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1 judgment is complied with and the costs and expenses of the proceedings are paid or
2 until the party committed is otherwise discharged, according to law. ~~The written~~
3 ~~judgment in any action affecting the family shall include the social security numbers~~
4 ~~of the parties and of any child of the parties~~ Final written agreements and
5 stipulations of the parties shall, unless set forth in the judgment, be appended to the
6 judgment and incorporated by reference.

7 (2) PREPARATION. The findings of fact and, conclusions of law, and the written
8 judgment shall be drafted by the ~~attorney for the moving party petitioner unless the~~
9 court otherwise directs, and shall be submitted to the court and filed with the clerk
10 of the court within 30 days after judgment is granted; ~~but if the respondent has been~~
11 ~~represented by counsel, the,~~

12 (3) APPROVAL. The draft findings, conclusions, and judgment shall ~~first be~~
13 ~~submitted to respondent's counsel for approval and if the circuit court commissioner~~
14 ~~has appeared at the trial of the action, such papers shall also be sent to the circuit~~
15 ~~court commissioner for approval~~ be approved by all counsel appearing, including a
16 guardian ad litem and county child support enforcement agency attorney, and any
17 other person designated by the court or local rule. After any necessary approvals are
18 obtained, the findings of fact, conclusions of law, and judgment shall be submitted
19 to the court. ~~Final stipulations of the parties may be appended to the judgment and~~
20 ~~incorporated by reference therein.~~

NOTE: 1. Subdivided into 3 subsections.

2. The last sentence, which is stricken, is revised and relocated to sub. (1). Final written agreements and stipulations now must be appended to the judgment (unless set forth in the judgment) and incorporated by reference.

3. Clarifies responsibility for preparation and approval of the draft findings, conclusions, and judgment.

21 **SECTION 171.** 767.37 (1) (c) of the statutes is renumbered 767.36 and amended
22 to read:

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1 **767.36 Copies of judgment to parties.** At the time of filing any a judgment
2 for an annulment, divorce, or legal separation, the attorney for the moving party who
3 prepared the judgment shall present furnish to the clerk of court 2 true copies thereof
4 of the judgment, including any attachments to the judgment referenced in the
5 judgment, in addition to the original judgment, and until such. Until the copies are
6 presented, the clerk may refuse to accept such the judgment for filing. After the
7 judgment is filed, the clerk shall mail a copy ~~forthwith~~ promptly to each party to the
8 action at the last-known address, and the mailing shall be shown in the court record
9 ~~shall show such mailing.~~

NOTE: Clarifies: (1) the party who prepared the judgment is to provide copies to the clerk; and (2) the copies are to include any attachments referenced in the judgment.

10 **SECTION 172.** 767.37 (2) of the statutes is renumbered 767.35 (6) and amended
11 to read:

12 **767.35 (6) VACATING OR MODIFYING DIVORCE JUDGMENT AS IT AFFECTS MARITAL**
13 **STATUS.** So far as a judgment of divorce affects the marital status of the parties, the
14 court has the power to may vacate or modify the judgment for sufficient cause shown,
15 upon its own motion, or upon the application of both parties to the action, at any time
16 within 6 months from the granting of such the judgment. ~~No such judgment shall~~
17 ~~be vacated or modified without service of notice of motion on the office of family court~~
18 ~~commissioner. The court may direct a circuit court commissioner or appoint some~~
19 ~~other attorney, to bring appropriate proceedings for the vacation of the judgment.~~
20 ~~The compensation of the circuit court commissioner when not on a salaried basis or~~
21 ~~other attorney for performing such services shall be at the rate of \$50 per day, which~~
22 ~~shall be paid out of the county treasury upon order of the presiding judge and the~~
23 ~~certificate of the clerk of the court. If the judgment is vacated it shall restore the~~

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1 parties to the marital relation that existed before the granting of such the judgment.
2 ~~If after vacation of the judgment either of the parties brings an action in this state~~
3 ~~for divorce against the other the court may order the petitioner in such action to~~
4 ~~reimburse the county the amount paid by it to the circuit court commissioner or other~~
5 ~~attorney in connection with such vacation proceedings. Whenever If a judgment of~~
6 ~~divorce is set aside under this subsection, the court shall order the record in the~~
7 ~~action impounded without regard to s. 767.19; and thereafter neither 767.13. After~~
8 ~~the record is impounded, the record nor any part of the record shall may not be offered~~
9 ~~or admitted in whole or in part into evidence in any action or proceeding except by~~
10 ~~special order of the court of jurisdiction upon good cause shown in any paternity~~
11 ~~proceedings under this chapter or by special order of any a court of record upon a~~
12 ~~showing of necessity to clear title to real estate.~~

NOTE: Deletes, as obsolete, provisions relating to the court option to direct a circuit court commissioner or appoint an attorney to bring an action for vacating a divorce judgment under this section.

13 **SECTION 173.** 767.37 (3) of the statutes is renumbered 767.35 (3) and amended
14 to read:

15 **767.35 (3) WHEN DIVORCE JUDGMENT EFFECTIVE.** ~~When a~~ A judgment of divorce
16 ~~is granted it shall be effective immediately except as provided in s. 765.03 (2). Every~~
17 ~~judge who grants when granted. A court granting a judgment of divorce shall inform~~
18 ~~the parties appearing in court that the judgment is effective immediately except as~~
19 ~~provided in s. 765.03 (2) when granted but that it is unlawful under s. 765.03 (2) for~~
20 ~~a party to marry again until 6 months after the judgment is granted.~~

NOTE: Clarifies what the court is required to inform the parties concerning the limitation on remarrying under s. 765.03 (2).

21 **SECTION 174.** 767.38 of the statutes is renumbered 767.35 (7) and amended to
22 read:

BILL**767.35 (7) JUDGMENT DIVORCE JUDGMENT REVOKED ON REMARRIAGE OF PARTIES.**

When a judgment of divorce has been granted and the parties ~~shall afterwards~~ subsequently intermarry, the court, upon their joint application and upon satisfactory proof of such the marriage, shall revoke all judgments and any orders which that will not affect the right of 3rd persons and. If the judgment is revoked, the court shall order the record impounded without regard to s. ~~767.19~~ 767.13, and neither the record ~~nor any part of the record shall~~ may not be offered or admitted, in whole or in part, into evidence in any action or proceeding except by special order of the court of jurisdiction upon good cause shown in ~~any a~~ a paternity ~~proceedings~~ proceeding under this chapter or by special order of ~~any a~~ a court of record upon a showing of necessity to clear title to real estate.

SECTION 175. 767.39 (title) of the statutes is repealed.

SECTION 176. 767.39 (1) of the statutes is renumbered 767.273 and amended to read:

767.273 Allowances pending appeal. In actions an action affecting the family pending in an appellate court, ~~no~~ an allowance for suit money, counsel fees, or disbursements in the court, ~~nor~~ or for temporary maintenance or support payments to the spouse or the children during the pendency of the appeal ~~will~~ may be made ~~in the~~ by the proper trial court upon motion made and decided after entry of the order or judgment appealed from and prior to the return of the record to appellate court. If the allowance is ordered before the appeal is taken, the order shall be conditioned upon the taking of the appeal and is not effective until the record is transmitted to appellate court.

NOTE: Incorporates the substance of current s. 767.39 (2), stats., which is repealed.

SECTION 177. 767.39 (2) of the statutes is repealed.

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NOTE: Restated in renumbered s. 767.273. See SEC. 176 of the bill.

1 **SECTION 178.** 767.40 of the statutes is renumbered 785.07 and amended to
2 read:

3 **785.07 Contempt proceedings orders imposing confinement.** All A
4 contempt ~~orders in which~~ order imposing confinement is imposed shall be issued by
5 a judge.

NOTE: Relocated to current ch. 785, stats., contempt of court. The provision has been interpreted as applying to contempt proceedings generally, not just those arising from an action affecting the family.

6 **SECTION 179.** Subchapter V (title) of chapter 767 [precedes 767.401] of the
7 statutes is created to read:

CHAPTER 767**SUBCHAPTER V****CHILD CUSTODY, PLACEMENT,****AND VISITATION**

12 **SECTION 180.** 767.401 (1) (title) and (2) (title) of the statutes are created to read:

13 767.401 (1) (title) PROGRAMS: EFFECTS OF DISSOLUTION ON CHILDREN; PARENTING
14 SKILLS.

15 (2) (title) CLASSES ON PARENTING.

16 **SECTION 181.** 767.405 (1) (intro.) of the statutes is created to read:

17 767.405 (1) DEFINITIONS. (intro.) In this section:

18 **SECTION 182.** 767.42 of the statutes is repealed.

NOTE: Repealed as obsolete. The section, which apparently is not currently in use, allows a county to seize and sell property for the support of a spouse or child if a person abandons and fails to support the spouse or child.

19 **SECTION 183.** 767.43 (1) (title), (1m) (title), (2) (title), (2m) (title), (3) (title), (3c)
20 (title), (3m) (title), (5) (title) and (6) (title) of the statutes are created to read:

21 767.43 (1) (title) PETITION; WHO MAY FILE.

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1 **(1m)** (title) EXCEPTION; HOMICIDE CONVICTION.

2 **(2)** (title) WISHES OF THE CHILD.

3 **(2m)** (title) WHEN SPECIAL GRANDPARENT PROVISION APPLICABLE.

4 **(3)** (title) SPECIAL GRANDPARENT VISITATION PROVISION.

5 **(3c)** (title) ACTION IN WHICH PETITION FILED; ALTERNATIVES.

6 **(3m)** (title) PRETRIAL HEARING; RECOMMENDATION.

7 **(5)** (title) INTERFERENCE WITH VISITATION RIGHTS.

8 **(6)** (title) MODIFICATION OF ORDER IF HOMICIDE CONVICTION.

9 **SECTION 184.** 767.45 of the statutes is renumbered 767.80, and 767.80 (1)
10 (intro.), (c), (d), (g), (i) and (k), (5) (b), (5m), (6) (a) and (c), (6m), (6r) (a) 2. c. and (7),
11 as renumbered, are amended to read:

12 767.80 (1) WHO MAY BRING ACTION OR FILE MOTION. (intro.) The following persons
13 may bring an action or file a motion, including an action or motion for declaratory
14 judgment, for the purpose of determining the paternity of a child or for the purpose
15 of rebutting the presumption of paternity under s. 891.405 or 891.41 (1):

16 (c) Unless s. ~~767.62~~ 767.805 (1) applies, a ~~man~~ male presumed to be the child's
17 father under s. 891.405 or 891.41 (1).

18 (d) A ~~man~~ male alleged or alleging himself to be the father of the child.

19 (g) This state whenever the circumstances specified in s. ~~767.075~~ (1) 767.205
20 (2) (a) apply, including the delegates of the state as specified in sub. (6).

21 (i) A guardian ad litem appointed for the child under s. 48.235, ~~767.045~~ 767.407
22 (1) (c), or 938.235.

23 (k) In conjunction with the filing of a petition for visitation with respect to the
24 child under s. ~~767.245~~ 767.43 (3), a parent of a person who has filed a declaration of
25 paternal interest under s. 48.025 with respect to the child or a parent of a person who,

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1 before April 1, 1998, signed and filed a statement acknowledging paternity under s.
2 69.15 (3) (b) 3. with respect to the child.

3 (5) (b) An action under this section may be joined with any other action for child
4 support and shall be is governed by the procedures specified in s. ~~767.05~~ 767.205
5 relating to child support, except that the title of the action shall be “In re the
6 paternity of A.B.” The petition shall state the name and date of birth of the child if
7 born or that the mother is pregnant if the child is unborn, the name of any alleged
8 father, whether or not an action by any of the parties to determine the paternity of
9 the child or rebut the presumption of paternity to the child has at any time been
10 commenced, or is pending before any ~~judge or circuit court commissioner~~ court, in
11 this state or elsewhere. If a paternity judgment has been rendered, or if a paternity
12 action has been dismissed, the petition shall state the court ~~which~~ that rendered the
13 judgment or dismissed the action, and the date and the place the judgment was
14 granted if known. The petition shall also give notice of a party’s right to request a
15 genetic test under s. 49.225 or ~~767.48~~ 767.84.

