

PLEASE PRINT OR TYPE ALL INFORMATION (except signature)

**NOTICE, PETITION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM**

In re \_\_\_\_\_

\_\_\_\_\_  
DOB: \_\_\_\_\_  
Petitioner

- - and - -

\_\_\_\_\_  
DOB: \_\_\_\_\_  
Respondent

CASE # \_\_\_\_\_ FA / PA \_\_\_\_\_  
Family A B C D ( )

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*A copy of this notice / petition was:  
served upon the person named here  
mailed to the person named here  
on \_\_\_\_\_, 20\_\_.  
signed: \_\_\_\_\_*

The petition of \_\_\_\_\_ states to the Court as follows:

1. I am \_\_\_\_\_ [attorney for \_\_\_\_\_] in this action. I believe it is appropriate to appoint a guardian ad litem for the parties' child(ren) now because:  
\_\_\_\_ One of the parties to this action says that the child or children in question are not issue of this marriage. Therefore, appointment of a guardian ad litem is required under Sec. 891.39, Wis. Stats.  
\_\_\_\_ There is an ongoing custody or placement dispute between the parties which will require the appointment of a guardian ad litem because:  
\_\_\_\_ Pursuant to Sec. 767.11, Wis. Stats., this matter has been referred to Family Court Counseling Service for mediation and that process has been unsuccessful.  
\_\_\_\_ Pursuant to Sec. 767.11(8)(b), Wis. Stats., I believe that attendance at an initial session of mediation would cause undue hardship to \_\_\_\_\_ because \_\_\_\_\_  
\_\_\_\_ Pursuant to Sec.767.11(8)(b), Wis. Stats., I believe that attendance at the initial session of mediation would endanger the health or safety of one or both of the parties because sufficient evidence is available to show that:  
\_\_\_\_ A party has engaged in abuse of the child or children, as defined in Sec.48.98(1)(a) and (b) or Sec. 813.122, Wis. Stats.  
\_\_\_\_ There has been interspousal battery as described under Sec. 940.19 or domestic abuse as defined in Sec. 813.12, Wis. Stats.  
\_\_\_\_ One or both parties has a significant problem with alcohol or drug abuse.  
\_\_\_\_ There is good reason to appoint the guardian ad litem now rather than wait until mediation has been completed because \_\_\_\_\_

2. The child or children in question is/are:  
\_\_\_\_\_, born \_\_\_\_\_  
\_\_\_\_\_, born \_\_\_\_\_  
\_\_\_\_\_, born \_\_\_\_\_

3. The mother resides at:  
Her phone number is:  
Her monthly income is:  
The source of that income is:  
Her attorney's name is: Phone No.:

4. The father resides at:  
His phone number is:  
His monthly income is:  
The source of that income is:  
His attorney's name is: Phone No.:

5. No previous application has been made for the appointment of a guardian ad litem in this matter. There is no general guardian of said child(ren).

WHEREFORE, if no objection is filed with the Court within 5 working days after this request is served on the other party, or his/her attorney, I request that the court appoint an attorney admitted to practice law in this state to act as guardian ad litem for the above-named minor child(ren). If an objection is filed, I request a hearing be set on this petition. If this is by stipulation, I request that the appointment be made immediately.

Dated at Milwaukee, Wisconsin, on \_\_\_\_\_, 20\_\_.

[Signature] \_\_\_\_\_  
[Name printed/typed] \_\_\_\_\_

\_\_\_\_ I agree with this request and stipulate to the appointment of a guardian ad litem at this time.

[Signature] \_\_\_\_\_  
[Name printed/typed] \_\_\_\_\_

**- - - - O R D E R - - - -**

Based on request stated in the foregoing petition, and upon all the records, files and proceedings in this case, and finding that the statements alleged in the petition are sufficient to show a basis to appoint a guardian ad litem at this time, and finding that both parties have notice of this request and that there is no objection to such appointment,

**IT IS ORDERED** that \_\_\_\_\_, an attorney admitted to practice law in this state, be, and hereby is, appointed as guardian ad litem for the above-named minor child(ren) in the dispute between the adult parties.

**IT IS FURTHER ORDERED:**

\_\_\_\_ that a deposit of \$ \_\_\_\_\_ be paid directly to the guardian ad litem, by \_\_\_\_\_ on or before \_\_\_\_\_, 20 \_\_\_\_, **OR** \_\_\_\_\_ that the parties are **deferred** from making payments at this time. The Court will make further orders as to payment of fees and as to reimbursement for such payments at a later time,

**IT IS FURTHER ORDERED** that the guardian ad litem's hourly rate may not exceed \$ \_\_\_\_\_ per hour without prior court authorization. \_\_\_\_ This rate is set higher than the standard rate established by the Supreme Court because: \_\_\_\_\_

Dated at Milwaukee, Wisconsin, on \_\_\_\_\_, 20\_\_.

**NEXT HEARING DATE:**

**BY THE COURT:**

Before:

Time:

Location:

\_\_\_\_\_  
Circuit Judge

**- - - - C O N S E N T T O A C T - - - -**

I, \_\_\_\_\_, State Bar # \_\_\_\_\_, an attorney at law admitted to practice in this state, consent to act as guardian ad litem for the above named child(ren) and agree to the fee charges as set forth above.

Dated: \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Guardian ad Litem

[GALPO/7/10/97]