

1971 Assembly Bill 238

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CHAPTER 110, Laws of 1971

AN ACT to amend 247.232 and 247.265 of the statutes, relating to assignment of mother's wages for child support.

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

SECTION 1. 247.232 of the statutes is amended to read:

247.232 After an order for the support of minor children of the parties has been entered in an action affecting marriage, and there has been a failure to comply with such order by the ~~father~~ parent under circumstances which would necessitate the issuance of a contempt order by the court, the family court commissioner may issue an order directing the ~~father~~ parent to assign such salary or wages due him or to be due him in the future from his employer or successor employers to the clerk of court, where the action is pending, as will be sufficient to pay allowances for the maintenance of his wife ~~and~~ or ~~for~~ the support, maintenance and education of their minor children ~~or both~~. The assignment shall be binding upon the employer and successor employers immediately upon personal service on the employer of a copy of the assignment signed by the employe and annexed to a copy of the order, until further order of the family court commissioner or the court. For each payment the employer shall receive \$1 which he shall deduct from the money to be paid the employe. Section 241.09 shall not apply to assignments under this section. The employer may not use such assignment as a basis for the discharge of an employe or for any disciplinary action against the employe. Compliance by an employer with the order operates as a discharge of the employer's liability to the employe as to that portion of the employe's wages so affected.

SECTION 2. 247.265 of the statutes is amended to read:

247.265 At any time after judgment in any action affecting marriage, as designated in s. 247.03, the court may make an order directing the ~~father~~ parent to assign such salary or wages due him or to be due him in the future from his employer or successor employers to the clerk of the court where the judgment was granted, as will be sufficient to pay the allowance, as adjudged by the court, for his wife or for the support, maintenance and education of the minor children of the parties or both. Such assignment shall be binding upon the employer and successor employers one week after service upon the employer of a true copy of the assignment signed by the employe and annexed to a copy of the order, by personal service or by registered or certified mail until further order of the court. For each payment the employer shall receive \$1 which he shall deduct from the money to be paid the employe. Section 241.09 shall not apply to assignments under this section. The employer may not use such assignments as a basis for the discharge of an employe or for any disciplinary action against the employe. Compliance by an employer with the order operates as a discharge of the employer's liability to the employe as to that portion of the employe's wages so affected.

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