16 (5m) APPLICABLE PROCEDURE: EXCEPTIONS. Except as provided in ss. ~~767.458 (3),~~
17 ~~767.465 (2) and (2m), 767.477, 767.62~~ 767.805, 767.863 (3), 767.85, 767.893 (2) and
18 (2m), and 769.401, unless a ~~man~~ male is presumed the child’s father under s. 891.41
19 (1), is adjudicated the child’s father either under s. ~~767.51~~ 767.89 or by final order
20 or judgment of a court of competent jurisdiction in another state, or has
21 acknowledged himself to be the child’s father under s. ~~767.62~~ 767.805 (1) or a
22 substantially similar law of another state, no order or temporary order may be
23 entered for child support, legal custody, or physical placement until the ~~man~~ male is
24 adjudicated the father using the procedure set forth in ss. ~~767.45 to 767.60~~ this
25 subchapter, except s. 767.805. Except as provided in ss. ~~767.477, 767.62~~ 767.805,

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1 767.85, and 769.401, the exclusive procedure for establishment of child support
2 obligations, legal custody, or physical placement rights for a ~~man~~ male who is not
3 presumed the child's father under s. 891.41 (1), adjudicated the father, or
4 acknowledged under s. ~~767.62~~ 767.805 (1) or a substantially similar law of another
5 state to be the father is by an action under ~~ss. 767.45 to 767.60~~ this subchapter, except
6 s. 767.805, or under s. 769.701. No person may waive the use of this procedure. If
7 a presumption under s. 891.41 (1) exists, a party denying paternity has the burden
8 of rebutting the presumption.

9 (6) (a) The attorney responsible for support enforcement under s. 59.53 (6) (a)
10 shall provide the representation for the state as specified under s. ~~767.075 (1)~~
11 767.205 (2) (a) in cases brought under this section.

12 (c) The attorney under s. 59.53 (6) (a) or any state attorney acting under par.
13 (b) may not represent the state as specified under s. ~~767.075 (1)~~ 767.205 (2) (a) in an
14 action under this section and at the same time act as guardian ad litem for the child
15 or the alleged child of the party.

16 (6m) WHEN ACTION MUST BE COMMENCED. The attorney designated under sub.
17 (6) (a) shall commence an action under this section on behalf of the state within 6
18 months after receiving notification under s. 69.03 (15) that no father is named on the
19 birth certificate of a child who is a resident of the county if paternity has not been
20 acknowledged under s. ~~767.62~~ 767.805 (1) or a substantially similar law of another
21 state or adjudicated, except in situations under s. 69.14 (1) (g) and (h) and as provided
22 by the department by rule.

23 (6r) (a) 2. c. That the ~~man~~ male designated in s. 48.299 (6) (a) or 938.299 (6)
24 (a) has previously been excluded as the father of the child.

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1 , Respondent

2

3

THE STATE OF WISCONSIN, To the Respondent:

4

1. You have been sued. claims that you are the father of the child, born on (date), in (city) (county) (state). You must appear to answer this claim of paternity. Your court appearance is:

7

Date:

8

Time:

9

Room:

10

Judge or Circuit Court Commissioner:

11

Address:

12

2. If you do not appear, the court will enter a default judgment finding you to be the father. ~~A default judgment will take effect 30 days after it is served on or mailed to you, unless within those 30 days you present to the court evidence of good cause for failure to appear.~~

13

14

15

16

3. If you plan to be represented by an attorney, you should contact the attorney prior to the court appearance listed above. If you are unable to afford an attorney, the court will appoint one for you only upon the ~~blood~~ genetic tests showing that you are not excluded as the father and the probability of your being the father is less than 99.0%. ~~Appearance is not required if you complete the attached waiver of first appearance statement and send it to the court at least 10 days prior to the date of your scheduled appearance in this summons~~ 99.0 percent.

17

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19

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23

4. You are also notified that interference with the custody of a child is punishable by a fine of up to \$10,000 and imprisonment for up to 5 years. Section 948.31, stats.

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1 5. The County Clerk of Circuit Court is an equal opportunity service
2 provider. If you need assistance to access services in the courts or need material in
3 an alternate format, please call

4 Dated:, (year)

5 Signed:.....

6 G. H., Clerk of Circuit Court

7 or

8 Petitioner's Attorney

9 State Bar No.:

10 Address:

11 City, State Zip Code:

12 Phone No.:

NOTE: Revises the current summons form for a mother-petitioner in a paternity action to reflect changes in the bill making default judgments effective immediately and eliminating the waiver of first appearance in paternity actions. The revised form (and the new forms created in SEC. 243) add a provision indicating that the clerk of circuit court is an equal opportunity service provider.

13 **SECTION 187.** 767.455 (5g) of the statutes is repealed.

NOTE: Replaced by the provision created by SEC. 244 of the bill.

14 **SECTION 188.** 767.455 (5r) of the statutes is repealed.

NOTE: The paternity reform committee recommended eliminating the waiver of first appearance in paternity actions, thus requiring a first appearance in every case that comes to court. Only voluntary acknowledgments will not have a first appearance. The committee suggested this change: (1) because the current system is "cumbersome, including extra and unnecessary court appearances"; and (2) to "reduce fraud, which can occur since we do not know with assurance who signed the waiver as most are not notarized".

This change is made in the bill by repealing current ss. 767.455 (5r), 767.457 (2) and 767.465 (2m) (b), relating to waiver of first appearance.

15 **SECTION 189.** 767.455 (5w) of the statutes is repealed.

NOTE: Repeals current s. 767.455 (5w), stats., which specifies that the current statutory summons form does not apply to "a man alleging himself to be the father of the child". A separate summons form for an alleged father as petitioner is created by SEC. 243 in this bill.

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1 **SECTION 190.** 767.455 (6) of the statutes is renumbered 767.813 (6) and
2 amended to read:

3 **767.813 (6) DOCUMENT.** The summons served on the respondent shall be
4 accompanied by a document, provided without charge by the clerk of court, setting
5 forth the percentage standard established by the department under s. 49.22 (9) and
6 listing the factors ~~which~~ that a court may consider under s. ~~767.25~~ 767.511 (1m).

7 **SECTION 191.** 767.456 of the statutes is renumbered 767.815.

8 **SECTION 192.** 767.457 (title) of the statutes is repealed.

9 **SECTION 193.** 767.457 (1) of the statutes is renumbered 767.86 and amended
10 to read:

11 **767.86 Time of first appearance.** The first appearance under s. ~~767.458~~
12 ~~767.863~~ may not be held ~~any sooner than~~ until 30 days after service or receipt of the
13 summons and petition unless the parties agree ~~that the first appearance may be held~~
14 ~~sooner to an earlier date.~~

15 **SECTION 194.** 767.457 (2) of the statutes is repealed.

NOTE: This SECTION, which repeals s. 767.457 (2), and SECS. 188 and 204 eliminate
the waiver of first appearance in paternity cases. See the note to SEC. 188 in this bill.

16 **SECTION 195.** 767.458 (title) of the statutes is renumbered 767.863 (title).

17 **SECTION 196.** 767.458 (1) (intro.) of the statutes is renumbered 767.863 (1) and
18 amended to read:

19 **767.863 (1) NOTICE TO PARTIES.** ~~At the first court appearance where~~ If the
20 respondent is present at a hearing prior to the determination of paternity, the court
21 shall, at least one time at one such hearing, inform the parties of the following: items
22 in s. 767.813 (5g).

23 **SECTION 197.** 767.458 (1) (a) to (e) of the statutes are repealed.

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NOTE: Repeals s. 767.458 (1) (a) to (e), stats., which set forth the items the court must inform the parties of at the first court appearance where the respondent is present. This provision is no longer necessary because the bill amends current s. 767.458 (1) (intro.) (renumbered s. 767.863 (1) in this bill) to cross-reference the items listed in s. 767.455 (5g) (renumbered s. 767.813 (5g) in this bill). See SEC. 196, above.

1 **SECTION 198.** 767.458 (1m) to (3) of the statutes are renumbered 767.863 (1m)
2 to (3), and 767.863 (1m) and (2), as renumbered, are amended to read:

3 767.863 (1m) PATERNITY ALLEGATION BY MALE OTHER THAN HUSBAND; WHEN
4 DETERMINATION NOT IN BEST INTEREST OF CHILD. In an action to establish the paternity
5 of a child who was born to a woman while she was married, ~~where a man~~ if a male
6 other than the woman's husband alleges that he, not the husband, is the child's
7 father, a party may allege that a judicial determination that a ~~man~~ male other than
8 the husband is the father is not in the best interest of the child. If the court or a ~~circuit~~
9 or supplemental court commissioner under s. 757.675 (2) (g) determines that a
10 judicial determination of whether a ~~man~~ male other than the husband is the father
11 is not in the best interest of the child, no genetic tests may be ordered and the action
12 shall be dismissed.

13 (2) ORDER FOR TESTS. ~~At~~ If at the first appearance, if it appears from a sufficient
14 petition or affidavit of the child's mother or an alleged father, or from sworn
15 testimony of the child's mother or an alleged father, that there is probable cause to
16 believe that any of the males named has had sexual intercourse with the mother
17 during a possible time of the child's conception, the court may, or upon the request
18 of any party shall, order any of the named persons to submit to genetic tests. The
19 tests shall be conducted in accordance with s. 767.48 767.84. The court is not
20 required to order a person who has undergone a genetic test under s. 49.225 to submit
21 to another genetic test under this subsection unless a party requests additional tests
22 under s. 767.48 767.84 (2).

BILL**SECTION 199**

1 **SECTION 199.** 767.459 (title) of the statutes is renumbered 767.865 (title) and
2 amended to read:

3 **767.865** (title) ~~Appearance on behalf of deceased~~ **Deceased respondent.**

4 **SECTION 200.** 767.459 of the statutes is renumbered 767.865 (1) (a) and
5 amended to read:

6 767.865 (1) (a) The personal representative or ~~an attorney, if there is no~~
7 personal representative, a guardian ad litem in accordance with par. (b) may appear
8 for a deceased respondent ~~who is the alleged father~~ whenever an appearance by the
9 respondent is required. The summons and petition shall be served on the personal
10 representative of and guardian ad litem for the deceased respondent under s.
11 767.813 (3).

NOTE: See the note to SEC. 257 of this bill.

12 **SECTION 201.** 767.46 of the statutes is renumbered 767.88, and 767.88 (1), as
13 renumbered, is amended to read:

14 767.88 (1) PROCEDURE; EVIDENCE. A pretrial hearing shall be held before the
15 court or a ~~circuit or~~ supplemental court commissioner under s. 757.675 (2) (g). A
16 record or minutes of the proceeding shall be kept. At the pretrial hearing the parties
17 may present and cross-examine witnesses, request genetic tests, and present other
18 evidence relevant to the determination of paternity.

19 **SECTION 202.** 767.463 of the statutes is renumbered 767.855 and amended to
20 read:

21 **767.855 Dismissal if adjudication not in child's best interest.** Except as
22 provided in s. ~~767.458~~ 767.863 (1m), at any time in an action to establish the
23 paternity of a child, upon the motion of a party or guardian ad litem, the court or
24 ~~circuit or~~ supplemental court commissioner under s. 757.675 (2) (g) may, with respect

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1 to a ~~man~~ male, refuse to order genetic tests, if genetic tests have not yet been taken,
2 and dismiss the action if the court or ~~circuit~~ or supplemental court commissioner
3 determines that a judicial determination of whether the ~~man~~ male is the father of
4 the child is not in the best interest of the child.

5 **SECTION 203.** 767.465 (title), (1), (1m), (2) and (2m) (title) and (a) of the statutes
6 are renumbered 767.893 (title), (1), (1m), (2) and (2m) (title) and (a), and 767.893
7 (1m), (2) (a) and (b) and (2m) (a), as renumbered, are amended to read:

8 **767.893 (1m) JUDGMENT WHEN MOTHER FAILS TO APPEAR.** Notwithstanding sub.
9 (1), a court may enter an order adjudicating the alleged father, or ~~man~~ male alleging
10 that he is the father, to be the father of the child under s. ~~767.51~~ 767.89 if the mother
11 of the child fails to appear at the first appearance, ~~unless the first appearance is not~~
12 ~~required under s. 767.457 (2),~~ scheduled genetic test, pretrial hearing, or trial if
13 sufficient evidence exists to establish the ~~man~~ male as the father of the child.

14 **(2) (a)** Except as provided in sub. (2m), if a respondent is the alleged father and
15 fails to appear at the first appearance, ~~unless the first appearance is not required~~
16 ~~under s. 767.457 (2),~~ scheduled court-ordered genetic test, pretrial hearing, or trial,
17 the court shall enter an order adjudicating the respondent to be the father and
18 appropriate orders for support, legal custody, and physical placement. The orders
19 shall be either served on the respondent or mailed by regular, registered, or certified
20 mail, to the last-known address of the respondent. ~~The orders shall take effect 30~~
21 ~~days after service or 30 days after the date on which the orders were mailed unless,~~
22 ~~within that time, the respondent presents to the court or a circuit or supplemental~~
23 ~~court commissioner under s. 757.675 (2) (g) evidence of good cause for failure to~~
24 ~~appear or failure to have undergone a court-ordered genetic test.~~

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NOTE: Amended to delete language requiring a delay in the effective date of default judgment orders in paternity actions. The paternity reform committee recommended that default judgments in paternity cases take effect immediately.

