

1983 Assembly Bill 589

Date of enactment: **May 10, 1984**
Date of publication: **May 18, 1984**

1983 Wisconsin Act 488

AN ACT to repeal 48.415 (2) (a); to renumber and amend 48.415 (2) (b) and 48.415 (5); to amend 48.415 (2) (intro.); and to create 48.415 (5) (a) and (b) of the statutes, relating to involuntary termination of parental rights.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.415 (2) (intro.) of the statutes is amended to read:

48.415 (2) CONTINUING NEED OF PROTECTION OR SERVICES. (intro.) Continuing need of protection or services may be established by a showing that of all of the following:

(a) That the child has been adjudged to be in need of protection or services and placed, or continued in a placement, outside his or her home pursuant to one or more court orders under s. 48.345, 48.357, 48.363 or 48.365 containing the notice required by s. 48.356 (2),~~that,~~

(b) That the agency responsible for the care of the child and the family has made a diligent effort to provide the services required by the court,~~and,~~

SECTION 2. 48.415 (2) (a) of the statutes is repealed.

SECTION 3. 48.415 (2) (b) of the statutes is renumbered 48.415 (2) (c) and amended to read:

48.415 (2) (c) ~~The~~ That the child has been outside the home for a cumulative total period of ~~2 years~~ one year or longer pursuant to such orders, the parent has substantially neglected, wilfully refused or unable to remedy the conditions which resulted in the removal of the child from the home and there is a substantial likelihood that the parent will not ~~be able to~~ remedy these conditions in the future.

SECTION 4. 48.415 (5) of the statutes is renumbered 48.415 (5) (intro.) and amended to read:

48.415 (5) (title) CHILD ABUSE. (intro.) ~~Repeated~~ Child abuse may be established by a showing that ~~on more than one occasion the parent has caused death or injury to a minor or minors living in the parent's household resulting in 2 or more separate felony convictions.~~ the parent has exhibited a pattern of abusive behavior which is a substantial threat to the health of the child who is the subject of the petition and a showing of either of the following:

SECTION 5. 48.415 (5) (a) and (b) of the statutes are created to read:

48.415 (5) (a) That the parent has caused death or injury to a child or children resulting in a felony conviction.

(b) That, on more than one occasion, a child has been removed from the parent's home by the court under s. 48.345 after an adjudication that the child is in need of protection or services and a finding by the court that sexual or physical abuse was inflicted by the parent.
