



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 311
[2013 Assembly Bill 707]

Effective Period of Injunctions

Under state law, a court may issue a restraining order (injunction) against a person who has engaged in, or may engage in, acts of abuse, harassment, or threats against a victim. Under prior law, a domestic abuse injunction, individuals-at-risk injunction, or harassment injunction could be in effect for a maximum period of four years and a child abuse injunction could be in effect for a maximum period of two years or until the child victim attains 18 years of age, whichever occurs first.

2013 Wisconsin Act 311 provides that a judge may, upon issuing an injunction or granting an extension of an injunction, order that the injunction is in effect for not more than 10 years, or five years for a child abuse injunction, if the court finds, by a preponderance of the evidence stated on the record, that there is a substantial risk that the person may commit first-degree or second-degree intentional homicide, first-degree, second-degree, or third-degree sexual assault, or first-degree or second-degree sexual assault of a child against the victim. The Act does not prohibit a petitioner from requesting a new temporary restraining order or injunction before or at the expiration of a previously entered order or injunction.

Effective date: April 18, 2014. The Act first applied to injunctions issued or extended on April 18, 2014.

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April 21, 2014

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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.wisconsin.gov>.