**GUARDIANSHIP REFERRAL PROCESS**

1. Call the Adult Protective Services Helpline at **608-261-9933**. When you leave a message provide your name, number, name of individual and his/her/their DOB and the reason for the phone call.

Example: My name is Daffy Mouse and I am calling about Minnie Minion. Minnie’s DOB is 2/14/1999 and I would like to talk with someone about making a referral for guardianship.

1. The APS Guardianship Unit prefers to receive calls from professionals working with the individual as you are typically able to be more objective about the individual’s situation and concerns.
2. Within 48 hours a Guardianship Social Worker will return your call and ask you for the following information:

* Name, address, telephone number and date of birth of individual.
* Is there a POAHC or Durable/Financial POA? If yes, is it activated? APS needs to receive a copy of the POA(s).
* Does person have the ability to complete a POA or a Supported Decision-Making Agreement?
* Does individual have a payee?
* Does individual have a case manager?
* Reason why guardianship is believed to be needed.
* Who will be the Guardian of Person/Estate?
* Is Protective Placement needed?

1. When the Guardianship Social Worker is in agreement that is appears guardianship/protective placement is needed, you will be emailed the following forms:
2. Examining Physician or Psychologist Report (EPPR)– MD **MUST** complete the top part of the form stating he/she/they have discussed the issue of guardianship with the individual. The MD **MUST** be in agreement to provide testimony.
3. Community Referral Form
4. Narrative Template

1. Return completed forms to the APS Guardianship SW.
2. The forms will be reviewed and you will be informed of one of two things:

* More information is needed OR
* The case will be assigned soon

1. Once the case is assigned the following tasks happen:
2. APS Guardianship SW meets with the individual.
3. APS Guardianship SW speaks with proposed guardian and informs them about the required GUA training, answers questions, etc.
4. Speaks with team and family members.
5. When the assessment has been completed and all of the documents have been received, the APS Guardianship SW will petition for guardianship and protective placement, if needed.
6. Uncontested hearings are scheduled for 30 days after the documents have been efiled with Probate. Contested hearings can take up to 90 days.

**Per WI Statue 55.08 Protective Placement Standard**

**(1)**Protective placement. A court may under s. [55.12](https://docs.legis.wisconsin.gov/document/statutes/55.12) order protective placement for an individual who meets all of the following standards:

**(a)** The individual has a primary need for residential care and custody.

**(c)** As a result of developmental disability, degenerative brain disorder, serious and persistent mental illness, or other like incapacities, the individual is **so totally incapable** of providing for his or her own care or custody as to create a **substantial risk of serious harm** to himself or herself or others. Serious harm may be evidenced by overt acts or acts of omission.

**(d)** The individual has a disability that is **permanent or likely to be permanent**.

Guardianship Referral Process > 10/24/2016, 8/21/2025