

**Current Minor Guardianships—CHPT 54—Person Only (Attorney Kim Haines)**

1. Filing procedures
  - a. Forms used/required
  - b. Costs/fee deposit
  - c. Notice requirements 54.38
    - i. To proposed ward
    - ii. To Guardians/Parents
    - iii. Others
2. Guardian ad Litem
  - a. Duties under 54.40
  - b. Practical actions
  - c. Report of GAL
  - d. Dealing with un-represented parties
3. Involvement of the County (Attorney Molly Jasmer)
  - a. Under what circumstances is/should County DHHS be involved
  - b. Interaction and roles of County/corp counsel vs. Petitioner
4. Temporary Guardianship 54.50
  - a. Under what circumstances would one petition for Temporary Guardianship
  - b. Procedure
  - c. Extension—one 60 day extension allowed, limitation on filing additional Temp GN petition.
5. Hearing on Petition for Guardianship
  - a. Documents to prepare in advance and bring or provide prior to hearing
  - b. Legal standard for contested guardianship
  - c. Rules of evidence and standard of proof applicable
6. Considerations for specific orders related to visitation and contact with parents
  - a. Examples
7. Post Judgment motions for review/modification
  - a. 54.64/54.68
  - b. Notice requirements
  - c. Legal standard for a change
  - d. Procedure

**Proposed Changes to Minor Guardianship Laws (Attorney Molly Jasmer)**

1. Committee goals and make up
2. Problems identified with current law
3. Proposed modifications
4. Timeframe and process for proposals to become new law

**Materials Provided/Reviewed:**

1. Waukesha County Juvenile Court procedure letter and packet provided to pro-se litigants
2. GN-3290 Petition
3. GF-150 UCCJEA Affidavit
4. GN-3340 Letters
5. GN-3330 Order
6. GN-3320 Nomination
7. GN-3140 Statement of Acts
8. GN-3310 Waiver and Consent
9. GN-3325 Report of GAL
10. Temporary Letters, Extension of Temporary GN

## COURSE APPROVAL FORM – GENERAL CLE FORM 2

### REQUEST FOR APPROVAL OF CONTINUING LEGAL EDUCATION ACTIVITY

**SUPREME COURT OF WISCONSIN  
BOARD OF BAR EXAMINERS**

110 E. Main St., Suite 715  
P.O. Box 2748  
MADISON, WI 53701-2748  
TELEPHONE: (608) 266-9760  
FAX: (608) 266-1196 (LIMIT 10 PAGES)

- ◆ PRINT OR TYPE THIS APPLICATION
- ◆ SEE REVERSE FOR INFORMATION AND INSTRUCTIONS

1. Name and address of organization sponsoring the activity (not the name of the person applying):

- Waukesha County Bar Association  
Juvenile Law Section
- PO Box 88  
Waukesha, WI 53187-0088

2. Phone number of provider/sponsor:

( 262 ) 367-2181 (Attorney Michael D. Kaiser, Section Chair)

3. Title of the educational activity: Juvenile Law Section CLE Lunch -- Juvenile Guardianship Start to Finish

NOTE: Please provide the title of the entire conference/seminar/etc., not the title of a topic or a portion of the activity.

4. Date(s): 9/20/2011

5. Identify location(s): Machine Shed Restaurant, Pewaukee, WI  
(city & state; teleconference; live webcast; on-demand)

6. Method(s) of presentation (check all that apply):

- faculty in room with participants       teleconference  
 live webcast       on-demand (must include date of original, live program) \_\_\_\_\_  
 video/audio presentation with moderator -- name of moderator \_\_\_\_\_

7. Advertised to (target audience):  Lawyers       Others -- specify: \_\_\_\_\_

8. Number of attorneys expected to attend: 25      Total expected attendance: \_\_\_\_\_

9. Description of materials to be distributed:  
total pages 42       printed     electronic media  
 downloaded from web

When are materials distributed/available?  
 before program     at program     other \_\_\_\_\_

10. REQUIRED ATTACHMENTS to this application:

- a. time schedule (brochure, course outline, course description)
- b. table of contents or equivalent
- c. faculty name(s) and credentials (if not in brochure or description)

NOTE: Materials will be returned if a postpaid envelope is enclosed at the time the materials are submitted.

