

2005 DRAFTING REQUEST

Bill

Received: 02/04/2005

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: John Gard (608) 266-3387

By/Representing: ellen

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters:

Subject: Courts - civil procedure

Extra Copies:

Submit via email: YES

Requester's email: Rep.Gard@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Service of summons by certain nonresidents

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mlief 02/04/2005	csicilia 02/08/2005		_____			
/1			pgreensl 02/08/2005	_____	sbasford 02/08/2005	mbarman 03/02/2005	

FE Sent For:

<END>

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/?	mlief	1 gjs 2/6 05	js ps	js ps			

FE Sent For:

<END>

Lief, Madelon

From: Nowak, Ellen
Sent: Tuesday, February 01, 2005 2:19 PM
To: Lief, Madelon
Subject: bill draft request

Lonnie:

Last session you drafted LRB 2054/1, which relates to service of a summons by certain nonresidents for John. Could you redraft it for introduction this year?

Thanks.

Ellen

2011/1

gjs

SOON

TO editing
2/4

5
2003 ASSEMBLY BILL 568

October 6, 2003 - Introduced by Representatives GARD, KRAWCZYK, OWENS, LEMAHIEU, F. LASEE and VAN ROY, cosponsored by Senator ROESSLER. Referred to Committee on Corrections and the Courts.

Regen cat

1 AN ACT *to amend* 801.10 (4) (a); and *to create* 801.10 (1m) of the statutes;
2 relating to: service of a summons by certain nonresidents.

Analysis by the Legislative Reference Bureau

Current law permits a summons initiating a civil action to be served by any adult resident of the state where service is made, if that person is not a party to the action. This bill allows an adult who resides in Illinois, Iowa, Michigan, or Minnesota and who is not a party to the action to serve a summons in Wisconsin.

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

3 SECTION 1. 801.10 (1m) of the statutes is created to read:

4 801.10 (1m) SERVICE BY CERTAIN NONRESIDENTS. Notwithstanding sub. (1), an
5 adult who is not a party to the action and who resides in Illinois, Iowa, Michigan, or
6 Minnesota may serve an authenticated copy of the summons in this state.

7 SECTION 2. 801.10 (4) (a) of the statutes is amended to read:

8 801.10 (4) (a) Personal or substituted personal service shall be proved by the
9 affidavit of the server indicating the time and date, place and manner of service; that

ASSEMBLY BILL 568

an adult resident of this state or

1 the server is an adult resident of the state of service or, if service is made in this state,
2 of Illinois, Iowa, Michigan, or Minnesota and is not a party to the action; that the
3 server knew the person served to be the defendant named in the summons; and that
4 the server delivered to and left with the defendant an authenticated copy of the
5 summons. If the defendant is not personally served, the server shall state in the
6 affidavit when, where and with whom the copy was left, and shall state such facts
7 as show reasonable diligence in attempting to effect personal service on the
8 defendant. If the copy of the summons is served by a sheriff or deputy sheriff of the
9 county in this state where the defendant was found, proof may be by the sheriff's or
10 deputy's certificate of service indicating time and date, place, manner of service and,
11 if the defendant is not personally served, the information required in the preceding
12 sentence. The affidavit or certificate constituting proof of service under this
13 paragraph may be made on an authenticated copy of the summons or as a separate
14 document.

15 (END)

Barman, Mike

From: Nowak, Ellen
Sent: Wednesday, March 02, 2005 1:25 PM
To: LRB.Legal
Subject: Draft review: LRB 05-2011/1 Topic: Service of summons by certain nonresidents

It has been requested by <Nowak, Ellen> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-2011/1 Topic: Service of summons by certain nonresidents

Barman, Mike

From: Lief, Madelon
Sent: Wednesday, March 02, 2005 1:30 PM
To: Barman, Mike
Subject: FW: LRB 2011

Please jacket.

-----Original Message-----

From: Nowak, Ellen
Sent: Wednesday, March 02, 2005 1:24 PM
To: Lief, Madelon
Subject: LRB 2011

Could you please have this LRB jacketed and sent over? Thanks.