LRBa0554

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB380)

Received: **07/23/1999**   Received By: **nelsorp1**

Wanted: **Soon**   Identical to LRB:

For: **Michael Huebsch (608) 266-0631**   By/Representing: **Don Dyke**

This file may be shown to any legislator: **NO**   Drafter: **nelsorp1**

May Contact: Alt. Drafters:

Subject: **Courts - civil procedure**   Extra Copies:
             Courts - courts/judges

Pre Topic:

No specific pre topic given

Topic:

Court commissioner's powers

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/1	nelsorp1 07/23/1999	wjackson 07/26/1999	kfollet 07/27/1999	_____ _____	lrb_docadmin 07/27/1999	lrb_docadmin 07/27/1999	

FE Sent For:

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<END>

WISCONSIN FAMILY COURT COMMISSIONERS' ASSOCIATION

901 North 9th Street - Room 707
Milwaukee, WI   53233-1497   (414) 278-5288   FAX: (414) 223-1947

July 19, 1999

Representative Michael Huebsch
Wisconsin State Assembly
Post Office Box 8952
Madison, Wisconsin 53708

Also by FAX: (608) 266-7038

RE: **1999 ASSEMBLY BILL 380**

Dear Representative Huebsch:

A review of the draft of this bill raises a question with regard to page 53 of the draft. In Sections 138 and 139, there is reference to proposed changes in Section 767.081 of the statutes. That section of the statutes presently requires that the Family Court Commissioner provide statutory and procedural information to litigants.

It is our belief that, almost universally throughout the state, that requirement is now being met by the Family Court Commissioner's Office in each county. That is where the materials are made available and procedural help is being given.

The proposed bill, in these sections, uses the beginning language, "A circuit court commissioner shall....." which seems to imply that <u>any</u> circuit court commissioner can be asked, and must provide, this information. This, especially in larger counties such as Milwaukee, could have unintended results and complicate procedures now in place in many counties to centralize procedural information sources.

We would suggest that the words "a circuit court commissioner" in both sections be changed to one of the following phrases:

    ---   The <u>Office of Family Court Commissioner</u> shall.....   *For Huebach*

    OR

    ---   The <u>circuit court commissioner appointed to supervise the Office of Family Court Commissioner</u> shall.....

We believe this will make this revision more clear and will also insure that the function to provide such information remains a focus in the office where we believe the legislature intended it to be.

We respectfully request that your committee consider this point when it discusses this bill.

If you have any question regarding this, my voice phone is (414) 278-5288 and my FAX number is (414) 223-1947.

Thank you for your time in this regard.

Sincerely yours,

Wisconsin Family Court Commissioners' Association

Commissioner Michael J. Bruch (Milwaukee)
Executive Secretary

pc: Commissioner Dolores Bomrad, President

ASSEMBLY AMENDMENT ,

TO 1999 ASSEMBLY BILL 380

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

2   ✓ **1.** Page 53, line 4: on lines 4 and 8 delete "~~The family~~ A circuit" and substitute

3   "The office of family".

4   **(END)**