

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE MATTER OF

**Written
Notice of Rights
(Guardianship
Due to Incompetency)**

_____ Date of Birth

Case No. _____

A petition has been filed in the court to continue the protective placement for you.

I have been appointed as an advocate for your best interests. It is my duty to interview you and explain:

- the contents of the petition,
- the hearing procedure that applies,
- your right to an attorney,
- your right to request /or continue a limited guardianship,

and to advise you both orally and in writing of your rights to:

- be present at the hearing,
- a jury trial,
- an appeal,
- an attorney, and
- an independent medical or psychological examination on the issue of competency, at county expense if you are indigent.

See attached.

I am giving this Written Notice of Rights to you on (date) _____

at (place) _____ .

Signature of Guardian ad Litem

Name Printed or Typed

State Bar Number

EXPLANATION OF RIGHT TO:**1. AN ATTORNEY.**

You have the right to an attorney if you request one, if I or another person state to the court that you are opposed to the guardianship petition, or if the court determines that the interest of justice requires an attorney for you. If you are unable to obtain an attorney, the court shall appoint an attorney for you.

2. A JURY TRIAL.

You have the right to a trial by jury, if demanded by you, by your attorney or by me, except this right is waived unless demanded **at least 48 hours** before the time set for the hearing. You, your attorney and I each have the right to present and cross-examine witnesses, including any physician or licensed psychologist who reports to the court concerning you.

3. AN INDEPENDENT EXAMINATION.

You have the right to secure an independent medical or psychological examination relevant to the issue involved in this hearing, at your own expense or, if indigent, at the expense of the county where the petition is heard on the merits; and the right to present a report of this independent evaluation or the evaluator's personal testimony as evidence at the hearing.

4. PAYMENT OF EXPENSES IN CONTESTING PROCEEDINGS.

If a guardian is appointed, the court shall, if the court determines it is reasonable, allow payment of expenses incurred by you in contesting the appointment from your income or assets. These expenses are payable before other attorney or guardian ad litem fees.

5. BE PRESENT AT HEARING.

You have the right to be present at any hearing regarding the guardianship.

6. HEARING IN AN ACCESSIBLE LOCATION.

You have the right to have any hearing regarding the guardianship conducted in a location and manner that is accessible to you.