

Information About Guardianship

Anyone defined under Wisconsin law as someone who is incapable to care for oneself may need a guardian. This person is referred to as "the ward". Reasons for incompetence may include developmental disability, infirmities of aging, or other like incapacities that occur at any age as a result of an accident, or organic brain damage. Incompetence cannot be based solely on a person's decisions, even if they create a risk to his or her health and safety. Incompetence addresses the person's ability to make a knowing voluntary decision. Just because a person is physically disabled or has a cognitive impairment does not mean that he or she is incompetent. A guardian is an adult appointed by Probate Court to protect, act, and make decisions for a person in need of a guardian. Once appointed, a guardian is accountable to the court for providing proper care and management of the ward's affairs in the ward's best interest. No guardian is personally responsible for the debts of their ward.

What does a guardian do?

Guardianship is broken down into two categories: **Guardian of the Person** and **Guardian of the Estate**. A person may have one or more guardians. A **Guardian of the Person** makes decisions regarding the person, himself or herself that may include:

- general welfare of the ward, ensuring the ward has adequate shelter, food, medical care, and clothing
- assuring the ward's health, safety and well being
- assisting in making decisions concerning the person's living arrangements
- petition for restoring a ward's rights if and when it becomes appropriate

A **Guardian of Estate** manages the person's finances and property. No guardian is personally responsible for the debts of their ward. Duties include:

- taking possession of the ward's property and possessions
- protecting and preserving the property including accurate accounting
- filing a annual report to the court

Volunteer Guardians are needed in Racine County. Their responsibilities are to make health and placement decisions on behalf of the ward. The needs of the ward are matched with the abilities of the guardian. The guardian is a friend and advocate to the ward. Guardians can make a positive difference in the life of an individual. Guardians have the opportunity to develop caring relationships with individuals who need representatives to look out for their best interests. Benefits for the volunteers include flexibility of hours, increased knowledge of medical and other issues affecting these at-risk populations, and an opportunity to advocate within the human services field, nursing homes, hospitals and legal systems. If you or someone you know are interested in becoming a volunteer guardian call Volunteer Director Ruth Stauersbol at: 262-638-6337. Call today and begin to make a difference!

Resource information see: **Guardianship Support Center** at: <https://gwaar.org/guardianship-resources>