1 (b) A default judgment may not be entered under par. (a) if there is more than
2 one person alleged in the petition to be the father, unless only any of the following
3 applies:

4 1. Only one of those persons fails to appear and all of the other male
5 respondents have been excluded as the father.

NOTE: See SEC. 262 in this bill for subd. 2.

6 (2m) (a) At any time after service of the summons and petition, a respondent
7 who is the alleged father may, with or without appearance in court and subject to the
8 approval of the court, in writing acknowledge that he has read and understands the
9 notice under s. ~~767.455~~ 767.813 (5g) and stipulate that he is the father of the child
10 and for child support payments, legal custody, and physical placement. The court
11 may not approve a stipulation for child support unless it provides for payment of
12 child support determined in a manner consistent with s. ~~767.25~~ 767.511 or ~~767.51~~
13 767.89.

14 **SECTION 204.** ~~767.465 (2m) (b) of the statutes is repealed.~~

NOTE: Repeals s. 767.465 (2m) (b), relating to waiver of first appearance. See the
note to SEC. 188 in this bill.

15 **SECTION 205.** ~~767.465 (2m) (c), (3) and (4) of the statutes are renumbered~~
16 ~~767.893 (2m) (c), (3) and (4).~~

17 **SECTION 206.** ~~767.466 of the statutes is renumbered 767.895.~~

18 **SECTION 207.** ~~767.47 of the statutes is renumbered 767.87, and 767.87 (1) (c),~~
19 (1m) (d) and (3), as renumbered, are amended to read:

20 ~~767.87 (1) (c) Genetic test results under ss. s. 49.225, 767.48~~ 767.84, or ~~885.23.~~

21 (1m) (d) Prior to the entry of the judgment under s. ~~767.51~~ 767.89.

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1 **(3) EVIDENCE OF IDENTIFIED MALE NOT UNDER JURISDICTION.** Except as provided
2 in s. ~~767.48~~ 767.84 (4), in an action against an alleged father, evidence offered by him
3 with respect to an identified ~~man~~ male who is not subject to the jurisdiction of the
4 court concerning that ~~man's~~ male's sexual intercourse with the mother at or about
5 the presumptive time of conception of the child is admissible in evidence only after
6 the alleged father has undergone genetic tests and made the results available to the
7 court.

8 **SECTION 208.** 767.475 of the statutes is renumbered 767.82, and 767.82 (1) (b),
9 (2m) and (7m), as renumbered, are amended to read:

10 767.82 (1) (b) The court shall appoint a guardian ad litem for the child if s.
11 ~~767.045~~ 767.407 (1) (a) or (c) applies or if the court has concern that the child's best
12 interest is not being represented.

13 **(2m) CUSTODY PENDING COURT ORDER.** If there is no presumption of paternity
14 under s. 891.41 (1) or if paternity is acknowledged under s. 767.805 (1), the mother
15 shall have sole legal custody of the child until the court orders otherwise.

NOTE: Creates language specifying that if paternity is acknowledged under s.
767.805 (1) [renumbered from s. 767.62 (1)], the mother has sole legal custody of the child
until the court orders otherwise. Current law is silent on legal custody where paternity
is acknowledged and the court has not ordered otherwise.

16 **(7m) WHEN ACTION HAS PRIORITY.** The court shall give priority to an action
17 brought under s. ~~767.45~~ whenever 767.80 if the petition under s. ~~767.45~~ 767.80 (5)
18 indicates that the matter was referred under s. 48.299 (6) (a) or 938.299 (6) (a) by a
19 court assigned to exercise jurisdiction under chs. 48 and 938.

20 **SECTION 209.** 767.477 of the statutes is renumbered 767.85, and 767.85 (2), as
21 renumbered, is amended to read:

22 767.85 (2) **CONSIDERATIONS.** Before making any temporary order under sub. (1),
23 the court shall consider those factors that the court is required to consider when

BILL**SECTION 209**

1 granting a final judgment on the same subject matter. If the court makes a
2 temporary child support order that deviates from the amount of support that would
3 be required by using the percentage standard established by the department under
4 s. 49.22 (9), the court shall comply with the requirements of s. ~~767.25~~ 767.511 (1n).

5 **SECTION 210.** 767.48 (title) of the statutes is renumbered 767.84 (title).

6 **SECTION 211.** 767.48 (1) (a) of the statutes is renumbered 767.84 (1) (a) 1. and
7 amended to read:

8 767.84 (1) (a) 1. ~~The Except as provided in subd. 2., the court may, and upon~~
9 ~~request of a party~~ shall, require the child, mother, any male for whom there is
10 probable cause to believe that he had sexual intercourse with the mother during a
11 possible time of the child's conception, or any male witness who testifies or will testify
12 about his sexual relations with the mother at a possible time of conception to submit
13 to genetic tests. Probable cause of sexual intercourse during a possible time of
14 conception may be established by a sufficient petition or affidavit of the child's
15 mother or an alleged father, filed with the court, or after an examination under oath
16 of a party or witness, when the court determines ~~such~~ that an examination is
17 necessary. The court is not required to order a person who has undergone a genetic
18 test under s. 49.225 to submit to another test under this ~~paragraph~~ subdivision
19 unless a party requests additional tests under sub. (2).

NOTE: Requires genetic tests in every case except defaults, voluntary
acknowledgements, and some deceased father cases. Based on a recommendation of the
paternity reform committee. The reform committee cited as its reason for the change:

"To reduce the number of paternity cases being reopened. Some
cases are reopened after 15 or more years. Such reopenings are very
expensive for the courts and very detrimental to children."

See, also, SEC. 250 of this bill.

BILL

1 **SECTION 212.** 767.48 (1) (b) and (1m) to (7) of the statutes are renumbered
2 767.84 (1) (b) and (1m) to (7), and 767.84 (4) and (5) (b), as renumbered, are amended
3 to read:

4 767.84 (4) TESTS EXCLUDING PATERNITY; REFUSAL TO SUBMIT TO TEST. Whenever
5 ~~the results of genetic tests exclude~~ Genetic test results excluding an alleged father
6 as the father of the child, ~~this evidence shall be~~ are conclusive evidence of
7 nonpaternity and the court shall dismiss any paternity action with respect to that
8 alleged father. ~~Whenever the results of genetic tests exclude~~ Genetic test results
9 excluding any male witness from possible paternity, ~~the tests shall be~~ are conclusive
10 evidence of nonpaternity of the male witness. Testimony relating to sexual
11 intercourse or possible sexual intercourse of the mother with any person excluded as
12 a possible father, as a result of a genetic test, is inadmissible as evidence. ~~If any party~~
13 refuses Refusal of a party to submit to a genetic test, ~~this fact~~ shall be disclosed to
14 the fact finder. Refusal to submit to a genetic test ordered by the court is a contempt
15 of the court for failure to produce evidence under s. ~~767.47~~ 767.87 (5). If the action
16 was brought by the child's mother but she refuses to submit herself or the child to
17 genetic tests, the action shall be dismissed.

18 (5) (b) If 2 or more identical series of genetic tests are performed upon the same
19 person, regardless of whether the tests were ordered under this section or s. 49.225
20 or ~~767.458~~ 767.863 (2), the court shall require the person requesting the 2nd or
21 subsequent series of tests to pay for it the series in advance, unless the court finds
22 that the person is indigent.

23 **SECTION 213.** 767.481 (8) of the statutes is created to read:

24 767.481 (8) NOT APPLICABLE TO PATERNITY ACTIONS. This section does not apply
25 to paternity actions under subch. IX.

BILL

NOTE: New sub. (8) codifies a court of appeals decision clarifying that s. 767.327, stats., does not apply to paternity actions. [*In re the Paternity of Kaila*, 241 Wis. 2d 50, 622 N.W.2d 770 (Ct. App. 2000).] In that case, the court, citing a recent law journal article, noted:

“Wisconsin Stat. s. 767.51 (6) expressly applies Wis. Stat. 767.325 to paternity actions and not s. 767.327. This omission of s. 767.327 from paternity actions was not accidental:

When the 1995 amendment [1995 Wisconsin Act 70] was being drafted, adding removal to s. 767.51 (6) was included in the initial drafts. It was removed, however, prior to the final draft. This decision was not without a debate. Those in favor of inclusion argued that removal statutes were designed with the best interest of the child as the primary objective The other side of the issue argued that inclusion of paternity would be confusing and unnecessary. Many paternity mothers are relatively unsophisticated, whereas many of the respondents have little interest in their children. For those men seriously interested in their relationship with the child, the general modification statute, [s. 767.325, stats.], provides ample opportunity to contest a move.

Judith Hartig-Osanka and Gregg Herman, *Removal After Kerkvliet*, Wisconsin Journal of Family Law, Vol. 20 at 33 (Apr. 2000). Thus, the legislature did not intend s. 767.327, stats., to apply to paternity actions.”

1 **SECTION 214.** 767.50 of the statutes is renumbered 767.883, and 767.883 (1),
2 as renumbered, is amended to read:

3 767.883 (1) TWO PARTS. The trial shall be divided into 2 parts. ~~The, the first~~
4 ~~part shall deal~~ dealing with the determination of paternity. ~~The and the 2nd part~~
5 ~~shall deal~~ dealing with child support, legal custody, periods of physical placement,
6 and related issues. ~~At the first part of the trial, the~~ The main issue at the first part
7 shall be whether the alleged or presumed father is or is not the father of the mother's
8 child, but if the child was born to the mother while she was the lawful wife of a
9 specified man there shall first be determined, as provided in s. 891.39, male the prior
10 issue of whether the husband was not the father of the child shall be determined first,
11 as provided under s. 891.39. The first part of the trial shall be by jury only if the
12 defendant verbally requests a jury trial either at the initial appearance or pretrial
13 hearing or requests a jury trial in writing prior to the pretrial hearing. The court may
14 direct, and, if requested by either party, before the introduction of any testimony in

BILL

1 the party's behalf, shall direct the jury, ~~in cases where there is a jury~~, to find a special
2 verdict as to any of the issues specified in this section, except that the court shall
3 make all of the findings enumerated in s. ~~767.51~~ 767.89 (2) to (4). If the mother is
4 dead, becomes insane, cannot be found within the jurisdiction, or fails to commence
5 or pursue the action, the proceeding does not abate if any of the persons under s.
6 ~~767.45~~ 767.80 (1) makes a motion to continue. The testimony of the mother taken
7 at the pretrial hearing may in any such case be read in evidence if it is competent,
8 relevant, and material. The issues of child support, custody and visitation, and
9 related issues shall be determined by the court either immediately after the first part
10 of the trial or at a later hearing before the court.

11 **SECTION 215.** Subchapter VI (title) of chapter 767 [precedes 767.501] of the
12 statutes is created to read:

CHAPTER 767**SUBCHAPTER VI****SUPPORT AND MAINTENANCE**

16 **SECTION 216.** 767.501 (1) (title) and (2) (title) of the statutes are created to read:

17 767.501 (1) (title) DEFINITIONS.

18 (2) (title) WHO MAY COMMENCE; SUPPORT DETERMINATION.

19 **SECTION 217.** 767.501 (4) of the statutes is created to read:

20 767.501 (4) LEGAL CUSTODY AND PHYSICAL PLACEMENT. Upon request of a party
21 to an action under this section, the court may make orders concerning the legal
22 custody and physical placement of any minor child of the parties in accordance with
23 s. 767.41.

NOTE: Expressly authorizes a request for and determination of legal custody and physical placement in conjunction with an action to compel support and maintenance under renumbered s. 767.501 (former s. 767.08). See, also, SEC. 96 of this bill.

BILL**SECTION 218**

1 **SECTION 218.** 767.51 of the statutes is renumbered 767.89, and 767.89 (2), (3)
2 (b), (c) and (f), (4) (a) (intro.) and (6), as renumbered, are amended to read:

3 767.89 (2) REPORT TO STATE REGISTRAR. The clerk of court or county child support
4 agency under s. 59.53 (5) shall file with the state registrar, within 30 days after the
5 entry of a judgment or order determining paternity, a report showing the names,
6 dates, and birth places of the child and the father, the social security numbers of the
7 mother, father, and child, and the maiden name of the mother on a form designated
8 by the state registrar, along with the fee set forth in s. 69.22 (5), which the clerk of
9 court or county child support agency shall collect.

