



Competency, Guardianship, and Voting in Wisconsin

Having the Right to Vote under Guardianship

In Wisconsin, a person under guardianship retains the right to vote unless the court expressly removes it.

The court order will not specifically say that the person has kept the right to vote. If the right has been removed, a box will be checked on your “Determination and Order” form.

Having the Right to Vote under Guardianship (continued)

If you are under guardianship and not sure if you have the right to vote, you can:

- ask your guardian to look at your “Determination and Order” form to see if your right to vote was removed. You can request a copy of this form from the Probate Court in your county. It costs about \$2.00 for a copy.
- ask the Municipal Clerk for your community to check the state’s list of individuals adjudicated incompetent and ineligible to vote.

Important Things to Know:

- If you lost the right to vote and are under guardianship, you may petition the court to restore your right to vote (Wis. Stat 54.64(2)(a)).
- A judge is the only person that can determine incompetency for voting purposes.

Important Things to Know (continued)

- Family members, doctors, or caretakers may not determine that you are incompetent to vote.

Want to Learn More?

To find out more, you can read the Disability Rights Wisconsin Competency, Guardianship, and Voting brochure. The brochure and other resources about this topic are available on:

- the Disability Rights Wisconsin website:
disabilityrightswi.org/resource-center/guardianship-and-voting/
- the Wisconsin Disability Vote Coalition website:
disabilityvote.org/2023/guardianship-and-voting-resources/