



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 SENATE BILL 98**

September 21, 1995 - Offered by Representative GROTHMAN.

1 **AN ACT to amend** 48.831 (1m) (e) and 808.075 (4) (f) 4.; and **to repeal and**
2 **recreate** 880.17 of the statutes; **relating to:** the appointment of a successor
3 guardian.

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

4 **SECTION 1.** 48.831 (1m) (e) of the statutes is amended to read:
5 48.831 (1m) (e) A guardian appointed under ch. 880 whose resignation as
6 guardian has been accepted by a court under s. 880.17 (1).

7 **SECTION 2.** 808.075 (4) (f) 4. of the statutes is amended to read:
8 808.075 (4) (f) 4. Appointment of successor guardian under s. 880.17 (1).

9 **SECTION 3.** 880.17 of the statutes is repealed and recreated to read:
10 **880.17 Successor guardian. (1) APPOINTMENT.** When a guardian dies, is
11 removed by order of the court, or resigns and the resignation is accepted by the court,
12 the court, on its own motion or upon petition of any interested person, may appoint
13 a competent and suitable person as successor guardian. The court may, upon request
14 of any interested person or on its own motion, direct that a petition for appointment

1 of a successor guardian be heard in the same manner and subject to the same
2 requirements as provided under this chapter for an original appointment of a
3 guardian.

4 (2) NOTICE. If the appointment under sub. (1) is made without hearing, the
5 successor guardian shall provide notice to the ward and all interested persons of the
6 appointment, the right to counsel and the right to petition for reconsideration of the
7 successor guardian. The notice shall be served personally or by mail not later than
8 10 days after the appointment.

9 **SECTION 4. Initial applicability.**

10 (1) This act first applies to the death, removal or resignation of a guardian that
11 occurs on the effective date of this subsection.

12 (END)