NOTE: This is a technical change. 2001 Wisconsin Act 16 amended s. 69.15 (1) (b),
stats., to permit the state registrar to change information on a birth certificate if, among
other things, for a paternity action, a clerk of court or county child support agency sends
certain information to the state registrar. Prior law referred only to a clerk of court
providing such information. The bill amends s. 767.89 (2) [renumbered from s. 767.51 (2),
stats.] to incorporate that change, which was inadvertently not made in Act 16.

10 (3) (b) Orders for the legal custody of and periods of physical placement with
11 the child, determined in accordance with s. ~~767.24~~ 767.41.

12 (c) An order requiring either or both of the parents to contribute to the support
13 of any child of the parties who is less than 18 years old, or any child of the parties who
14 is less than 19 years old if the child is pursuing an accredited course of instruction
15 leading to the acquisition of a high school diploma or its equivalent, determined in
16 accordance with s. ~~767.25~~ 767.511.

17 (f) An order requiring either or both parties to pay or contribute to the costs of
18 the guardian ad litem fees, genetic tests as provided in s. ~~767.48~~ 767.84 (5), and other
19 costs.

20 (4) (a) (intro.) Subject to par. (b), liability for past support of the child shall be
21 is limited to support for the period after the day on which the petition in the action

BILL

1 under s. ~~767.45~~ 767.80 is filed, unless a party shows, to the satisfaction of the court,
2 all of the following:

3 **(6) OTHER APPLICABLE PROVISIONS.** Sections ~~767.24, 767.245, 767.263, 767.265,~~
4 ~~767.267, 767.29, 767.293, 767.30, 767.305, 767.31, 767.32 and 767.325~~ 767.41,
5 767.43, 767.451, 767.57, 767.58, 767.59, 767.71, 767.75, 767.76, 767.77, and 767.78,
6 where applicable, shall apply to a judgment or order under this section.

7 **SECTION 219.** 767.511 (1) (c), (1g) (title), (1j) (title), (1m) (title), (1n) (title), (2)
8 (title), (3) (title) and (4) (title) of the statutes are created to read:

9 767.511 (1) (c) In addition to ordering child support for a child under par. (a),
10 assign as a support obligation responsibility for, and direct the manner of payment
11 of, the child's health care expenses under s. 767.513.

NOTE: Health care expenses for a child are now dealt with in a section separate from the general child support section. (This bill renumbers current s. 767.25 (4m) and makes it a separate section; see SEC. 104 of the bill.) The above provision, which is located in the general child support section (renumbered s. 767.511), is intended to clarify that an order regarding health care expenses is to be considered a support obligation. In addition, it is intended to clarify that statutory cross-references to child support under s. 767.511 include a child's health care expenses under s. 767.513.

12 **(1g) (title) CONSIDERATION OF FINANCIAL INFORMATION.**

13 **(1j) (title) PERCENTAGE STANDARD GENERALLY REQUIRED.**

14 **(1m) (title) DEVIATION FROM STANDARD; FACTORS.**

15 **(1n) (title) DEVIATION FROM STANDARD; RECORD.**

16 **(2) (title) SEPARATE FUND OR TRUST.**

17 **(3) (title) EFFECT OF PHYSICAL PLACEMENT VIOLATION.**

18 **(4) (title) AGE OF CHILD ELIGIBLE FOR SUPPORT.**

19 **SECTION 220.** 767.513 (title), (4) (title) and (5) (title) of the statutes are created
20 to read:

21 **767.513 (title) Child health care expenses.**

BILL

1 (4) (title) HEALTH BENEFIT PLAN; EMPLOYER OBLIGATION.

2 (5) (title) RECOVERY BY STATE OF 3RD PARTY PAYMENTS.

3 SECTION 221. 767.52 of the statutes is renumbered 767.83, and 767.83 (1), (2m)
4 and (3), as renumbered, are amended to read:

5 767.83 (1) GENERALLY. At the pretrial hearing, at the trial, and in any further
6 other proceedings in any paternity action, any party may be represented by counsel.
7 If the male respondent is indigent and the state is the petitioner under s. 767.45
8 767.80 (1) (g), the petitioner is represented by a government attorney as provided in
9 s. ~~767.45~~ 767.80 (6), or the action is commenced on behalf of the child by an attorney
10 appointed under s. ~~767.045~~ 767.407 (1) (c), counsel shall be appointed for the
11 respondent as provided in ch. 977, and subject to the limitations under sub. (2m),
12 unless the respondent knowingly and voluntarily waives the appointment of counsel.

13 (2m) WHEN APPOINTED REPRESENTATION PROVIDED. Representation by an
14 attorney appointed under sub. (1) shall be provided only after the results of any
15 genetic tests have been completed and only if all of the results fail to show that the
16 alleged father is excluded and fail to give rise to the rebuttable presumption under
17 s. ~~767.48~~ 767.84 (1m) that the alleged father is the father of the child.

18 (3) APPEARANCE BY STATE'S ATTORNEY NOT AFFECTED. This section does not
19 prevent an attorney responsible for support enforcement under s. 59.53 (6) (a) or any
20 other attorney employed under s. 49.22 or 59.53 (5) from appearing in any paternity
21 action as provided under s. ~~767.45~~ 767.80 (6).

22 SECTION 222. 767.53 of the statutes is renumbered 767.853, and 767.853 (3)
23 (intro.), as renumbered, is amended to read:

24 767.853 (3) PAST PROCEEDINGS. (intro.) Subject to s. ~~767.19~~ 767.13, a record of
25 a past proceeding is open to public inspection if all of the following apply:

BILL

1 **SECTION 223.** 767.55 (title), (2) (title) and (3) (title) of the statutes are created
2 to read:

3 **767.55 (title) Child support: employment-related orders.**

4 **(2) (title) NONCUSTODIAL PARENT.**

5 **(3) (title) ABSENT PARENT.**

6 **SECTION 224.** 767.553 (1) (title), (4) (title) and (5) (title) of the statutes are
7 created to read:

8 **767.553 (1) (title) WHEN ADJUSTMENT MAY BE ORDERED.**

9 **(4) (title) IMPLEMENTATION; WHEN EFFECTIVE.**

10 **(5) (title) REVISION OR REMEDIAL SANCTIONS.**

11 **SECTION 225.** 767.57 (1) (title), (1e) (title) and (4) (title) of the statutes are
12 created to read:

13 **767.57 (1) (title) PAYMENT TO DEPARTMENT.**

14 **(1e) (title) RECEIVING AND DISBURSING FEE.**

15 **(4) (title) PROCEDURE FOR CERTAIN CHILD RECIPIENTS.**

16 **SECTION 226.** 767.58 (2) (title) of the statutes is created to read:

17 **767.58 (2) (title) INFORMATION FOR CHILD SUPPORT AGENCY.**

18 **SECTION 227.** 767.59 (1k) of the statutes is created to read:

19 **767.59 (1k) MAINTENANCE: CHANGE IN COST OF LIVING.** In an action under this
20 section to revise maintenance payments, a substantial change in the cost of living for
21 either party or as measured by the federal bureau of labor statistics may be sufficient
22 to support a revision of the amount of maintenance, except that a change in an
23 obligor's cost of living is not by itself sufficient if payments are expressed as a
24 percentage of income.

NOTE: Restates the last sentence of current s. 767.32 (1) (a).

BILL

1 **SECTION 228.** 767.59 (2) (title) of the statutes is created to read:

2 767.59 (2) (title) PERCENTAGE STANDARD REQUIRED; EXCEPTIONS.

3 **SECTION 229.** 767.60 of the statutes is renumbered 767.803 and amended to
4 read:

5 **767.803 Determination of marital children.** ~~In any case where~~ If the father
6 and mother of ~~any a~~ nonmarital child ~~shall~~ enter into a lawful marriage or a marriage
7 which appears and they believe is lawful, except where the parental rights of the
8 mother were terminated ~~prior thereto that,~~ before either of these circumstances, the
9 child ~~shall thereby become~~ becomes a marital child, ~~shall be~~ is entitled to a change
10 in birth certificate under s. 69.15 (3) (b), and shall enjoy all of the rights and
11 privileges of a marital child as if he or she had been born during the marriage of the
12 parents; ~~and this.~~ This section shall be taken to apply applies to all cases ~~prior to~~
13 before, on, or after its effective date, as well as those subsequent thereto but no estate
14 already vested shall be divested by this section and ss. 765.05 to 765.24 and 852.05.
15 The ~~issue~~ children of all marriages declared void under the law ~~shall, nevertheless,~~
16 be are nevertheless marital issue children.

17 **SECTION 230.** Subchapter VII (title) of chapter 767 [precedes 767.61] of the
18 statutes is created to read:

CHAPTER 767**SUBCHAPTER VII****PROPERTY DIVISION**

22 **SECTION 231.** 767.61 (2) (title) and (3) (title) of the statutes are created to read:

23 767.61 (2) (title) PROPERTY SUBJECT TO DIVISION.

24 (3) (title) PRESUMPTION OF EQUAL DIVISION.

25 **SECTION 232.** 767.61 (4), (5) and (6) of the statutes are created to read:

BILL

1 767.61 (4) SEPARATE FUND OR TRUST OPTION. In dividing the property of the
2 parties under this section, the court may protect and promote the best interests of
3 a child of the parties described under s. 767.511 (4) by setting aside a portion of the
4 property in a separate fund or trust for the support, maintenance, education, and
5 general welfare of the child.

6 (5) RELATED PROVISIONS OF JUDGMENT. In a judgment described under sub. (1),
7 the court shall do all of the following:

8 (a) Direct that title to the property of the parties be transferred as necessary,
9 in accordance with the division of property set forth in the judgment.

10 (b) Include all of the following in the judgment:

11 1. Notification that it may be necessary for the parties to take additional
12 actions in order to transfer interests in their property in accordance with the division
13 of property set forth in the judgment, including such interests as interests in real
14 property, interests in retirement benefits, and contractual interests.

15 2. Notification that the judgment does not necessarily affect the ability of a
16 creditor to proceed against a party or against that party's property even though the
17 party is not responsible for the debt under the terms of the judgment.

18 3. Notification that an instrument executed by a party before the judgment
19 naming the other party as a beneficiary is not necessarily affected by the judgment
20 and it may be necessary to revise the instrument if a change in beneficiary is desired.

21 (6) RECORDING JUDGMENT AFFECTING REAL PROPERTY SUFFICIENT. A certified copy
22 of the portion of the judgment affecting title to real property, or a deed consistent with
23 the judgment, shall be recorded in the office of the register of deeds of the county in
24 which the real property is located.

BILL

NOTE: 1. Subsection (4) restates the last sentence of current s. 767.255 (1), stats. See SEC. 109 of this bill. The current provision only refers to a “minor child”. However, the obligation for child support extends to 18 year olds who are in high school or its equivalent (current s. 767.25 (4), stats.). Therefore, the separate trust or fund option is extended to cover that situation as well as minor children.

2. Subsection (5) (a) is intended to replace current language in s. 767.255 (1), stats., requiring the court when dividing property to “divest and transfer the title of any such property accordingly”. The revised language, more accurately reflecting current practice, requires the court to direct that title to be transferred, as necessary, in accordance with the property division.

3. Subsection (5) (b) is new. It is intended to alert parties that additional action on their part may be necessary in order to implement the provisions of the judgment, that a property division judgment generally is not binding on creditors, and that additional action may be necessary to change prior beneficiary designations.

4. Subsection (6) clarifies that a deed consistent with the judgment may be recorded in lieu of the judgment. It replaces the following provision in current s. 767.255 (1), stats.: “A certified copy of the portion of the judgment that affects title to real estate shall be recorded in the office of the register of deeds of the county in which the lands so affected are situated.”.

1 **SECTION 233.** 767.62 of the statutes is renumbered 767.805, and 767.805 (2) (b),

2 (3) (b), (4) (intro.), (a) and (b), (5) (b) and (6) (b), as renumbered, are amended to read:

3 767.805 (2) (b) If a statement acknowledging paternity is timely rescinded as
4 provided in s. 69.15 (3m), a court ~~or circuit court commissioner~~ may not enter an
5 order specified in sub. (4) with respect to the ~~man~~ male who signed the statement as
6 the father of the child unless the ~~man~~ male is adjudicated the child’s father using the
7 procedures set forth in ~~ss. 767.45 to 767.60~~ this subchapter, except for this section.

8 (3) (b) Except as provided in s. ~~767.045~~ 767.407, in an action specified in par.

