



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 187
[2009 Senate Bill 332]

Custody Study Reports

2009 Wisconsin Act 187 relates to the submission of custody study reports to parties and offering custody study reports in accordance with the rules of evidence.

Prior to Act 187, the law required that whenever legal custody or physical placement of a minor child was contested and mediation was not used or did not result in an agreement between the parties, or at any other time the court considered it appropriate, the court could order a person or entity designated by the appropriate county to investigate the conditions of the child's home, the performance of parental duties and responsibilities, whether battery or abuse had occurred, and other matters relevant to the best interests of the child. The results of the study were to be submitted to the court and the court would make the results available to both parties. Finally, the report would be a part of the court record unless the court ordered otherwise.

Act 187 expands on the prior law to provide that at least 10 days prior to the study report being introduced into evidence, the report must be submitted to the court and to both parties. The court may review the report, but may not rely upon it as evidence before it is properly introduced in accordance with the rules of evidence. If the report is offered and admitted into evidence, it will become a part of the court record.

Effective date: The Act took effect on March 30, 2010.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.