

State of Wisconsin



2007 Assembly Bill 685

Date of enactment: **March 27, 2008**

Date of publication*: **April 10, 2008**

2007 WISCONSIN ACT 187

AN ACT *to amend* 767.215 (2m) (b), 767.405 (8) (c) and 767.41 (1m) (intro.); and *to create* 767.215 (1) (c) and 767.215 (2m) (a) 3. of the statutes; **relating to:** parenting plans in actions affecting the family.

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

SECTION 1. 767.215 (1) (c) of the statutes is created to read:

767.215 (1) (c) The clerk of court shall provide, without charge, to each person filing a petition showing that the parties have a minor child, a copy of s. 767.41 (1m) or a parenting plan form if a standard form for parenting plans is used in the county.

SECTION 2. 767.215 (2m) (a) 3. of the statutes is created to read:

767.215 (2m) (a) 3. Shall be accompanied by a copy of s. 767.41 (1m) or a standard parenting plan form used in the county, provided without charge by the clerk of court.

SECTION 3. 767.215 (2m) (b) of the statutes is amended to read:

767.215 (2m) (b) If service is by publication, notification regarding s. 948.31 may consist of references to the statute numbers and titles, and information relating to the percentage standard and the factors and completing and filing parenting plans need not be provided.

SECTION 4. 767.405 (8) (c) of the statutes is amended to read:

767.405 (8) (c) The initial session under par. (a) shall be a screening and evaluation mediation session to determine whether mediation is appropriate and whether both

parties wish to continue in mediation. At the initial session, the mediator shall review with the parties the nonfinancial provisions that must be included in the parenting plan under s. 767.41 (1m).

SECTION 5. 767.41 (1m) (intro.) of the statutes is amended to read:

767.41 (1m) PARENTING PLAN. (intro.) ~~In~~ Unless the court orders otherwise, in an action for annulment, divorce, or legal separation, an action to determine paternity, or an action under s. 767.001 (1) (e), 767.501, or 767.805 (3), in which legal custody or physical placement is contested, a party seeking sole or joint legal custody or periods of physical placement shall file a parenting plan with the court before any pretrial conference if the court waives the requirement to attend mediation under s. 767.405 (8) (b) or if the parties attend mediation and the mediator notifies the court under s. 767.405 (12) (b) that the parties have not reached an agreement. Unless the court orders otherwise, the parenting plan shall be filed within 60 days after the court waives the mediation requirement or the mediator notifies the court that no agreement has been reached. Except for cause shown, a party required to file a parenting plan under this subsection who does not timely file a parenting plan waives the right to object to the other party's parenting plan. A parenting plan shall provide information about the following questions:

* Section 991.11, WISCONSIN STATUTES 2005-06 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

SECTION 6. Initial applicability.

(1) This act first applies to actions commenced on the effective date of this subsection, including actions to

enforce or modify a judgment or order that was granted before the effective date of this subsection.
