

2007 DRAFTING REQUEST

Bill

Received: 06/08/2007

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Steve Kestell (608) 266-8530

By/Representing: Dave Matzen

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Adl. Drafters: pkahler

Subject: Courts - courts/judges/commsrs
Dom. Rel. - divorce

Extra Copies:

Submit via email: YES

Requester's email: Rep.Kestell@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Substitution of judge in divorce action

Instructions:

See Attached 03 AB 809

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|------------------------|----------------------|------------------------|----------------|-----------------------|------------------------|-----------------|
| /? | rnelson2 06/08/2007 | bkraft 06/11/2007 | | _____ | | | |
| /1 | | | jfrantze 06/11/2007 | _____ | lparisi 06/11/2007 | sbasford 09/24/2007 | |

FE Sent For:

NO

<END>

2007 DRAFTING REQUEST

Bill

Received: 06/08/2007

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Steve Kestell (608) 266-8530

By/Representing: Dave Matzen

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters: pkahler

Subject: Courts - courts/judges/commsrs
Dom. Rel. - divorce

Extra Copies:

Submit via email: YES

Requester's email: Rep.Kestell@legi

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Substitution of judge in divorce action

Instructions:

See Attached 03 AB 809

Please
Jacket
frantze
is how
* Kestell's
draft

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|------------------------|----------------------|------------------------|----------------|-----------------------|-----------------|-----------------|
| /? | rnelson2 06/08/2007 | bkraft 06/11/2007 | | | | | |
| /1 | | | jfrantze 06/11/2007 | | lparisi 06/11/2007 | | |

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: **06/08/2007**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Frank Lasee (608) 266-9870**

By/Representing: **Mary Jan**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters: **pkahler**

Subject: **Courts - courts/judges/commsrs
Dom. Rel. - divorce**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Lasee@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Substitution of judge in divorce action

Instructions:

See Attached 03 AB 809

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|------------------------|----------------------|------------------------|----------------|-----------------------|-----------------|-----------------|
| /? | rnelson2 06/08/2007 | bkraft 06/11/2007 | | _____ | | | |
| /1 | | | jfrantze 06/11/2007 | _____ | lparisi 06/11/2007 | | |

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 06/08/2007

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Frank Lasee (608) 266-9870

By/Representing: Mary Jan

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters: pkahler

Subject: Courts - courts/judges/commsrs
Dom. Rel. - divorce

Extra Copies:

Submit via email: YES

Requester's email: Rep.Lasee@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Substitution of judge in divorce action ✓

Instructions:

See Attached 03 AB 809

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------|-------------------------|--------------|----------------|------------------|-----------------|-----------------|
| /? | rnelson2 | 1 bjk 4/8 1 jld 6/11 | Jo 6/11 | Jo 6/11 | NW 6/11 | | |

FE Sent For:

<END>

INSERT

MJLRPNPJJK.kif.og

bjk

JLD

2003 ASSEMBLY BILL 809

PWF

SA ✓
K-ret ✓

February 5, 2004 - Introduced by Representatives OWENS, AINSWORTH, ALBERS, BIES, GUNDERSON, HINES, HUNDERTMARK, KESTELL, F LASEE, MUSSER and PETROWSKI, cosponsored by Senator ROESSLER. Referred to Committee on Family Law.

represent

- 1 AN ACT to create 767.05 (8) of the statutes; relating to: substitution of judges
- 2 of divorce actions.

Analysis by the Legislative Reference Bureau

Current law generally allows a party to a civil action to file one request for substitution of a new judge for the judge assigned to the case. This bill permits a party that has been granted a divorce to file, in a subsequent proceeding related to the divorce, one request for substitution of a new judge for the judge that granted the divorce.

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

Insert
1-3

SECTION 1. 767.05 (8) of the statutes is created to read:

767.05 (8) SUBSTITUTION OF JUDGE IN SUBSEQUENT PROCEEDING. (a)

Notwithstanding s. 801.58 (1) and (3), in any action affecting the family under s.

767.001 767.02 (1) (i) or (k), a party may request a substitution of judge. The party that files

the petition, motion, or order to show cause commencing the action shall file request

for substitution along with the petition, motion, or order to show cause.

ASSEMBLY BILL 809

SECTION 1

1 (b) If the respondent wishes to file a request for substitution of a judge under
2 this subsection, the respondent shall do so within 30 days after service of the petition,
3 motion or order to show cause.

4 (c) No party may file more than one request for substitution in any one action
5 affecting the family under s. ~~767.02~~ (1) (i) or (k). ^{767.001}

6 SECTION 2. Initial applicability.

7 (1) This act first applies to actions or proceedings, including actions or
8 proceedings to enforce or modify a judgment or order previously granted, that are
9 commenced on the effective date of this subsection.

10 (END)

insert 1-3

✓✓✓

Section #. 767.281 (1) of the statutes is amended to read:

Subsections 1m to 4 ✓
Subsections (1m) to (4)

✓ 767.281 (1) APPLICABILITY. This section ~~applies~~ ^{to} all enforcement or modification petitions, motions or orders to show cause filed for actions affecting the family under s. 767.001 (1) (i).

History: 1989 a. 212; 1993 a. 326, 481; 1995 a. 279; 1997 a. 27; 2005 a. 443 ss. 17 to 20, 126; Stats. 2005 s. 767.281.

end of insert ✓