



VOLUNTEER SERVICES

Health & Human Services
Youth & Family Services Division
500 W. FIFTH ST. APPLETON, WISCONSIN 54911
OFFICE: TELEPHONE 920.832.5515 Fax 920.832.5975
hsvolunteers@outagamie.gov
www.hsvolunteers.gov

LEGAL GUARDIAN

DEPARTMENT:

Outagamie County Department of Health & Human Services, Volunteer Services

RESPONSIBLE TO:

Volunteer Coordinator

CATEGORY:

Volunteer

DESCRIPTION:

A legal guardian is a court-appointed advocate for someone who has been declared incompetent. That person is referred to as a ward. The guardian manages the personal and/or financial interests of the ward.

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 your schedule. Court appointments continue for the lifetime of the ward. If you choose to step down, you must file legal paperwork. A successor guardian must be appointed before you are released from your duties.

TRAINING:

Free online training through University of Wisconsin- Green Bay is required for all guardians appointed after January 1, 2023. <https://www.uwgb.edu/guardianship-training/>. The Guardianship Assistance Program is a partnership between Easter Seals and Outagamie County. The program offers free trainings throughout the year. It also provides individual support by phone or in person to help you fulfill your role. The program does not provide legal advice.

WORK LOCATION:

The work can be completed in your own home. Four in person 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 enrolled in the Retired and Senior Volunteer Program (RSVP), you do not pay taxes on reimbursement payments
- Meet new people
- Help those who are unable to help themselves

SUPPORTS PROVIDED

- Outagamie County Guardianship Tutorial
- Guardianship Assistance Program