

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0211/P1dn
PJK:jlg:lp

December 3, 1998

I have updated this draft to account for legislation that passed last session. Because there were significant changes to the family law statutes, I made this redraft a preliminary version so that you could review how I addressed those changes. Especially note the following areas:

1. The educational program on the effects of divorce on children now applies in paternity actions also. See s. 767.115.

2. In general, you should review all of the additions from last session to the statutes regarding paternity actions and voluntary acknowledgment of paternity (ss. 767.45 to 767.62) to see if any changes to those sections need to be added to this draft. The vast majority of those changes were made in Act 191.

3. Specifically, look at s. 767.463, which I repealed in this draft. Section 767.463 allows a court to dismiss a paternity action if the court determines that an adjudication of paternity would not be in the child's best interest.

4. Also specifically look at s. 767.465 (1m), which allows a court to adjudicate a man to be the father of a child if the mother fails to appear at a required appearance and there is sufficient evidence for the adjudication. I did not treat that section in this draft.

5. See how I reconciled ss. 767.23 and 767.477. Is this what you want?

6. I repealed s. 767.25 (1m) (hm), which (I assume inadvertently) we had not repealed in the previous version of the draft. Is this okay?

7. See how I treated s. 767.62. Do you want to amend s. 767.62 (4) (d) 3. in a manner similar to the way in which s. 767.51 (4) is amended? If so, what would be the relevant time or event for the beginning of the support liability?

Pamela J. Kahler
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