

MILWAUKEE COUNTY
REGISTER IN PROBATE OFFICE

PETITION FOR APPROVAL OF PROPOSED FEES/EXPENSES
(MINOR and **ADULT**)

Based on the circumstances of the estate, it may be appropriate for you to request a hearing before the judge to hear your petition to approve fees and/or expenses before incurring or paying said expenses. Such a request can be made if you feel it is necessary for the maintenance of the estate and in the best interest of the ward. 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, Room 207, Milwaukee, Wisconsin 53223 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 to Approve Proposed Fees/Expenses of the Guardianship of the Estate (Minor or Adult – depending on the age of the Ward), and Petition to Approve Proposed Fees/Expenses of the Guardianship of the Estate (Minor or Adult – depending on the age of the Ward).
2. Notice all interested persons by providing each interested person and the bond agency a copy of each the Petition and the Order and 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 to Approve Proposed Fees/Expenses of the Guardianship of the Estate (Minor or Adult – depending on the age of the Ward), Affidavit of Mailing (with signature and stamp of a Notary Public) and invoices, proposals or any other documentation related to the request.

If you determine it is appropriate to request the Court to approve the proposed fees/expenses 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 proposed fees and/or expenses are in the best interest of the ward. 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 to Approve Proposed Fees/Expenses: Guardianship of the Estate (Minor)
- Petition to Approve Proposed Fees/Expenses: Guardianship of the Estate (Adult)
- Order and Notice of Hearing on Petition to Approve Proposed Fees/Expenses: Guardianship of the Estate (Minor)
- Order and Notice of Hearing on Petition to Approve Proposed Fees/Expenses: Guardianship of the Estate (Adult)
- Order on Petition to Approve Proposed Fees/Expenses: Guardianship of the Estate (Minor)
- Order on Petition to Approve Proposed Fees/Expenses: Guardianship of the Estate (Adult)

IN THE MATTER OF THE ESTATE OF

Petition to Approve Proposed Fees/Expenses: Guardianship of the Estate (Adult)

Date of Birth: _____

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. I petition the court to authorize the following expenses:

a. Attorney's Fees: \$_____, Firm/Attorney _____ [] See Attached

Purpose: _____

b. Guardian Fees: \$_____, Firm/Attorney _____ [] See Attached

Purpose: _____

c. Gifts: \$_____, Person _____ [] See Attached

Explanation: _____

Was similar gift(s) made prior to guardianship: Yes // No

d. Charitable Donations: \$_____, Organization _____ [] See Attached

Explanation: _____

Was similar gift(s) made prior to guardianship: Yes // No

e. Other: _____ [] See Attached

3. I request that the court schedule a hearing on the matter and grant this petition.

Table with 2 columns for Guardian/Conservator and Attorney information, including fields for Name, Telephone Number, Address, Signature, and Commission Expiry.

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

For Official Use

IN THE MATTER OF THE ESTATE OF

**Order and Notice of Hearing on
Petition to Approve Proposed
Fees/Expenses: Guardianship of
the Estate (Adult)**

Date of Birth: _____

Case No. _____

A petition has been filed by (name) _____ requesting approval of proposed fees/expenses 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.

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 to Approve Proposed Fees/Exp-Adult 030210	

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

For Official Use

IN THE MATTER OF THE ESTATE OF

Order on Petition to Approve Proposed Fees/Expenses: Guardianship of the Estate (Adult)

Date of Birth: _____

Case No. _____

This matter is before the court on a Petition to Approve Proposed Fees/Expenses of the Guardian or Conservator of the Estate for the Ward. 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 proposed fees/expenses:

THE COURT ORDERS THAT:

- 1. The Petition to Approve Proposed Fees/Expenses of the Guardian or Conservator of the Estate for the Ward is granted.
2. The fees/expenses in the following amounts are approved:
a. Attorney's Fees: \$ _____, Firm/Attorney _____
b. Guardian Fees: \$ _____, Firm/Attorney _____
c. Gifts: \$ _____, Person _____
d. Charitable Donations: \$ _____, Organization _____
e. Other _____

Form with fields: Name of Attorney, Address, Telephone Number, Bar Number

BY THE COURT:

Signature line (Circuit Court Judge/Court Commissioner), Name Printed or Typed, Date