

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3191/P1dn  
RPN:hmh:jf

May 8, 2001

I did not use the definition for “dating violence” because the term “violence” is very ambiguous and adding that term to the list of abusive behaviors would not add a new, understandable behavior. Instead I added a term “romantic relationship” and added individuals in such a relationship to those who do engage in or are subject to domestic abuse.

I did not add the definition of “authenticate” or “constructive knowledge” because those words are not used in section 813.12 of the statutes.

Adding more persons to those who are listed in s. 813.12 (1) (a) (intro.) and who commit domestic abuse makes that introductory phrase very cumbersome. Instead, I decided to define “abusive conduct” and then list separately who do engage in that behavior for a definition of “domestic abuse.”

I did create a definition of “reasonable grounds” based on the law dictionary definition of “probable cause” and “reasonable suspicion,” which seem to be used in place of “reasonable grounds” in many places. The term “reasonable grounds” is used over 70 times in the statutes and “probable cause” more than 250 times, but neither term is defined in the statutes. Numerous cases indicate what those terms mean. See the annotations after section 968.07 of the statutes for a partial list of those cases.

There was a suggestion that language be added allowing service on a respondent by facsimile, but I was not sure if that service was to be in lieu of the mailing required as part of a service by publication or in lieu of the service by publication. I did not add this facsimile service language.

There was also a suggestion about adding language requiring the respondent to remain 500 feet away from the petitioner at all times when they both are present. I do not know what that language is suppose to require. Present at what? The placement of this suggested language did not make any sense. I did not include that suggestion.

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