9 (a) the court ~~or a circuit court commissioner~~ may appoint a guardian ad litem for the
10 child and shall appoint a guardian ad litem for a party who is a minor, unless the
11 minor party is represented by an attorney.

12 (4) **ORDERS WHEN PATERNITY ACKNOWLEDGED.** (intro.) In an action under sub. (3)

13 (a), if the persons who signed and filed the statement acknowledging paternity as
14 parents of the child had notice of the hearing, the court ~~or circuit court commissioner~~
15 shall make an order that contains all of the following provisions:

BILL

1 (a) Orders for the legal custody of and periods of physical placement with the
2 child, determined in accordance with s. ~~767.24~~ 767.41.

3 (b) An order requiring either or both of the parents to contribute to the support
4 of any child of the parties who is less than 18 years old, or any child of the parties who
5 is less than 19 years old if the child is pursuing an accredited course of instruction
6 leading to the acquisition of a high school diploma or its equivalent, determined in
7 accordance with s. ~~767.25~~ 767.511.

8 **(5)** (b) If a court in a proceeding under par. (a) determines that the ~~man~~ male
9 is not the father of the child, the court shall vacate any order entered under sub. (4)
10 with respect to the ~~man~~ male. The court or the county child support agency under
11 s. 59.53 (5) shall notify the state registrar, in the manner provided in s. 69.15 (1) (b),
12 to remove the ~~man's~~ male's name as the father of the child from the child's birth
13 certificate. No paternity action may thereafter be brought against the ~~man~~ male
14 with respect to the child.

15 **(6)** (b) Parties who signed and filed a statement acknowledging paternity
16 before April 1, 1998, may sign and file a new statement that fulfills the requirements
17 under par. (a). ~~Such a~~ The new statement supersedes any statement previously filed
18 with the state registrar and has the effects specified in this section.

19 **SECTION 234.** Subchapter VIII (title) of chapter 767 [precedes 767.70] of the
20 statutes is created to read:

CHAPTER 767**SUBCHAPTER VIII****ENFORCEMENT**

21
22
23
24 **SECTION 235.** 767.71 of the statutes is created to read:

BILL

1 **767.71 Reconciling percentage-expressed support orders.** (1) REQUEST
2 FOR DETERMINATION. (a) In this section, “support order” means an order for child
3 support under this chapter or s. 948.22 (7), an order for family support under this
4 chapter, or a stipulation approved by the court for child support under this chapter.

5 (b) If a support order is or has been expressed as a percentage of parental
6 income, a party, including the state or a county child support agency under s. 59.53
7 (5) if the state is a real party in interest under s. 767.205 (2) (a), may request a
8 determination under this section of the amount due under the order. The court may
9 determine the amount due and, if ordered by the court, the county child support
10 agency shall reconcile the amount due with payments actually made to determine
11 if an arrearage exists.

12 **(2) NOTICE AND AFFIDAVIT.** (a) The party seeking the determination under this
13 section shall file with the court a notice of reconciliation of account and a supporting
14 affidavit. No later than 3 business days after filing, the party seeking the
15 determination shall serve the notice and affidavit on all other parties, including the
16 child support agency if the state is a real party in interest, by sending the notice and
17 affidavit by regular mail to the last-known address provided under s. 767.58 (2),
18 pursuant to s. 767.70.

19 (b) The notice of reconciliation of account shall include all of the following:

- 20 1. The period of time for which the reconciliation is sought.
- 21 2. A statement that, unless a party requests a hearing no later than 20 business
22 days after the date of the notice, the court may enter an order determining the
23 amount due under the percentage-expressed order and may enter a repayment order
24 that applies if the reconciliation of the amount due with payments made results in
25 an arrearage.

BILL

1 3. The mailing address to which the request for a hearing must be delivered or
2 mailed to schedule a hearing under sub. (3).

3 (c) The supporting affidavit shall state the facts supporting a reasonable basis
4 for determining the payer's income during the period of time for which the
5 reconciliation is sought.

6 **(3) IF HEARING HELD.** (a) Within 10 business days after receiving a timely
7 request for a hearing, the court shall set the matter for hearing. The court shall send
8 notice of the date, time, and location of the hearing to the parties by regular mail at
9 their last-known addresses.

10 (b) At the hearing, the court may establish the appropriate charge under the
11 percentage order by determining the amount of the payer's income that is subject to
12 the percentage-expressed order during the period for which reconciliation is sought
13 and applying the ordered percentage to that amount. The court may enter a
14 repayment order that becomes effective if the reconciliation of the amount due with
15 payments made results in an arrearage.

16 **(4) IF NO HEARING.** If no party requests a hearing, the court shall review the
17 supporting affidavit within 60 days of filing. If the court finds that the affidavit
18 contains a reasonable basis for determining the payer's income during the period for
19 which reconciliation is sought, the court may enter an order determining the amount
20 due under the percentage-expressed order and may enter a repayment order that
21 becomes effective if the reconciliation of the amount due with payments made results
22 in an arrearage. The court shall send the order to the parties by regular mail to their
23 last-known addresses.

24 **(5) ENFORCEMENT.** Any arrearage that exists as a result of the reconciliation of
25 the amount due with payments made may be enforced under ch. 49 or this chapter.

BILL

NOTE: Recreates current s. 767.293:

(a) For improved clarity.

(b) To relieve courts and court commissioners from determining the amount of any arrearage that may exist. Instead, that determination is made by the county child support agency, which is in a better position to make the often difficult calculations necessary to reconcile charges against payments made.

1 **SECTION 236.** 767.73 (1) (title), (4) (title) and (5) (title) of the statutes are
2 created to read:

3 **767.73 (1) (title) AUTHORITY TO SUSPEND.**

4 **(4) (title) APPLICATION TO PAST ARREARAGES.**

5 **(5) (title) RELATIONSHIP TO OTHER REMEDIES.**

6 **SECTION 237.** 767.75 (title), (2m) (title), (3m) (title), (6m) (title), (7) (title) and
7 (7m) (title) of the statutes are created to read:

8 **767.75 (title) Assignment of income for payment obligations.**

9 **(2m) (title) UNPAID RECEIVING AND DISBURSING FEES; ASSIGNMENT.**

10 **(3m) (title) ASSIGNMENT OF UNEMPLOYMENT COMPENSATION BENEFITS.**

11 **(6m) (title) CONVERSION OF CERTAIN SUPPORT ORDERS TO FIXED AMOUNT.**

12 **(7) (title) RECEIPT OF MORE THAN ONE NOTICE OF ASSIGNMENT.**

13 **(7m) (title) CHANGE IN PAYROLL PERIOD.**

14 **SECTION 238.** 767.76 (2) (title), (3) (title), (4) (title) and (6) (title) of the statutes
15 are created to read:

16 **767.76 (2) (title) TRANSFER OF FUNDS BY FINANCIAL INSTITUTIONS.**

17 **(3) (title) PRIORITY OF TRANSFER AUTHORIZATION.**

18 **(4) (title) REVOCATION OF TRANSFER AUTHORIZATION.**

19 **(6) (title) LIABILITY IMMUNITY.**

20 **SECTION 239.** 767.77 (4) (title) of the statutes is created to read:

21 **767.77 (4) (title) INFORMATION ON BOAT OWNERSHIP.**

BILL

1 **SECTION 240.** Subchapter IX of chapter 767 [precedes 767.80] of the statutes
2 is created to read:

CHAPTER 767**SUBCHAPTER IX****PATERNITY**

3
4
5
6 **SECTION 241.** 767.80 (2) (title), (3) (title), (4) (title), (5) (title), (6) (title) and (6r)
7 (title) of the statutes are created to read:

8 767.80 **(2)** (title) CERTAIN AGREEMENTS NOT A BAR TO ACTION.

9 **(3)** (title) STAY IF ACTION BEFORE BIRTH.

10 **(4)** (title) CHILD AS PARTY.

11 **(5)** (title) PETITION.

12 **(6)** (title) WHICH ATTORNEY REPRESENTS STATE.

13 **(6r)** (title) RESPONSIBILITIES OF ATTORNEY UPON REFERRAL.

14 **SECTION 242.** 767.805 (1m) of the statutes is created to read:

15 767.805 **(1m)** MINOR PARENT MAY NOT SIGN. A minor may not sign a statement
16 acknowledging paternity.

NOTE: Prohibits minor parents from signing voluntary paternity
acknowledgments. Based on a recommendation of the paternity reform committee. The
reform committee noted: (1) minors need the protection of a guardian ad litem to explain
their rights and responsibilities; and (2) the parents of the minor do not necessarily have
the same interests as the minor and therefore may not be able to provide such protection.

17 **SECTION 243.** 767.813 (5) (b) and (c) of the statutes are created to read:

18 767.813 **(5)** (b) *Alleged father as petitioner.*

19 STATE OF WISCONSIN,

CIRCUIT COURT:COUNTY

20
21 In re the Paternity of A. B.

22 C. D. (Alleged Father–Petitioner)

23 Address

BILL

1 City, State Zip Code File No. ...

2 , Petitioner

3 vs. SUMMONS

4 E. F.

5 Address (Case Classification Type):.... (Code No.)

6 City, State Zip Code

7 , Respondent

8
9 **THE STATE OF WISCONSIN, To the Respondent:**

10 1. You have been sued. The petitioner claims that he may be the father of
11 the child, born on (date), in (city) (county) (state). You must appear to answer
12 this claim of paternity. Your court appearance is:

13 Date:

14 Time:

15 Room:

16 Judge or Circuit Court Commissioner:

17 Address:

18 2. If you do not appear, the court will enter a default judgment finding the
19 petitioner to be the father. If you plan to be represented by an attorney, you should
20 contact the attorney prior to the court appearance listed above.

21 3. The County Clerk of Circuit Court is an equal opportunity service
22 provider. If you need assistance to access services in the court or need material in
23 an alternate format, please call

24 Dated:, (year)

25 Signed:....

BILL

1 G. H., Clerk of Circuit Court

2 or

3 Petitioner's Attorney

4 State Bar No.:

5 Address:

6 City, State Zip Code:

7 Phone No.:

8 (c) *Nonparent as petitioner.*

9 STATE OF WISCONSIN, CIRCUIT COURT:COUNTY

10
11 In re the Paternity of A. B.

12 C. D. (Nonparent-Petitioner)

13 Address

14 City, State Zip Code

File No. ...

15 , Petitioner

16 vs.

SUMMONS

17 E. F.

18 Address (Case Classification Type):.... (Code No.)

19 City, State Zip Code

20 , Respondent

21
22 THE STATE OF WISCONSIN, To the Respondent

23 1. You have been sued. The petitioner claims that is the mother and
24 may be the father of the child, born on (date), in (city) (county) (state). You
25 must appear to answer this claim of paternity. Your court appearance is:

26 Date:

BILL

1 Time:

2 Room:

3 Judge or Circuit Court Commissioner:

4 Address:

5 2. If you do not appear, the court may enter a default judgment finding to
6 be the father. If you plan to be represented by an attorney, you should contact the
7 attorney prior to the court appearance listed above. If you are alleged to be the father
8 and you are unable to afford an attorney, the court will appoint one for you only upon
9 genetic tests showing that you are not excluded as the father and the probability of
10 your being the father is less than 99.0 percent.

11 3. The County Clerk of Circuit Court is an equal opportunity service
12 provider. If you need assistance to access services in the court or need material in
13 an alternate format, please call

14 Dated:, (year)

15 Signed:....

16 G. H., Clerk of Circuit Court

17 or

18 Petitioner’s Attorney

19 State Bar No.:

20 Address:

21 City, State Zip Code:

22 Phone No.:

NOTE: Creates statutory summons forms for father and nonparent petitioners in paternity actions. These forms are in addition to the current “mother as petitioner” form in s. 767.455 (5), stats. [renumbered s. 767.813 (5) in this bill].

23 **SECTION 244.** 767.813 (5g) of the statutes is created to read:

BILL

1 767.813 (5g) NOTICE. The notice to parties shall be attached to the summons.
2 The notice shall be in boldface type and in substantially the following form:

NOTICE TO PARTIES

3
4 1. You are a party to a petition for paternity. A judgment of paternity legally
5 designates the child in the case to be a child of the man found to be the father. It
6 creates a legally recognized parent–child relationship between the man and the
7 child. It creates the right of inheritance for the child, and obligates the man to
8 support the child until the child reaches the age of 18, or the age of 19 if the child is
9 enrolled full–time in high school or its equivalent. The failure by either parent to pay
10 court–ordered support is punishable by imprisonment as a contempt of court or as
11 a criminal violation.

