

How to Ask the Court to Change or End Your Guardianship

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I. Your Right to Review Your Guardianship

As a person with a guardian, you have the right to ask the court to decide if you should have more power to make your own decisions, if a different guardian may be better for you, or if you still need a guardian at all.

If you are asking the court to choose a different guardian for you, you may need to prove to the court that your guardian is not acting in your best interests. If you would like more information on that process, please see our document on [Asking the Court to Review the Conduct of a Guardian](#).¹

Before you ask the court for review, make sure that:

- It has been at least 180 days since you had a guardianship hearing; or
- It is an emergency; or
- You have new evidence to present to the court.

II. Steps to Take to Review Your Guardianship

A. File a Petition

The first step is to fill out the form “Petition for Termination of Guardianship of Person/Estate” (Form GN-3650) or the form “Petition for Modification of Guardianship” (Form GN-3655). The petition tells the court exactly how you want your guardianship changed, or if you want it ended. You can ask someone to help you fill out and file the petition, or someone can fill it in, sign it, and file it on your behalf. You can take it or mail it to the probate court in the county that handles your guardianship case.

The forms are free online at www.wicourts.gov. You can also contact the Wisconsin Guardianship Support Center at 1-855-409-9410 or guardian@gwaar.org.

B. The Guardian *ad Litem*

The court will appoint a guardian *ad litem*, or GAL. The GAL is an independent attorney who will review the changes you want. They will tell the court whether they think the changes you want are in your best interest. They may or may not agree with you.

¹ <https://gwaar.org/api/cms/viewFile/id/2004349>

C. Your Own Attorney

You have a right to an attorney to represent your wishes to the court. This attorney is different from the GAL. This attorney will only argue for what *you* want.

You may find an attorney on your own and you do not need your guardian's approval. But you may need to get court approval to pay the attorney. If you have had an attorney represent you in your guardianship in the past and now want a different attorney, you may need to get court approval to change attorneys.

If you want an attorney and are not able to find one on your own, you should tell the GAL right away. The GAL will ask the court to appoint an attorney for you. The court must appoint an attorney for you if you request one. If you do not have enough money for an attorney, the county will pay for one.

D. The Doctor or Psychologist

If you want to end your guardianship or if you want to have more power to make your own decisions, you may need a written report from a doctor or psychologist to talk about your decision-making.

E. Hearing

The court will set a time for a hearing. You have the right to attend this hearing and the right to have the hearing be held in a location and manner that is accessible to you. You also have the right to a jury trial at this hearing.

You or your attorney will explain to the court why you think your guardianship should be changed or ended. The GAL will also tell the court what they think is in your best interests. Other people may talk to the court about your guardianship. You or your attorney may also ask other people to talk to the court on your behalf. The court will decide whether to change or end your guardianship based on the things people say at the hearing.

III. If You Have Questions

If you have questions about any part of the guardianship process, you can ask the GAL, ask your attorney or the court, or contact the Wisconsin Guardianship Support Center.

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