legally discharged from duties.

**TRAINING:**

Free online training through UWGB is required for all guardians appointed after January 1, 2023.

<https://www.uwgb.edu/guardianship-training/>. The Guardianship Assistance Program is a partnership with Easter seals and Outagamie County. The program offers free trainings throughout the year as well as individual help over the phone or face to face appointments to help you fulfill your role as guardian of estate or person or both. The program does not dispense legal advice.

**WORK LOCATION:**

The work can be completed in your own home. Four face to face visits per year are required with the ward with at least one being in his/her residence.

**BENEFITS:**

- Mileage reimbursed at federal rate
- If a senior and enrolled in RSVP (Retired and Senior Volunteer Program) you will not be taxed on income earned from reimbursement checks
- Meet new people
- Help those who are unable to help themselves

**SUPPORTS PROVIDED**

- Outagamie County Guardianship Tutorial
- Guardianship Assistance Program