12 2. A party to a paternity case has the right to be represented by an attorney.
13 If you are unable to afford an attorney and you are a man who is named as the
14 possible father of a child in a paternity case, the court will appoint an attorney for
15 you only if the results of one or more genetic tests show that you are not excluded as
16 the father and that the statistical probability of your being the father is less than 99.0
17 percent. In order to determine whether you are entitled to have an attorney
18 appointed for you, you may call the following telephone number

19 3. The petitioner in this case has the burden of proving by a clear and
20 satisfactory preponderance of the evidence whether the man named as the possible
21 father is the father. However, if genetic tests show that the man named is not
22 excluded as the father, and show that the statistical probability that the man is the
23 father is 99.0 percent or higher, that man is rebuttably presumed to be the father.

24 4. You may request genetic tests which will indicate the probability that the
25 man named as the possible father is or is not the father of the child. The court will

BILL

1 order genetic tests on a request by you, the state, or any other party. Any person who
2 refuses to take court-ordered genetic tests may be punished for contempt of court.

3 5. The following defenses are available in a paternity case:

4 (a) The man named as a possible father of the child may claim that he was
5 sterile or impotent at the time of conception.

6 (b) The mother may claim that she, or the man named as a possible father may
7 claim that he, did not have sexual intercourse with the other party during the
8 conceptive period (generally the period 8 to 10 months before the birth of the child).

9 (c) The mother or the man named as a possible father may claim that another
10 man had sexual intercourse with the mother during the conceptive period.

11 6. You have the right to request a jury trial on the issue of whether the named
12 man is the father.

13 7. If you fail to appear at any stage of the proceeding, including a scheduled
14 court-ordered genetic test, the court may enter a default judgment finding the man
15 claimed to be the father as the father.

16 8. You must keep the clerk of court and child support agency informed of your
17 current address at all times.

NOTE: Replaces the current statutory form for "Notice to Respondent" in a paternity action with a general "Notice to Parties" statutory form. In addition to making the notice form a general form for all parties, this SECTION revises the form to:

1. Replace the current phrase indicating that a judgment of paternity "grants parental rights to that man" with a statement that the judgment "creates a legally recognized parent-child relationship between the man and the child".

2. Revise the phrase "failure to pay child support" in item 1 in the Notice to read "failure by either parent to pay court-ordered support".

3. Clarify that the right to request a jury trial in item 6 in the Notice refers to a jury trial "on the issue of whether the named man is the father".

4. Revise item 7 in the Notice to delete statements relating to the effective date of a default judgment (under the bill, a default judgment takes effect immediately) and waiver of first appearance (waiver of first appearance provisions are repealed in the bill).

5. Specify that the party must keep the child support agency, as well as the clerk of court (current law), informed of current address.

18 **SECTION 245.** 767.814 of the statutes is created to read:

BILL

Ⓟ determined

determined by the court

1 **767.814 Names on pleadings after paternity established.** After paternity
2 is ~~established~~ in an action or proceeding under this subchapter, any papers filed in,
3 and any records of, the court relating to the action or proceeding may identify the
4 parties by name instead of by initials.

↙ ↘

NOTE: Permits the use of names rather than initials on pleadings once paternity
is established. Based on a recommendation of the paternity reform committee.

and other court filings and court records

→ determined ↓

5 **SECTION 246.** 767.815 (1) (title) and (2) (title) of the statutes are created to read:

6 767.815 (1) (title) GOOD CAUSE.

7 **(2) (title) REASONABLE GROUNDS; DUE DILIGENCE.**

8 **SECTION 247.** 767.82 (1) (title), (2) (title), (3) (title), (4) (title), (5) (title), (6)
9 (title), (7) (title) and (8) (title) of the statutes are created to read:

10 767.82 (1) (title) APPOINTMENT OF GUARDIAN AD LITEM.

11 **(2) (title) PRESUMPTION.**

12 **(3) (title) TIME OF CONCEPTION; EVIDENCE.**

13 **(4) (title) DISCOVERY.**

14 **(5) (title) STATUTE OF LIMITATIONS.**

15 **(6) (title) ARREST.**

16 **(7) (title) APPOINTMENT OF TRUSTEE OR GUARDIAN.**

17 **(8) (title) PROCEDURES APPLICABLE TO OTHER MATTERS IN ACTION.**

18 **SECTION 248.** 767.83 (2) (title) of the statutes is created to read:

19 767.83 **(2) (title) EXTENT OF APPOINTED ATTORNEY'S REPRESENTATION.**

20 **SECTION 249.** 767.84 (1) (title) of the statutes is created to read:

21 767.84 (1) (title) WHEN TEST ORDERED; REPORT.

22 **SECTION 250.** 767.84 (1) (a) 2. of the statutes is created to read:

BILL

1 767.84 (1) (a) 2. The requirement for tests under subd. 1. does not apply to
2 default judgments under s. 767.893 or voluntary acknowledgements of paternity
3 under s. 767.805 or where the respondent is deceased and genetic material may not
4 be obtained without undue hardship under s. 767.865 (2).

5 **SECTION 251.** 767.84 (1m) (title), (2) (title), (3) (title), (5) (title), (6) (title) and
6 (7) (title) of the statutes are created to read:

7 767.84 (1m) (title) REBUTTABLE PRESUMPTION.

8 (2) (title) INDEPENDENT TESTS.

9 (3) (title) NUMBER AND QUALIFICATIONS OF EXPERTS.

10 (5) (title) FEES AND COSTS.

11 (6) (title) CALLING CERTAIN WITNESSES; NOTICE.

12 (7) (title) NOTICE OF RIGHT TO TESTS.

13 **SECTION 252.** 767.85 (1) (title) of the statutes is created to read:

14 767.85 (1) (title) WHEN REQUIRED.

15 **SECTION 253.** 767.853 (1) (title) and (2) (title) of the statutes are created to read:

16 767.853 (1) (title) PENDING PROCEEDING.

17 (2) (title) INFORMATION TO DEPARTMENT.

18 **SECTION 254.** 767.863 (3) (title) of the statutes is created to read:

19 767.863 (3) (title) ORDERS IF STATEMENT ON FILE.

20 **SECTION 255.** 767.865 (1) (title) of the statutes is created to read:

21 767.865 (1) (title) WHO MAY APPEAR.

22 **SECTION 256.** 767.865 (1) (b) of the statutes is created to read:

23 767.865 (1) (b) If the court determines that it is appropriate, the court may
24 appoint a guardian ad litem for the deceased respondent for purposes of par. (a).
25 Section 767.407 (3) and (5) applies to the guardian ad litem. The guardian ad litem

BILL

1 shall represent the interests of the deceased respondent. The guardian ad litem shall
2 be compensated at a rate that the court determines is reasonable. The court shall
3 order the compensation to be paid from the deceased respondent's estate. If the
4 moneys in the estate are not sufficient to pay all or part of the compensation, the
5 court may direct that the county of venue pay the compensation. If the court orders
6 a county to pay the compensation of the guardian ad litem, the amount ordered may
7 not exceed the compensation paid to private attorneys under s. 977.08 (4m) (b).

NOTE: See the note to SEC. 257 of this bill.

8 **SECTION 257.** 767.865 (2) of the statutes is created to read:

9 767.865 (2) GENETIC TESTS. If genetic material is available, without undue
10 hardship, from a deceased respondent or a relative of the deceased respondent in an
11 action for paternity, genetic tests shall be administered in accordance with s. 767.84.
12 There is a rebuttable presumption that exhumation of the deceased respondent's
13 body to obtain the genetic material for testing is an undue hardship under this
14 subsection.

NOTE: SECTIONS 256 and 257 of this bill are based on a recommendation of the
paternity reform committee.

1. SECTION 256 permits the appointment of a guardian ad litem to represent a
deceased respondent when there is no personal representative and requires the guardian
ad litem to receive service of the summons and petition. The reform committee's
recommendation to appoint a guardian ad litem for "a deceased respondent who is the
alleged father" is expanded to include any deceased respondent. See, also, SEC. 200 of this
bill.

2. SECTION 257 requires genetic tests if genetic material is available, without
undue hardship, from the deceased or his relatives. Exhumation is rebuttably presumed
an undue hardship.

15 **SECTION 258.** 767.87 (1) (title), (1m) (title), (2) (title), (2m) (title), (4) (title), (5)
16 (title), (6) (title), (7) (title), (8) (title), (9) (title), (10) (title) and (11) (title) of the
17 statutes are created to read:

18 767.87 (1) (title) GENERALLY.

19 (1m) (title) BIRTH RECORD REQUIRED.

BILL

1 **(2)** (title) ADMISSIBILITY OF SEXUAL RELATIONS BY MOTHER.

2 **(2m)** (title) ADMISSIBILITY OF CERTAIN MEDICAL AND GENETIC INFORMATION.

3 **(4)** (title) IMMUNITY.

4 **(5)** (title) REFUSAL TO TESTIFY OR PRODUCE EVIDENCE.

5 **(6)** (title) WHEN MOTHER NOT COMPELLED TO TESTIFY.

6 **(7)** (title) CERTAIN TESTIMONY OF PHYSICIAN NOT PRIVILEGED.

7 **(8)** (title) BURDEN OF PROOF.

8 **(9)** (title) ARTIFICIAL INSEMINATION; NATURAL FATHER.

9 **(10)** (title) RECORD OF MOTHER'S TESTIMONY ADMISSIBLE.

10 **(11)** (title) RELATED COSTS ADMISSIBLE.

11 **SECTION 259.** 767.88 (2) (title), (3) (title), (4) (title), (5) (title) and (6) (title) of
12 the statutes are created to read:

13 767.88 **(2)** (title) COURT EVALUATION AND RECOMMENDATION.

14 **(3)** (title) ACCEPTANCE OF RECOMMENDATION; JUDGMENT.

15 **(4)** (title) RECOMMENDATION REFUSED AND NO TESTS TAKEN.

16 **(5)** (title) FINAL RECOMMENDATION NOT ACCEPTED; TRIAL.

17 **(6)** (title) TERMINATION OF INFORMAL HEARING.

18 **SECTION 260.** 767.883 (2) (title) of the statutes is created to read:

19 767.883 **(2)** (title) JURY SIZE; VERDICT.

20 **SECTION 261.** 767.89 (1) (title), (3) (title), (3m) (title), (4) (title) and (7) (title)
21 of the statutes are created to read:

22 767.89 **(1)** (title) EFFECT OF JUDGMENT OR ORDER.

23 **(3)** (title) CONTENT OF JUDGMENT OR ORDER.

24 **(3m)** (title) CHANGE OF CHILD'S NAME.

25 **(4)** (title) LIABILITY FOR PAST SUPPORT.

BILL

1 (7) (title) PREPARATION OF FINAL PAPERS.

2 **SECTION 262.** 767.893 (2) (b) 2. of the statutes is created to read:

3 767.893 (2) (b) 2. The alleged father who fails to appear has had genetic tests
4 under s. 49.225 or 767.84 showing that the alleged father is not excluded and that
5 the statistical probability of the alleged father's parentage is 99.0 percent or higher.

NOTE: Authorizes the court to enter a default judgment when an alleged father has a genetic test result of 99% or higher, even though there may be another untested alleged father. Based on a recommendation of the paternity reform committee.

6 **SECTION 263.** 808.075 (4) (d) 13. of the statutes is amended to read:

7 808.075 (4) (d) 13. Determination of ~~arrearages under s. 767.293~~ charges and
8 issuance of repayment orders under s. 767.71.

9 **SECTION 264.** 814.615 (1) (a) (intro.) and (2) of the statutes are amended to read:

10 814.615 (1) (a) (intro.) Except as provided under sub. (2), for family court
11 counseling services provided under s. ~~767.11~~ 767.405 a county shall collect the
12 following fees:

13 (2) In lieu of the fee under sub. (1) (a) 2. or 3., a county may establish a fee
14 schedule to recover its reasonable costs of providing family court counseling services
15 under s. ~~767.11~~ 767.405. A fee schedule established under this subsection may apply
16 in lieu of the fee under sub. (1) (a) 2. or 3. or both, and shall require no fee for the first
17 mediation session conducted upon referral under s. ~~767.11~~ 767.405 (5); provide for
18 payment for any other services based on the parties' ability to pay; and take into
19 account the fees the county collects under s. 814.61 (1) (b) and (7) (b). Fees shall be
20 based on services actually provided. The county may not collect a single fee
21 applicable without regard to the number of sessions or services provided. Subject to
22 sub. (3), the county shall provide family court counseling services to the parties even
23 if both parties are unable to pay.

