

No. 256, S.]

[Published July 23, 1955.]

## CHAPTER 416

AN ACT to create 319.52 of the statutes, relating to appointment of conservator on voluntary application of person unable to manage his property.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

319.52 of the statutes is created to read:

319.52 VOLUNTARY PROCEEDINGS; CONSERVATORS. (1) Any adult resident who believes that he is unable properly to manage his property or income may voluntarily apply to the county court of the county of his residence for appointment of a conservator of his estate. Upon receipt of such application the court shall fix a time and place for hearing the same and direct to whom and in what manner notice of such hearing shall be given.

(2) At the time of such hearing the applicant shall be personally examined and if the court is satisfied that the applicant desires a conservator and that the fiduciary nominated is suitable, the court may appoint him as such and issue letters of conservatorship to him upon the filing of a bond in the amount fixed by the court.

(3) A conservator shall have all the powers and duties of a guardian of the estate of an incompetent person. His powers shall cease upon being removed by the court or upon death of the person whose estate is being conserved.

(4) Any person whose estate is under conservatorship may apply to the court at any time for termination thereof. Upon such application, the court shall fix a time and place for hearing and direct that 10 days' notice by mail be given to the conservator and the presumptive heirs of the applicant. Upon such hearing, the court shall, if satisfied that the applicant is competent, remove the conservator and order the property restored

to the applicant, or if the applicant so desires and the nominee is suitable, the court may appoint a successor conservator.

(5) If the court shall upon such hearing determine that the person whose estate is administered by a conservator may be incapable of handling his estate, the court shall order the conservatorship continued, or if the applicant so desires and the nominee is suitable, the court may appoint a successor conservator.

(6) Appointment of a conservator shall not be evidence of the competency or incompetency of the person whose estate is being administered.

Approved July 15, 1955.

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