11. **Total minutes of instruction** (not including breaks, meals, or introductory remarks): 50 minutes

12. Start and end times: 12:30pm - 1:20pm

13. Legal ethics and professional responsibility (EPR)t:

- a. Identify portions of the activity devoted to EPR on the materials attached per Question 10.
- b. Total minutes of EPR: \_\_\_\_\_

14. Guardian ad litem (GAL) education:

- a. On the materials attached per Question 10, identify the portions of the activity designed to increase attendee's professional competence to act as GAL as follows:
- b. Total minutes of GAL: 50 Minor    Family    Adult

15. Submitted by:     employee of sponsor/provider     individual submittee

Michael D. Kaiser

Name of Person Applying (type or print) and Title (only if employee of sponsor)

9/20/11      [Signature]  
Date      Signature

138 North Avenue, Hartland, WI 53029

Address

City/State/Zip

(262) 367-2181  
(Area code) Phone

**NOTICE OF DECISION**  
(To be completed by the Board of Bar Examiners.)

The following action has been taken on this application:

APPROVED for \_\_\_\_\_ CLE hours.  
This total **includes** \_\_\_\_\_ EPR hours;  
GAL hours: \_\_\_\_\_ Minor GAL hours;  
\_\_\_\_\_ Family GAL hours; \_\_\_\_\_ Adult GAL hours

CLE / EPR / M-GAL / F-GAL / A-GAL APPROVAL DENIED.  
Reference \_\_\_\_\_

\_\_\_\_\_

BBE Staff \_\_\_\_\_ Date \_\_\_\_\_

The Board of Bar Examiners (BBE) no longer sends written notification of course approvals via letter. Approvals are instead posted on the "Search for courses" section of the BBE website. To determine course approval status, input the course date in the "Search for courses" section at <http://wicourts.gov/services/attorney/edu.htm>.

## HOW TO SECURE APPROVAL OF A COURSE FOR USE TOWARD THE WISCONSIN MANDATORY CONTINUING LEGAL EDUCATION (CLE) REQUIREMENT

The Wisconsin mandatory CLE requirement is administered by the Board of Bar Examiners, an agency of the Supreme Court of Wisconsin, with staff offices at Suite 715 Tenney Building; 110 East Main Street; Madison, WI 53703-3328. SCR Chapter 31 and duly adopted Board rules govern the Wisconsin CLE program. The information and instructions below are intended to guide completion of the CLE Course Approval Form – General (Form 2), not as substitutes for the rules themselves. Copies of SCR Chapter 31 and its Appendix are available at: [www.wicourts.gov](http://www.wicourts.gov).

A course approval form should be completed for each activity to be considered by the Board for approval for use toward the CLE requirement. The form may be duplicated as needed. An approval decision is usually made within two weeks; it will take longer if the request is not complete, or if the course approval form is submitted during the CLE seasonal peak (November-January). Please note that course approval forms arriving at the Board office with Report of Compliance (CLE Form 1) will be separated and processed independently.

The Board of Bar Examiners (BBE) no longer sends written notification of course approvals via letter. Approvals are instead posted on the "Search for courses" section of the BBE website. To determine course approval status, input the course date in the "Search for courses" section at <http://wicourts.gov/services/attorney/edu.htm>.

In order to make an approval decision the following must be provided:

**A timetable or agenda whereby a credit determination may be made.** It should include a precise breakdown of the actual starting and ending times of the activity, including the starting and ending times of breaks, opening remarks, meals and keynote speeches.

**A complete description of the written materials distributed to participants,** or a copy thereof. (Materials will be returned if a postpaid envelope is enclosed.) If it is not clear whether all portions of the program were supported by written materials, an annotated agenda may be submitted.

