

1971 Assembly Bill 137

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CHAPTER 35, Laws of 1971

AN ACT to amend 319.13 (1), (2) (a) and (3) of the statutes, relating to making guardians bonds discretionary with the courts.

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

319.13 (1), (2) (a) and (3) of the statutes are amended to read:

319.13 (1) Upon the appointment of a guardian of the estate of a ward, ~~except as provided under s. 319.33 (9), the court shall may~~ require a bond given in accordance with ch. 878 and s. 895.345, conditioned upon the faithful performance of the duties of the guardian.

(2) (a) ~~The Unless required under s. 319.33 (9), the court may~~ waive the requirement of a bond at any time in its discretion or if so requested in a will wherein a nomination appears, ~~but this shall extend only to property derived through the will.~~

(3) The county court may designate one or more persons who are county institutional employes, whose duty it is to act as guardian of one or more estates of incompetent persons upon appointment by the court, or as conservator for the estates of persons making application therefor, who are residents of the county home, patients of the county hospitals or county mental hospitals. Such appointments shall be made subject to this chapter. Such person, before entering upon his duties, shall take an official oath ~~and~~ The court may waive the requirement of a bond or may require such person to give bond, with sufficient sureties, to the judge of said court, in a sum not less than \$1,000 subject to court approval. Such bond shall cover the person so designated and appointed in all guardianships and conservatorships to which he has been or shall be appointed by the court. Additional bonds may be required from time to time. The expense of surety upon such bonds shall be paid by the county treasurer on the order of the county judge. The term of the person appointed shall terminate upon his resignation or removal and approval of his accounts by the county court.