



2003 ASSEMBLY BILL 809

February 5, 2004 - Introduced by Representatives OWENS, AINSWORTH, ALBERS, BIES, GUNDERSON, HINES, HUNDERTMARK, KESTELL, F. LASEE, MUSSER and PETROWSKI, cosponsored by Senator ROESSLER. Referred to Committee on Family Law.

1 **AN ACT** *to create* 767.05 (8) of the statutes; **relating to:** substitution of judges
2 of divorce actions.

Analysis by the Legislative Reference Bureau

Current law generally allows a party to a civil action to file one request for substitution of a new judge for the judge assigned to the case. This bill permits a party that has been granted a divorce to file, in a subsequent proceeding related to the divorce, one request for substitution of a new judge for the judge that granted the divorce.

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

3 **SECTION 1.** 767.05 (8) of the statutes is created to read:
4 767.05 (8) SUBSTITUTION OF JUDGE IN SUBSEQUENT PROCEEDING. (a)
5 Notwithstanding s. 801.58 (1) and (3), in any action affecting the family under s.
6 767.02 (1) (i) or (k), a party may request a substitution of judge. The party that files
7 the petition, motion, or order to show cause commencing the action shall file request
8 for substitution along with the petition, motion, or order to show cause.

