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**GUARDIAN/TRUSTEE FEE PROCEDURE**

BARRON COUNTY  
PROBATE OFFICE  
1420 STATE HIGHWAY 25 NORTH  
BARRON, WI 54812

HOURS:  
MONDAY-FRIDAY  
8:00 AM – 4:30 PM

PHONE: 715-537-6261

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1. ALL FEES PAID FROM GUARDIANSHIP OR TRUST FUNDS ARE SUBJECT TO THE APPROVAL OF THE COURT. IF YOU HAVE A QUESTION REGARDING WHAT FEES ARE ALLOWABLE, YOU SHOULD PETITION THE COURT FOR APPROVAL OF THE EXPENSES **PRIOR TO PERFORMANCE.**
2. **Just and Reasonable Guardian’s or Trustee’s Compensation:** The guardian of the estate is entitled to compensation in amounts that the Court deems “just and reasonable.” A finding of what is “just and reasonable” depends on the facts of each guardianship or trust, and is determined by the Judge.
3. **Court Approved Fees and Mileage Schedules:**

Fees: The guardian of the estate or trustee is entitled to compensation in the form of an “annual fee.” The current court-approved fees is calculated as follows:

- a. A start up fee to locate and identify assets and file the inventory:
  - i. \$100 for estates less than \$200,000 in value
  - ii. \$150 for estates more than \$200,000 in value
- b. Estate \$200,000 or less a fee of \$55 per month for a total of \$660 per year.
- c. Estates more than \$200,000 a fee of \$75 per month for a total of \$900 per year.
- d. Closing fee to file final accounting, secure receipts and order of discharge of guardian:
  - i. \$100 for estates less than \$200,000 in value
  - ii. \$150 for estates more than \$200,000 in value

**This annual fee represents compensation to the guardian of the estate or trustee for handling the routine activities of the guardianship or trust, such as receiving and depositing income, paying bills, maintaining the guardianship or trust checkbook, monitoring investments, preparing and filing the initial inventory and annual accounts, general visits with the ward, preparing final paperwork and final account when file is closed and handling general needs of the ward.**

Mileage: The guardian of the estate, guardian of the person, or trustee is entitled to compensation for **mileage** necessitated by the guardianship or trust, but only if documented by a log submitted with the verification of expenses filed with the annual account. (Mileage rate is based on current IRS business rate)

4. The guardian of the person may be reimbursed for out of pocket expenses by submitting a **written request for reimbursement, substantiated with receipts**, to the guardian of the estate or trustee.

For any other compensation, the guardian of the person **must** petition the court and receive **prior** approval before payment is made by the guardian of the estate or trustee.

5. **Extraordinary Fees:** The guardian of the estate, guardian of the person, or trustee may be entitled to compensation for performing “extraordinary work”, such as cleaning a residence in preparation for a sale or auction, but only if documented by a written record and receipts substantiating the expenses. **All requests for extraordinary fees must be submitted to the Court for approval prior to performance.** This can be accomplished by filing a petition with waivers or by requesting a hearing. All requests for payment must receive prior court approval before payment. Failure to obtain prior approval may result in denial of reimbursement or surcharge against the guardian.
6. **Hiring Service Providers:** Expenses incurred in the management of guardianship or trust assets, such as attorney’s, accountant’s, broker’s and other agents’ fees, may be paid by the guardian of the estate or trustee out of guardianship or trustee funds as long as the expenses are reasonable. **Persons employed by or related to the guardian or trustee cannot be compensated at a rate greater than the cost of services available in the community.**
7. **Reporting of Guardian or Trustee Fee on Annual Account:** The guardian of the estate or trustee must list all fees on the annual account in the year in which the expense was paid.
8. **Taxation of Guardian or Trustee Fees:** Fees paid for work as a guardian or trustee may be “income” to the guardian or trustee for income tax purposes. You will need to seek the advice of your attorney or accountant on this issue.

ACKNOWLEDGMENT OF RECEIPT OF POLICY:

I have read the above two pages regarding fees and compensation, and I understand what is required of me to receive compensation from a guardianship or trust.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Guardian or Trustee

\_\_\_\_\_  
Signature of Witness

- Distribution:
- Court – original
  - Guardian/Trustee