**An indication as to whom the activity was offered.** If it is not apparent that the objective was legal education, or if it appears to be geared to a general audience, include a statement as to how it increased the competence of lawyers who attended.

### Also, please note:

Fax submissions of requests for CLE credit must be limited to 10 pages or less.

As Wisconsin lawyers are obligated to satisfy a three-hour legal ethics and professional responsibility requirement biennially, it is necessary to clearly identify those programs, or portions of programs, lasting at least one continuous hour (50 minutes) on this topic.

Copies of SCR Chapter 35 and 36, which set forth education requirement for lawyers who accept appointments by a court as guardian ad litem for a minor or an adult, are available at [www.wicourts.gov](http://www.wicourts.gov).

Lawyers who teach approved courses are entitled to double the number of hours approved for each portion taught.

Copies of all brochures, written materials distributed to participants, and attendance lists shall be maintained by the sponsor for the minimum of four (4) years, and shall include the names of presenters. Copies may be in hardcopy form or stored electronically.

The Board of Bar Examiners does not maintain a transcript of CLE courses attended by lawyers. In order to receive credit for attendance at approved activities for use toward the Wisconsin CLE requirement, individual lawyers must report their hours of actual attendance (not to exceed the amount approved) on a timely filed Report of Compliance (CLE Form 1). Wisconsin lawyers admitted in even-numbered years must file a CLE Form 1 by December 31 every even-numbered year; Wisconsin lawyers admitted in odd-numbered years, by December 31 every odd-numbered year.

**Attachment to Course Approval Form—General CLE Form 2**

Time Schedule: 12:00 – 12:30pm Lunch  
12:30 – 1:20pm Program  
Description: Juvenile Guardianships Start to Finish

Presenters: Kim Haines and Molly Jasmer

Attorney Kimberly Haines  
Delafield Law Offices  
524 Milwaukee St Ste 208  
Delafield, WI 53018-1461  
Phone: (262) 646-5120  
Fax: (262) 646-7484  
Email: khaines@delafieldlaw.com  
Member ID: 1001231

- Represents limited liability companies and partnerships, corporations and other business entities
- Has extensive experience serving as counsel for parents, step parents, grandparents, and as GAL for minors in family, juvenile (CHIPS/TPR), and guardianship hearings.
- In 2010, Kimberly achieved Martindale-Hubbell's highest peer review rating of AV for legal ability and ethical standards.
- She is licensed to practice in Wisconsin and the U.S. District Court for the Eastern District of Wisconsin. She belongs to the State Bar of Wisconsin and the Waukesha County Bar Association
- With an extensive background as a legal and community volunteer and education advocate, Kimberly Haines brings a wealth of experience. She currently serves as an elected governor to the Wisconsin State Bar's Board of Governors. She is the organization's liaison to the Law Office Management Section and a former liaison for the Real Property, Probate, and Trust Section. She is a former member of the Kettle Moraine School Board and the former President of the Kettle Moraine Education Foundation.
- She is a regular presenter for the annual Waukesha County Guardian ad Litem seminar.
- Kimberly received her bachelor's degree from Mount Mary College in Milwaukee and later earned a law degree from Marquette University.

## **Molly J. Jasmer**

9400 N. Carlotta Lane  
Brown Deer, WI 53223  
414-446-4962

### **EDUCATION**

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Juris Doctor, Marquette University, May 1997  
Bachelor of Arts, University of Wisconsin – Eau Claire, May 1994  
Majors: Criminal Justice and Psychology  
Minor: Sociology

