

2013 DRAFTING REQUEST

Senate Amendment (SA-SB504)

Received: 2/13/2014 Received By: gmalaise
Wanted: 2/13/2014 1:00:00 PM Same as LRB:
For: Mary Lazich (608) 266-5400 By/Representing: Tom Lyons
May Contact: Drafter: gmalaise
Subject: Children - TPR and adoption Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Lazich@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Waiver and discharge of counsel in involuntary termination of parentalrights proceedings

Instructions:

Redraft a1656/1, but also include language from AB 152 specifically permitting court to discharge counsel when counsel has been waived

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>
/?	gmalaise 2/13/2014	kfollett 2/13/2014		_____			
/1			jfrantze 2/13/2014	_____	srose 2/13/2014	srose 2/13/2014	

FE Sent For:

<END>

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/?	gmalaise	1/15/13 2/13	1/15/13 2/13	OK [Signature]	2/13		

FE Sent For:

<END>



State of Wisconsin
2013 - 2014 LEGISLATURE

IN 2013

Today 1:00 p.m. - 24 hr rule



a1793h

LRBa165671

GMM:kjf:jm

SENATE AMENDMENT,

TO SENATE BILL 504

UPS: fix request sheet please

SECTION 53. CR; 48.23 (4m)

48.23 (4m) DISCHARGE OF COUNSEL. In any

situation under this section in which counsel is knowingly and voluntarily waived or in which a parent is presumed to have waived his or her right to counsel, the court may discharge counsel."

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

2 1. Page 3, line 1: delete "subds. 1. and 2., a parent" and substitute "subd. 1.,
3 a parent 18 years of age or over".

4 2. Page 3, line 6: after "parent" insert "18 years of age or over".

5 3. Page 3, line 9: delete lines 9 to 12 and substitute:

6 "48.23 (2) (c) In a proceeding to vacate or reconsider a default judgment granted
7 in an involuntary termination of parental rights proceeding, a parent who has
8 waived counsel under par. (b) 1. or who is presumed to have waived counsel under
9 par. (b) 3. in the involuntary termination of parental rights proceeding shall be
10 represented by counsel, unless in the proceeding to vacate or reconsider the default
11 judgment the parent waives counsel as provided in par. (b) 1. or is presumed to have
12 waived counsel as provided in par. (b) 3."