

MILWAUKEE COUNTY
REGISTER IN PROBATE OFFICE

APPROVAL OF ACCOUNTS BEFORE THE COURT

If it is appropriate for you to request a hearing before the judge for approval of the annual accounting report and prior to filing the applicable petition, you should be familiar with the applicable law and be prepared to litigate this matter pro se or with privately retained legal counsel.

To help you get started, we have prepared a list of basic instructions for bringing such an action. Each case is different, and may require additional documentation. The following list is intended to supply you with only a generic procedural roadmap. The forms listed below are available in the Office of the Register in Probate, 901 N. 9th Street, Rm 207, Milwaukee, Wisconsin 53233 or at www.wicourts.gov and at www.milwaukeecounty.org/CourtServices7714/ProbateHomePage/LocalForms.htm.

1. Submit one (1) original and two (2) copies of the following paperwork (in person or by mail*): Order and Notice of Hearing on Petition for Approval of Account of Guardian or Conservator, and Petition for Approval of Account of Guardian or Conservator. *If mailing, a self-addressed stamped envelope must be included.
2. Notice all interested persons by providing each interested person and the bond agency a copy of each the Petition and the Order/Notice, which were previously filed with the court (see #1 above). Notice must be according to the rules set forth in section 54.38(2) of the Wisconsin Statutes.
3. Prepare an Affidavit of Service (GN-3120) listing the names and addresses of all interested persons with the date they were mailed notice. Complete the Affidavit and then sign the document in front of a Notary Public.
4. Prepare and bring one (1) original and two (2) copies of the following to the court hearing: Order on Petition for Approval of Account of Guardian or Conservator, Affidavit of Service (with signature and stamp of a Notary Public), All relevant accounting documents, including but not limited to, verification of assets, proof of disbursements, current real estate and tax bills, prior year federal/state taxes and any other documents.

If you determine it is appropriate to request the Court to approve the accountings then the instructions listed above are to help you. It is your decision to petition the Court and it will be your legal burden to show that approval of the accountings is in the best interest of the ward. You should investigate and be prepared to testify as to whether the accountings were filed in good faith and to the best of your ability. There are many additional issues to consider and it is your duty as the petitioner in the action to be properly advised on the law.

The staff in the probate office cannot give you legal advice on the substance of your petition or the specific area of law. We will, as always, help you with any procedural questions that do not require giving legal advice.

The following forms are available online at www.wicourts.gov

- Affidavit of Service (GN-3120)

The following forms are available online at:

<http://www.milwaukeecounty.org/CourtServices7714/ProbateHomePage/LocalForms.htm>.

- Petition for Approval of Account of Guardian or Conservator
- Order and Notice of Hearing on Petition for Approval of Account of Guardian or Conservator
- Order on Petition for Approval of Account of Guardian or Conservator

IN THE MATTER OF THE ESTATE OF

Petition for Approval of Account of Guardian or Conservator

Case No. _____

Under oath, I state that:

1. I am:

- the Guardian of the Estate for the Ward
- the Conservator of the Estate for the Ward

2. My account of the Ward's estate from _____ to _____ is attached.
(Beginning Date of Account) (Ending Date of Account)

3. I have, in good faith and to the best of my ability, shown all newly discovered assets and income, disbursements, distributions, and losses, and assets on hand for the time period listed above.

I request that:

- 1. A time and place be set for hearing this petition; and
- 2. The account be approved.

Signature of Guardian/Conservator		Signature of Guardian/Conservator	
Name Printed or Typed	Telephone Number	Name Printed or Typed	Telephone Number
Address		Address	
Subscribed and sworn to before me on _____ _____ Notary Public/Court Official		Subscribed and sworn to before me on _____ _____ Notary Public/Court Official	
My commission expires: _____		My commission expires: _____	

Name of Attorney	Telephone Number	Bar Number
Address		
Probate-GN-Ptn for Approval of Account before the Court 030210		

IN THE MATTER OF THE ESTATE OF

Order on Petition for Approval of Account of Guardian or Conservator

Case No. _____

This matter is before the court on a Petition for Approval of Account of Guardian or Conservator and a hearing has been held. The court has considered the testimony, other relevant evidence presented, and the guardian ad litem's recommendation.

THE COURT FINDS:

- 1. Notice and Jurisdiction:
 - A. Notice has has not been properly served.
 - B. This court has does not have jurisdiction.

- 2. The petition requests an approval of the account from _____ to _____
(Ending Date of Account) (Beginning Date of Account)

THE COURT ORDERS THAT:

- 1. The Petition for Approval of Account of Guardian or Conservator for the account of _____ to _____ is granted/denied (strike one).
(Beginning Date of Account) (Ending Date of Account)
- 2. The account of _____ to _____ is/is not (strike one) approved.
(Beginning Date of Account) (Ending Date of Account)

3. _____

BY THE COURT:

(Circuit Court Judge/Court Commissioner)

Name Printed or Typed

Date

Name of Attorney	
Address	
Telephone Number	Bar Number
Probate-GN-Order on Ptn for Approval of Account before the Court-030210	

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

For Official Use

IN THE MATTER OF THE ESTATE OF

**Order and Notice of Hearing
on Petition for Approval of
Account of Guardian or
Conservator**

Case No. _____

A petition has been filed by (name) _____ requesting approval of the annual account of the:

- the Guardian of the Estate for the Ward
- the Conservator of the Estate for the Ward

THE COURT ORDERS THAT:

1. The petition be heard before _____, Court Official, on (date) _____, at (time) _____ or when scheduled thereafter at (location): _____
2. A copy of this order and the petition shall be served upon the individual, guardian, all interested persons, bond agency, if any, and delivered to all others entitled to notice.
3. Guardian shall bring all documentation of disbursements, assets, and income related to the accounting.

BY THE COURT:

(Circuit Court Judge/Court Commissioner)

Name Printed or Typed

Date

Name of Attorney	
Address	
Telephone Number	Bar Number
Probate-GN-Order NOH on Ptn for Approval of Acct before the Court-030210	