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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2003-04

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Children and Families (AC-CF)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (May 2012)

Assembly

Record of Committee Proceedings

Committee on Children and Families

Assembly Bill 52

Relating to: changing the name of a minor.

By Representatives Foti, Van Roy, Lassa, Montgomery, Olsen, M. Lehman, Hahn, Stone, Ward, Jeskewitz, Ladwig, Hines, Owens, Musser, Ainsworth, Hundertmark, Gunderson, Ott, Kreibich, Huebsch, Townsend and Colon; cosponsored by Senators Wirch, Roessler and Risser.

February 13, 2003 Referred to Committee on Children and Families.

April 17, 2003 **PUBLIC HEARING HELD**

Present: (7) Representatives Kestell, Ladwig, Jeskewitz,
Vukmir, Sinicki, Miller and Krug.
Absent: (1) Representative Albers.

Appearances For

- Adam Raschka, Representative Foti's Office, Madison

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Dan Rossmiller, State Bar of WI, Madison
- Bob Wirch, 22nd Senate District, Madison
- Jeff Wiswell, WI Sheriffs and Deputy Assn., Madison

Registrations Against

- None.

May 28, 2003 **EXECUTIVE SESSION HELD**

Present: (8) Representatives Kestell, Ladwig, Albers,
Jeskewitz, Vukmir, Sinicki, Miller and Krug.
Absent: (0) None.

Moved by Representative Krug, seconded by Representative Ladwig that **Assembly Bill 52** be recommended for passage.

Ayes: (8) Representatives Kestell, Ladwig, Albers,
Jeskewitz, Vukmir, Sinicki, Miller and Krug.
Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 8, Noes 0



David Matzen
Committee Clerk

Vote Record

Committee on Children and Families

Date: 5-28-03

Moved by: Krug

Seconded by: Ladwig

AB WMS 52

SB _____

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage
- Adoption
- Confirmation
- Concurrence
- Indefinite Postponement
- Introduction
- Rejection
- Tabling
- Nonconcurrence

Committee Member

Representative Steve Kestell

Aye No Absent Not Voting

Representative Bonnie Ladwig

Representative Sheryl Albers

Representative Suzanne Jeskewitz

Representative Leah Vukmir

Representative Christine Sinicki

Representative Mark Miller

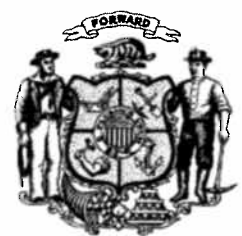
Representative Shirley Krug

Totals:

8 0 _____ _____



WISCONSIN STATE LEGISLATURE





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MAJORITY LEADER

AB 52: Changing the Name of a Minor

Testimony before the Assembly Committee on Children and Families
April 17, 2003

Chairperson Kestell and members of the committee, thank you for the opportunity to testify on this proposal.

This bill allows a single parent to change the name of a minor under the age of 14 with greater ease than under current law. Currently, both parents must petition for a name change unless the rights of one parent have been legally terminated. A judge has no discretion in ordering the name change unless both parents file the petition, even if one parent has clearly abandoned the child.

This legislation was prompted by a case I observed while shadowing Judge Patrick Snyder of Waukesha County Circuit Court for a day during the summer of 1997. A woman appeared before him asking permission to change her child's last name. Although she did not know the whereabouts of the father and had no contact with him for a considerable length of time, current law did not allow Judge Snyder to grant the name change.

According to Judge Snyder, this situation arises frequently. In the situation described, the first step towards changing the child's last name is initiating a Termination of Parental Rights proceeding (TPR). However, because this is often a costly and time-consuming process, many parents are discouraged from pursuing this option.

I believe it is appropriate to allow a single parent to change the child's name if the other parent has effectively abandoned the child and cannot be found. Therefore, I am proposing this legislation to do the following:

- Allow a single parent to petition for a name change if he or she shows proof that an attempt has been made by mail and by published notice to inform the absent parent of the petition.
- Require the parent petitioning for the name change to provide an affidavit showing that a reasonable attempt was made to locate the absent parent.
- Provide for judicial discretion to grant the name change if the absent parent does not appear to answer the petition.

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- If the absent parent appears at the hearing or otherwise answers the petition, the court shall not grant the name change unless the responding parent agrees.

With these safeguards, the bill allows a single parent to petition for a name change while providing the absent parent the opportunity to participate in this decision if he or she so desires. Therefore, the rights of both parents are preserved.

This same legislation (1999 AB 62 & 2001 AB 222) passed this committee on unanimous votes before passing the Assembly on votes of 92-5 in 1999 and 94-0 in 2001. However, in both cases, the session ended before action took place in the Senate. This legislation has strong bipartisan support, as well as the endorsement of judges. I urge your support of this legislation.

Thank you.

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