BILL

1 **SECTION 265. Cross-reference changes.** In the sections of the statutes
 2 listed in Column A, the cross-references shown in Column B are changed to the
 3 cross-references shown in column C:

A Statute Sections	B Old Cross-Reference	C New Cross-Reference
20.445 (3) (ja)	767.29 (1) (dm) 1m.	767.57 (1e) (b) 1m.
20.445 (3) (ja) and (kp)	767.29 (1) (d)	767.57 (1e) (a)
20.445 (3) (q) and (r)	767.265 and 767.29	767.57 and 767.75
20.445 (3) (r)	767.02 (1)	767.001 (1)
20.921 (2) (a)	767.23 (1) (L), 767.25 (4m) (c), or 767.265	767.225 (1) (L), 767.513 (3), or 767.75
25.68 (2)	767.265 and 767.29	767.57 and 767.75
25.68 (3)	767.02 (1)	767.001 (1)
40.08 (1c)	767.265	767.75
40.08 (1m) (k) 1.	767.32 (1) (a)	767.59 (1c) (b)
40.08 (1m) (k) 1.	767.255	767.61
46.03 (3)	767.475 (7)	767.82 (7)
48.02 (13)	767.60	767.803
48.02 (13)	767.62 (1)	767.805
48.025 (1)	767.60	767.803
48.235 (4) (a) 7m. and (4m) (a) 7m.	767.45	767.80
48.27 (3) (b) 1. (intro.)	767.60	767.803

BILL

1	48.299 (6) (a) and (c),	767.45	767.80
2	and (7)		
3	48.299 (6) (c)	767.475 (7m)	767.82 (7m)
4	48.299 (6) (d) and (8)	ss. 767.45 to 767.60	subch. IX of ch. 767
5	48.396 (2) (dm)	ss. 767.45 to 767.60	subch. IX of ch. 767
6	48.42 (2) (b) (intro.) and	767.60	767.803
7	(4) (b) 2.		
8	48.42 (4) (b) 2.	767.62 (1)	767.805
9	48.422 (6) (a)	767.60	767.803
10	48.432 (1) (am) 2. b.	767.60	767.803
11	48.837 (4) (e)	767.62 (1)	767.805
12	48.91 (2)	767.60	767.803
13	48.91 (2)	767.62 (1)	767.805
14	48.981 (2) (a) 17.	767.11	767.405
15	48.981 (7) (b)	767.24 or 767.325	767.41 or 767.451
16	49.141 (1) (j) 4.	767.60	767.803
17	49.19 (4) (d) 6.	767.23	767.225
18	49.19 (4) (d) 7.	767.08	767.501
19	49.225 (2) (b)	767.45	767.80
20	49.299 (6) (b)	767.45 (5) (c) and (6r)	767.80 (5) (c) and (6r)
21	49.36 (3) (a)	767.295 (2) (a)	767.55 (2) (am)
22	49.79 (2) (a) 2.	767.45	767.80

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1	49.855 (1)	767.29 (1) (d)	767.57 (1e) (a)
2	49.90 (2r)	767.02 (1) (f) or (j) or	767.001 (1) (f) or (j) or
3		767.08	767.501
4	49.90 (2r)	767.45 (1)	767.80 (1)
5	49.90 (10)	767.25	767.511
6	49.90 (11)	ss. 767.45 to 767.60	subch. IX of ch. 767
7	51.30 (5) (bm)	767.24 (4) (b) or 767.325	767.41 (4) (b) or 767.451
8		(4)	(4)
9	55.07 (2)	767.24 (4) (b) or 767.325	767.41 (4) (b) or 767.451
10		(4)	(4)
11	59.53 (5) (b)	767.29 (1)	767.57 (1)
12	59.53 (6) (b)	767.075, 767.08, and	767.205 (2), 767.501, and
13		767.45	767.80
14	62.63 (4)	767.265	767.75
15	66.0137 (4)	767.25 (4m) (d)	767.513 (4)
16	69.15 (3) (b) 2.	767.60	767.803
17	102.27 (2) (a)	767.23 (1) (L), 767.25	767.225 (1) (L), 767.513
18		(4m) (c), 767.265 (1), or	(3), 767.75 (1), or (2m)
19		(2m)	
20	115.76 (12) (a) 4.	ss. 767.45 to 767.51	subch. IX of ch. 767
21	118.125 (2) (m)	767.24 (4)	767.41 (4)
22	120.13 (2) (g)	767.25 (4m) (d)	767.513 (4)

BILL

1	146.34 (1) (f)	767.60	767.803
2	146.835	767.24 (4) (b) or 767.325	767.41 (4) (b) or 767.451
3		(4)	(4)
4	215.26 (8) (dm)	767.267 (5)	767.76 (5)
5	343.10 (1) (a) and (5) (b)	767.303	767.73
6	343.30 (5)	767.303	767.73
7	565.30 (5m) (a)	767.265	767.75
8	565.30 (5m) (a)	767.02 (1) (f) or (g),	767.001 (1) (f) or (g),
9		767.10, 767.23, 767.25,	767.225, 767.34,
10		767.26, 767.261,	767.511, 767.531,
11		767.458 (3), 767.465	767.56, 767.805 (4),
12		(2m), 767.477, 767.51	767.85, 767.863 (3),
13		(3), 767.62 (4)	767.89 (3), 767.893
14			(2m)
15	632.897 (10) (a) 3.	767.25 (4m)	767.513
16	757.48 (1) (a)	767.045	767.407
17	758.19 (5) (a) 2.	767.045 (6)	767.407 (6)
18	765.02 (2)	767.23 (1) or 767.24	767.225 (1) or 767.41
19	765.15	767.11	767.405
20	765.23	767.60	767.803
21	766.58 (3) (f)	767.266 (1)	767.375 (1)
22	766.587 (5)	767.255	767.61

BILL

1	766.587 (5)	767.26	767.56
2	766.588 (6) (b)	767.255	767.61
3	766.588 (6) (c)	767.26	767.56
4	766.589 (6) (b)	767.255	767.61
5	766.589 (6) (c)	767.26	767.56
6	766.70 (4) (a) 3.	767.255 and 767.26	767.56 and 767.61
7	766.73	767.255	767.61
8	769.302	767.045 (1)	767.407 (1)
9	769.302	767.475 (1)	767.82 (1)
10	769.605 (3)	767.265 (2r)	767.75 (2r)
11	778.30 (1) (d)	767.265 (4)	767.75 (4)
12	785.01 (1) (bm)	767.087 (1)	767.117 (1)
13	786.36 (1) (c)	767.60	767.803
14	801.07 (5)	767.02 (1) (a) to (d)	767.001 (1) (a) to (d)
15	801.07 (5)	767.05 (1m)	767.301
16	802.12 (3) (c) 1.	767.255	767.61
17	802.12 (3) (c) 2.	767.26	767.56
18	802.12 (3) (c) 3.	767.262	767.241
19	802.12 (3) (c) 4.	767.32	767.59
20	802.12 (3) (d) 1.	767.24, 767.458 (3),	767.41, 767.805 (4),
21		767.51 (3), or 767.62 (4)	767.863 (3), or 767.89
22			(3)

BILL

1	802.12 (3) (d) 2.	767.245	767.43
2	802.12 (3) (d) 3.	767.25, 767.458 (3),	767.511, 767.805 (4),
3		767.51, or 767.62 (4)	767.863 (3), or 767.89
4			(3)
5	802.12 (3) (d) 4.	767.32 or 767.325	767.451 or 767.59
6	802.12 (3) (e) 3.	767.045, 767.11, and	767.405, 767.407, and
7		767.24	767.41
8	802.12 (3) (e) 4.	767.045, 767.11, and	767.405, 767.407, and
9		767.245	767.43
10	802.12 (3) (e) 5.	767.25 or 767.51	767.511 or 767.89
11	803.01 (3) (b) 2.	767.045 (1) (c)	767.407 (1) (c)
12	808.075 (4) (d) 1.	767.24, 767.325,	767.41, 767.451,
13		767.327, or 767.329	767.461, or 767.481
14	808.075 (4) (d) 2.	767.245	767.43
15	808.075 (4) (d) 3.	767.33	767.553
16	808.075 (4) (d) 4.	767.32 or 767.51	767.59 or 767.89
17	808.075 (4) (d) 5.	767.39	767.273
18	808.075 (4) (d) 7.	767.37 (2)	767.35 (6)
19	808.075 (4) (d) 8.	767.38	767.35 (7)
20	808.075 (4) (d) 9.	767.30, 767.51, or 767.62	767.77, 767.805 (4), or
21		(4)	767.89

BILL

1	808.075 (4) (d) 10.	767.305, 767.51, or	767.78, 767.805 (4), or
2		767.62 (4)	767.89
3	808.075 (4) (d) 11.	767.25 (4m) or 767.265	767.513 or 767.75
4	808.075 (4) (d) 12.	767.267	767.76
5	812.39 (2)	767.265	767.75
6	813.06	767.23	767.225
7	813.12 (2) (b)	767.23 or 767.24	767.225 or 767.41
8	813.122 (5) (e) and (6) (a)	767.25	767.511
9	4.		
10	814.04 (intro.)	767.33 (4) (d)	767.553 (4) (d)
11	814.61 (1) (b)	767.02	767.001 (1)
12	814.61 (1) (b)	767.11	767.405
13	814.61 (1) (c) 1.	767.45 (1) (g) or (h)	767.80 (1) (g) or (h)
14	814.61 (1) (c) 1.	767.045 (1) (c)	767.407 (1) (c)
15	814.61 (7) (a)	767.32 (1)	767.59 (1c) (a)
16	814.61 (7) (b)	767.325 or 767.327	767.451 or 767.481
17	814.61 (7) (b)	767.11	767.405
18	814.61 (7) (c)	767.045 (1) (c)	767.407 (1) (c)
19	814.61 (7) (c)	767.045 (1) (c) 1. or 2.	767.407 (1) (c) 1. or 2.
20	814.61 (7) (c)	767.45 (1) (g)	767.80 (1) (g)
21	814.615 (1) (a) 1.	767.11 (5)	767.405 (5)
22	814.615 (1) (a) 3.	767.11 (14)	767.405 (14)

BILL

1	814.615 (4)	767.11	767.405
2	852.05 (2)	767.62 (1)	767.805
3	852.05 (3)	767.60	767.803
4	854.15 (6)	767.266 (1)	767.375 (1)
5	885.23	767.48	767.84
6	895.035 (1) (a)	767.10	767.34
7	895.035 (1) (a)	767.23 or 767.24	767.225 or 767.41
8	895.73 (2)	767.24	767.41
9	904.085 (2) (a)	767.11	767.405
10	904.085 (4) (b)	767.11 (14) (c)	767.405 (14) (c)
11	905.04 (4) (g)	ss. 767.45 to 767.53	subch. IX of ch. 767
12	938.02 (13)	767.60	767.803
13	938.02 (13)	767.62 (1)	767.805
14	938.235 (4) (a) 7m.	767.45	767.80
15	938.27 (3) (b) 1. (intro.)	767.60	767.803
16	938.299 (6) (a) and (c)	767.45	767.80
17	and (7)		
18	938.299 (6) (b)	767.45 (5) (c) and (6r)	767.80 (5) (c) and (6r)
19	938.299 (6) (c)	767.475 (7m)	767.82 (7m)
20	938.299 (6) (d) and (8)	ss. 767.45 to 767.60	subch. IX of ch. 767
21	938.396 (2) (g)	ss. 767.45 to 767.60	subch. IX of ch. 767
22	948.22 (7) (b) 2.	767.25 or 767.51	767.511 or 767.89

BILL

1	948.22 (7) (b) 2. and (bm)	767.25 (1)	767.511 (1)
2	948.22 (7) (bm)	767.25 (1m)	767.511 (1m)
3	948.22 (7) (c)	767.265	767.75
4	948.22 (7) (c)	767.29	767.57
5	948.22 (7) (c)	767.30	767.77
6	948.31 (2)	767.60	767.803
7	972.085	767.47 (4)	767.87 (4)
8	973.05 (4m)	767.265 (4)	767.75 (4)
9	977.05 (4) (i) 7.	767.045 (1) (c)	767.407 (1) (c)
10	977.05 (4) (i) 7.	767.45 (1) (g)	767.80 (1) (g)
11	977.05 (4) (i) 7.	767.52	767.83
12	977.05 (6) (b) (intro.)	767.30 or 767.305	767.77 or 767.78
13	977.05 (6) (b) 1.	767.045 (1) (c)	767.407 (1) (c)
14	977.08 (2) (h)	767.52	767.83
15	978.06 (6)	767.075, 767.08, or	767.205 (2), 767.501, or
16		767.45	767.80
17	990.01 (19m) (b) and	767.60	767.803
18	(23m)		

SECTION 266. Initial applicability.

