

**2009 DRAFTING REQUEST**

**Senate Amendment (SA-SB288)**

Received: 10/07/2009

Received By: **gmalaise**

Wanted: 10/07/2009

Identical to LRB:

For: **Robert Jauch (608) 266-3510**

By/Representing: **Carrie Kahn**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

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Addl. Drafters:

Subject: **Children - out-of-home placement  
Children - TPR and adoption**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Jauch@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Indian child welfare; weighing testimony of witnesses

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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FE Sent For: <END>

## Malaise, Gordon

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**From:** Kahn, Carrie  
**Sent:** Wednesday, October 07, 2009 5:24 AM  
**To:** Malaise, Gordon  
**Subject:** SB 288 ICWA amendment

Gordon,

I realized I forgot to send you the language for the final ICWA amendment yesterday evening.

On page 24, line 4 after "...sole consideration in weighting the testimony and opinions of the qualified expert witnesses."

Add: **In weighing the testimony of all witnesses, the court shall consider as paramount the best interests of the Indian child under s. 48.01(2).**

The paragraph then finishes with: "The court shall determine the qualifications of a qualified expert witness as provided in ch. 907."

Let me know if you have questions.

Thanks!

Carrie Kahn  
Legislative Assistant  
State Senator Bob Jauch  
P.O. Box 7882  
Madison, WI 53707-7882

608-266-3510  
1-800-469-6562



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0826/1

GMM.....

nwn

**SENATE AMENDMENT ,  
TO 2009 SENATE BILL 288**

Now!!!

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 24, line 4: after "witnesses." insert "In weighing the testimony of all  
3 witnesses, the court shall consider as paramount the best interests of the Indian  
4 child as provided in s. 48.01 (2)."

5 **2.** Page 135, line 24: after "witnesses." insert "In weighing the testimony of all  
6 witnesses, the court shall consider as paramount the best interests of the Indian  
7 juvenile as provided in s. 938.01 (3)."

8 (END)