### **LEGAL EMPLOYMENT**

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- 7/02 – Present     *Waukesha County Office of Corporation Counsel*  
Prosecution of child abuse and neglect cases in Juvenile Court  
Prosecution of uncontrollable and habitually truant juveniles  
Prosecution of termination of parental rights cases  
Prosecution of minor guardianship in Juvenile Court  
Provide legal advice to the Waukesha County DHHS in areas affecting children and families (release of records, liability and other issues)
- 8/01 – 7/02     *Attorney, Wagner, Falconer & Judd, Ltd.*  
Practice areas: Family law, Criminal Law and Juvenile Law
- 8/00 – 8/01     *Attorney, Racine County Child Support Department*  
Establishment of Paternity and other child support obligations  
Enforcement of Wisconsin's Lien Docket program  
Enforcement of child support orders in which the State has an interest
- 6/97 – 8/00     *Trial Attorney, Wisconsin State Public Defender's Office*  
Juvenile Court and Traffic/Misdemeanor Court  
Probation/Parole Revocation hearings  
Chapter 51 Mental Commitments  
Chapter 55 Protective Placements

### **OTHER EXPERIENCE**

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- 1995 – 1997     *Kenosha Human Development Services- Kenosha, WI*  
Juvenile Crisis Worker  
-responded to after hours abuse and neglect reports  
-responded to juvenile runaways along with law enforcement  
-provided counseling to parents and juveniles in crisis  
Adult Crisis Worker  
-responded to emergency detentions under Chapter 51  
-provided counseling through adult crisis hotline
- 1996 – 1997     *Internship, Wisconsin State Public Defender's Office - Milwaukee, WI*  
Assisted with Misdemeanor/Traffic cases  
Performed legal writing and research

- Summer 1996      *Internship, Racine County District Attorney's Office – Racine, WI*  
 Conducted Preliminary Hearings and motion hearings  
 Performed legal writing and research  
 Prepared criminal complaints
- Spring 1996      *Clerkship, Milwaukee County Circuit Court, Branch 13- Milwaukee, WI*  
 Performed legal writing and research for a Felony court judge
- 1993 – 1994      *Eau Claire Academy – Residential Treatment Center - Eau Claire, WI*  
 Residential Treatment Worker (1/93 – 1/94)  
 Lead Residential Treatment Worker (1/94 – 7/94)
- 1992 – 1993      *Bolton Refuge House – Eau Claire, WI*  
 Group Facilitator for the children of domestic violence victims
- 1990-1992      *Family Resource Center – Eau Claire, WI*  
 Group Facilitator for the Nurturing Program

#### **COMMITTEE MEMBERSHIP**

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- 04/11 – Present      *Children's Court Improvement Program: Judicial Training – E-Learning Committee*
- 05/10 – Present      *Ad Hoc Minor Guardianship drafting committee*
- 7/07 – Present      *Wisconsin Commission on Children, Families and the Courts*
- 08/11 – Present      *Children's Court Improvement Program - Permanency Workgroup*
- 7/07 – 10/08      *2008 Wisconsin Summit Planning Committee*
- 10/08 - present      *Waukesha County's Wisconsin Summit Follow Up Committee*
- 01/09 – 09/10      *Board Member: Mental Health Association in Waukesha County, inc.*
- 07/05-09/10      *Board Member: Rosalie Manor Community and Family Services*

#### **TRAININGS AND PRESENTATIONS**

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- Waukesha Rotary Club – Child abuse and neglect in Waukesha County
- Waukesha Kiwanis Club – Role of Waukesha County Corporation Counsel
- 2006 Waukesha County Guardian ad Litem Training
- 2006 Wisconsin Juvenile Court Clerk's Association Training regarding Minor Guardianships.
- 2007 Waukesha County Guardian ad Litem Training
- 2007 Social Worker and Law Enforcement Training regarding child abuse and neglect investigations and courtroom procedure.
- 2007 Waukesha County Panel Discussion – Juvenile Court System

- 2008 Waukesha County Guardian at Litem Training
- 2008 Waukesha County Department of Health and Human Services Training regarding the Fourth Amendment and Child Abuse and Neglect Investigations
- 2009 Attorney Training - Recognizing and Responding to Childhood Sexual Assault
- 2009 Waukesha County Guardian ad Litem Training
- 2010 Waukesha County Guardian ad Litem Training
- 2011 Presenting a Case with a Child Witness