(1) The treatment of section 767.027 of the statutes first applies to actions to modify a judgment or order with respect to child support that are commenced on the effective date of this subsection.

BILL

1 (2) The treatment of sections 767.085 (1) and 767.215 (5) of the statutes first
2 applies to petitions that are filed on the effective date of this subsection.

3 (3) The treatment of section 767.11 (12) of the statutes first applies to written
4 mediation agreements that are certified by the mediator on the effective date of this
5 subsection.

6 (4) The treatment of section 767.14 of the statutes first applies to actions
7 affecting the family that are commenced on the effective date of this subsection.

8 (5) The treatment of section 767.145 (2) of the statutes first applies to motions
9 for extension of time for service that are made on the effective date of this subsection.

10 (6) The treatment of section 767.25 (6) of the statutes first applies to arrearage
11 determinations that are made on the effective date of this subsection.

12 (7) The treatment of section 767.265 (2h) and (2m) (b) of the statutes first
13 applies to notices of assignment that are sent on the effective date of this subsection.

14 (8) The treatment of section 767.27 (1) of the statutes first applies to actions
15 affecting the family that are commenced on the effective date of this subsection.

16 (9) The treatment of sections 767.293 and 767.71 of the statutes first applies
17 to determinations sought by notices of reconciliation of account that are filed on the
18 effective date of this subsection.

19 (10) The treatment of section 767.37 (1) (a) and (c) and (3) of the statutes first
20 applies to judgments that are granted on the effective date of this subsection.

21 (11) The treatment of sections 767.455 (5), (5g), and (5r), 767.457 (2), 767.459,

22 767.465 (2m) (b), ^{767.475 (2m), ^} 767.48 (1) (a), 767.813 (5) (b) and (c) and (5g), 767.84 (1) (a) 2., and

23 767.865 (1) (b) and (2) ^{and 767.893 (2) (b) 20} of the statutes first applies to paternity actions that are

24 commenced on the effective date of this subsection.

(2)(a) and (b) and

BILL

1 (12) The treatment of section 767.465 (2) (a) of the statutes first applies to
2 orders that are entered on the effective date of this subsection.

3 (13) The treatment of sections 767.465 (2) (b) and 767.893 (2) (b) 2. of the
4 statutes first applies to default judgments entered on the effective date of this
5 subsection.

6 12 (14) The treatment of section 767.475 (2m) of the statutes first applies to
7 acknowledgements that occur on the effective date of this subsection.

8 13 (15) The treatment of section 767.61 (4), and (5) of the statutes first applies to
9 judgments granted on the effective date of this subsection.

10 14 (16) The treatment of section 767.805 (1m) of the statutes first applies to
11 statements acknowledging paternity that are filed on the effective date of this
12 subsection.

13 15 (17) The treatment of section 767.814 of the statutes first applies to actions or
14 proceedings under subchapter IX of chapter 767 of the statutes in which paternity
15 is established on the effective date of this subsection.

SECTION 267. Effective date.

determined

(1) This act takes effect on July 1, 2006.

NOTE: The following list shows the general treatment of provisions of ch. 767 by this bill. The left-hand column ("current section") lists the current provisions of ch. 767. The right-hand column ("treatment") shows the general treatment of each provision by this bill.

<i>Current Section</i>	<i>Treatment</i>
767.001 (1d) to (2m)	No change.
767.001 (3)	Renumbered s. 767.405 (1) (a).
767.001 (4)	Renumbered s. 757.405 (1) (b).
767.001 (5) and (6)	No change.
767.01 (1)	Second sentence relocated to 767.201. Portion of current s. 767.05 (1) added.
767.01 (2)	No change.

renumbered

501(4)

BILL

<i><u>Current Section</u></i>	<i><u>Treatment</u></i>
767.01 (3)	Renumbered s. 767.80 (1m).
767.02 (1)	Renumbered s. 767.001 (1).
767.02 (2)	Renumbered s. 767.001 (1f) and modernized.
767.025	Renumbered s. 767.281.
767.027	Renumbered s. 767.70; clarified.
767.03	Renumbered s. 767.313 (1) (a) to (d).
767.04	Renumbered s. 767.18.
767.045	Renumbered s. 767.407.
767.05 (1)	Repealed; substance relocated to s. 767.01 (1).
767.05 (1m)	Renumbered s. 767.301.
767.05 (2)	Renumbered s. 767.41 (1) (a).
767.05 (3)	Renumbered s. 767.205 (1).
767.05 (4)	Renumbered s. 767.215 (2e).
767.05 (5)	Renumbered s. 767.205 (3).
767.05 (6)	Renumbered s. 767.264 (1).
767.05 (7)	Renumbered s. 767.331.
767.07	Renumbered s. 767.35 (1).
767.075	Renumbered s. 767.205 (2).
767.077	Renumbered s. 767.521.
767.078 (1)	Renumbered s. 767.55 (3).
767.078 (2)	Renumbered s. 767.55 (3) (d).
767.08	Renumbered s. 767.501.
767.081	Renumbered s. 767.105.
767.082	Renumbered s. 767.323.
767.083	Renumbered s. 767.335.
767.085 (1)	Renumbered s. 767.215 (2); substantively revised.
767.085 (2)	Renumbered s. 767.215 (1).
767.085 (2m) and (3)	Renumbered s. 767.215 (2m) and (3).
767.085 (4)	Renumbered s. 767.317.
767.087	Renumbered s. 767.117.
767.09 (1)	Renumbered s. 767.35 (2) [and (4)].

BILL

<i><u>Current Section</u></i>	<i><u>Treatment</u></i>
767.09 (2)	Renumbered s. 767.35 (5).
767.10	Renumbered s. 767.34.
767.11 (1)	Renumbered s. 767.405 (1m).
767.11 (2) to (14)	Renumbered s. 767.405 (2) to (14); sub. (12) (a) substantively revised.
767.11 (15)	Repealed.
767.115 (1)	Renumbered s. 767.401 (1).
767.115 (1m) to (3)	Renumbered s. 767.401 (1) (c) to (e).
767.115 (4)	Renumbered s. 767.401 (2).
767.12 (1)	Renumbered s. 767.235 (1).
767.12 (2) and (3)	Renumbered s. 767.315 (1) and (2).
767.125	Renumbered s. 767.235 (2).
767.14	Repealed.
767.145 (1)	Repealed.
767.145 (2)	Renumbered s. 767.215 (4); substantively revised.
767.15	Renumbered s. 767.217.
767.16	Clarified; obsolete provision removed.
767.19 (1)	Renumbered s. 767.13; substantively revised.
767.19 (2)	Renumbered s. 767.235 (3).
767.20	Renumbered s. 767.395.
767.21	Renumbered s. 767.041.
767.22	Renumbered s. 767.055.
767.23 (1)	Renumbered s. 767.225 (1)
767.23 (1g)	Repealed
767.23 (1m)	Renumbered s. 767.225 (3m).
767.23 (1n)	Renumbered s. 767.225 (1n).
767.23 (2)	Renumbered s. 767.225 (2).
767.23 (3)	Renumbered s. 767.264 (2).
767.24 (1)	Renumbered s. 767.41 (1) (b); expanded.
767.24 (1m) to (8)	Renumbered s. 767.41 (1m) to (8).
767.24 (9)	Repealed.
767.242	Renumbered s. 767.471.

BILL

<i><u>Current Section</u></i>	<i><u>Treatment</u></i>
767.245	Renumbered s. 767.43.
767.247	Renumbered s. 767.44.
767.25 (1) to (4)	Renumbered s. 767.511 (1) to (4).
767.25 (4m)	Renumbered s. 767.513.
767.25 (5) to (7)	Renumbered s. 767.511 (5) to (7). Sub-section (6) clarified.
767.253	Renumbered s. 767.55 (1).
767.254	Renumbered s. 767.55 (4).
767.255	Renumbered s. 767.61; reorganized and substantively revised.
767.26	Renumbered s. 767.56.
767.261	Renumbered s. 767.531.
767.262	Renumbered s. 767.241.
767.263	Renumbered s. 767.58; sub. (1) clarified.
767.265 (1)	Renumbered s. 767.75 (1) (b) [and (1f)].
767.265 (1m) to (7m)	Renumbered s. 767.75 (1m) to (7m); (2h) and (2m) clarified.
767.265 (8)	Renumbered s. 767.75 (1) (intro.).
767.266	Renumbered s. 767.375.
767.267	Renumbered s. 767.76.
767.27 (1) to (2)	Renumbered s. 767.127 (1) to (2); sub. (1) substantively revised.
767.27 (2m)	Renumbered s. 767.54.
767.27 (3) to (5)	Renumbered s. 767.127 (3) to (5).
767.275	Renumbered s. 767.63.
767.28	Renumbered s. 767.385.
767.29 (1) (a) to (c)	Renumbered s. 767.57 (1) (a) to (c).
767.29 (1) (d) and (dm)	Renumbered s. 767.57 (1e) (a) and (b).
767.29 (1) (e)	Renumbered s. 767.57 (1h).
767.29 (1) (f)	Repealed.
767.29 (1m) to (4)	Renumbered s. 767.57 (1m) to (4).
767.293	Repealed. Recreated as s. 767.71 and substantively revised.
767.295 (1) and (2) (a)	Renumbered s. 767.55 (2) (a) and (am).
767.295 (2) (b) and (c)	Renumbered s. 767.55 (2) (b) and (c).

BILL

<i><u>Current Section</u></i>	<i><u>Treatment</u></i>
767.30	Renumbered s. 767.77.
767.303	Renumbered s. 767.73.
767.305	Renumbered s. 767.78.
767.31	Renumbered s. 767.57 (5); substantively revised.
767.32	Renumbered s. 767.59. Internally reorganized by subdividing and consolidating.
767.325 (1) to (8)	Renumbered s. 767.451 (1) to (8); sub. (1) (a) (intro.) clarified.
767.325 (9)	Repealed.
767.327 (1) to (6)	Renumbered s. 767.481 (1) to (6).
767.327 (7)	Repealed.
767.329	Renumbered s. 767.461; clarified.
767.33	Renumbered s. 767.553.
767.37 (1) (a)	Renumbered s. 767.251; substantively revised.
767.37 (1) (c)	Renumbered s. 767.36; substantively revised.
767.37 (2)	Renumbered s. 767.35 (6); portion repealed.
767.37 (3)	Renumbered s. 767.35 (3); clarified.
767.38	Renumbered s. 767.35 (7).
767.39 (1)	Renumbered s. 767.273; incorporates substance of current sub. (2).
767.39 (2)	Repealed; substance included in renumbered s. 767.273.
767.40	Renumbered s. 785.07.
767.42	Repealed.
767.45	Renumbered s. 767.80.
767.455 (1) to (4)	Renumbered s. 767.813 (1) to (4).
767.455 (5)	Renumbered s. 767.813 (5); expanded.
767.455 (5g)	Repealed; replaced by new s. 767.813 (5g).
767.455 (5r)	Repealed.
767.455 (5w)	Repealed.

BILL

<i><u>Current Section</u></i>	<i><u>Treatment</u></i>
767.455 (6)	Renumbered s. 767.813 (6).
767.456	Renumbered s. 767.815.
767.457 (1)	Renumbered s. 767.86.
767.457 (2)	Repealed.
767.458	Renumbered s. 767.863 (1); sub. (1) (intro.) clarified; sub. (1) (a) to (e) repealed.
767.458 (1m) to (3)	Renumbered s. 767.863 (1m) to (3).
767.459	Renumbered s. 767.865 (1) (a).
767.46	Renumbered s. 767.88.
767.463	Renumbered s. 767.855.
767.465	Renumbered s. 767.893; sub. (2) substantively revised; sub. (2m) repealed.
767.466	Renumbered s. 767.895.
767.47	Renumbered s. 767.87.
767.475	Renumbered s. 767.82; sub. (2m) clarified.
767.477	Renumbered s. 767.85.
767.48	Renumbered s. 767.84; sub. (1) (a) 1. substantively revised.
767.50	Renumbered s. 767.883.
767.51	Renumbered s. 767.89.
767.52	Renumbered s. 767.83.
767.53	Renumbered s. 767.853.
767.60	Renumbered s. 767.803.
767.62	Renumbered s. 767.805; substantively revised.

Northrop, Lori

From: Dyke, Don
Sent: Friday, March 11, 2005 3:03 PM
To: LRB.Legal
Subject: Draft review: LRB 05-1817/1 Topic: Reorganization of ch. 767

It has been requested by <Dyke, Don> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-1817/1 Topic: Reorganization of ch. 767