

1 proceedings, as provided in a memorandum of understanding entered into under s.
2 49.857.

3 **SECTION 3670.** 632.68 (2) (e) of the statutes is amended to read:

4 632.68 (2) (e) Except as provided in sub. (3), a license issued under this
5 subsection shall be renewed annually on July 1 upon payment of the fee specified in
6 s. 601.31 (1) (mp) and upon providing the licensee's social security number, unless
7 the licensee does not have a social security number, or federal employer
8 identification number, as applicable, if not previously provided on the application for
9 the license or at a previous renewal of the license. If the licensee is a natural person
10 who does not have a social security number, the license shall be renewed annually
11 on July 1 upon payment of the fee specified in s. 601.31 (1) (mp) and upon providing
12 to the commissioner a statement made or subscribed under oath or affirmation, on
13 a form prescribed by the department of workforce development children and
14 families, that the licensee does not have a social security number.

15 **SECTION 3671.** 632.68 (3) (b) 1. of the statutes is amended to read:

16 632.68 (3) (b) 1. The commissioner shall suspend, limit or refuse to renew a
17 viatical settlement provider license issued to a natural person if the natural person
18 is delinquent in court-ordered payments of child or family support, maintenance,
19 birth expenses, medical expenses or other expenses related to the support of a child
20 or former spouse, or if the natural person fails to comply, after appropriate notice,
21 with a subpoena or warrant issued by the department of workforce development
22 children and families or a county child support agency under s. 59.53 (5) and related
23 to paternity or child support proceedings, as provided in a memorandum of
24 understanding entered into under s. 49.857.

25 **SECTION 3672.** 632.68 (4) (b) of the statutes is amended to read:



1 632.68 (4) (b) A person may apply to the commissioner for a viatical settlement
2 broker license on a form prescribed by the commissioner for that purpose. The
3 application form shall require the applicant to provide the applicant's social security
4 number, if the applicant is a natural person unless the applicant does not have a
5 social security number, or the applicant's federal employer identification number, if
6 the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) shall
7 accompany the application. The commissioner may not issue a license under this
8 subsection unless the applicant provides his or her social security number, unless the
9 applicant does not have a social security number, or its federal employer
10 identification number, whichever is applicable. If the applicant is a natural person
11 who does not have a social security number, the commissioner may not issue a license
12 under this subsection unless the applicant provides, on a form prescribed by the
13 department of workforce development children and families, a statement made or
14 subscribed under oath or affirmation that the applicant does not have a social
15 security number.

16 **SECTION 3673.** 632.68 (4) (bc) 1. of the statutes is amended to read:

17 632.68 (4) (bc) 1. The commissioner shall disclose a social security number
18 obtained under par. (b) to the department of workforce development children and
19 families in the administration of s. 49.22, as provided in a memorandum of
20 understanding entered into under s. 49.857.

21 **SECTION 3674.** 632.68 (4) (bm) 1. of the statutes is amended to read:

22 632.68 (4) (bm) 1. The commissioner may not issue a license under this
23 subsection to a natural person who is delinquent in court-ordered payments of child
24 or family support, maintenance, birth expenses, medical expenses or other expenses
25 related to the support of a child or former spouse, or who fails to comply, after

1 appropriate notice, with a subpoena or warrant issued by the department of
2 workforce-development children and families or a county child support agency under
3 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
4 memorandum of understanding entered into under s. 49.857.

5 **SECTION 3675.** 632.68 (4) (c) of the statutes is amended to read:

6 632.68 (4) (c) Except as provided in sub. (5), a license issued under this
7 subsection shall be renewed annually on July 1 upon payment of the fee specified in
8 s. 601.31 (1) (ms) and upon providing the licensee's social security number, unless the
9 licensee does not have a social security number, or federal employer identification
10 number, as applicable, if not previously provided on the application for the license
11 or at a previous renewal of the license. If the licensee is a natural person who does
12 not have a social security number, the license shall be renewed annually, except as
13 provided in sub. (5), on July 1 upon payment of the fee specified in s. 601.31 (1) (ms)
14 and upon providing to the commissioner a statement made or subscribed under oath
15 or affirmation, on a form prescribed by the department of workforce-development
16 children and families, that the licensee does not have a social security number.

17 **SECTION 3676.** 632.68 (5) (b) 1. of the statutes is amended to read:

18 632.68 (5) (b) 1. The commissioner shall suspend, limit or refuse to renew a
19 viatical settlement broker license issued to a natural person if the natural person is
20 delinquent in court-ordered payments of child or family support, maintenance, birth
21 expenses, medical expenses or other expenses related to the support of a child or
22 former spouse, or if the natural person fails to comply, after appropriate notice, with
23 a subpoena or warrant issued by the department of workforce-development children
24 and families or a county child support agency under s. 59.53 (5) and related to

1 paternity or child support proceedings, as provided in a memorandum of
2 understanding entered into under s. 49.857.

3 **SECTION 3678.** 632.745 (6) (a) 2m. of the statutes is amended to read:

4 632.745 (6) (a) 2m. A family long-term care district under s. 46.2895.

5 **SECTION 3679.** 632.746 (7m) (b) 1. of the statutes is amended to read:

6 632.746 (7m) (b) 1. The employee or dependent is eligible for benefits under the
7 Medical Assistance program under s. 49.471 or 49.472 or for coverage under the
8 Badger Care health care program under s. 49.665.

9 **SECTION 3689.** 632.897 (10) (am) 2. of the statutes is amended to read:

10 632.897 (10) (am) 2. Provide family coverage under the group policy or
11 individual policy for the individual's child, if eligible for coverage, upon application
12 by the individual, the child's other parent, the department of workforce development
13 children and families or the county child support agency under s. 59.53 (5).

14 **SECTION 3690.** 633.14 (1) (e) of the statutes is amended to read:

15 633.14 (1) (e) If an individual who does not have a social security number,
16 provides on a form prescribed by the department of workforce development children
17 and families a statement made or subscribed under oath or affirmation that he or she
18 does not have a social security number.

19 **SECTION 3691.** 633.14 (2c) (a) of the statutes is amended to read:

20 633.14 (2c) (a) The commissioner shall disclose a social security number
21 obtained under sub. (1) (d) to the department of workforce development children and
22 families in the administration of s. 49.22, as provided in a memorandum of
23 understanding entered into under s. 49.857.

24 **SECTION 3692.** 633.14 (2m) (a) of the statutes is amended to read:

1 633.14 (2m) (a) Notwithstanding sub. (1), the commissioner may not issue a
2 license under this section if the individual applying for the license is delinquent in
3 court-ordered payments of child or family support, maintenance, birth expenses,
4 medical expenses or other expenses related to the support of a child or former spouse,
5 or if the individual fails to comply, after appropriate notice, with a subpoena or
6 warrant issued by the department of workforce development children and families
7 or a county child support agency under s. 59.53 (5) and related to paternity or child
8 support proceedings, as provided in a memorandum of understanding entered into
9 under s. 49.857.

10 **SECTION 3693.** 633.15 (1m) of the statutes is amended to read:

11 633.15 (1m) SOCIAL SECURITY NUMBER, FEDERAL EMPLOYER IDENTIFICATION
12 NUMBER OR STATEMENT. At an annual renewal, an administrator shall provide his or
13 her social security number, if the administrator is an individual unless he or she does
14 not have a social security number, or its federal employer identification number, if
15 the administrator is a corporation, limited liability company or partnership, if the
16 social security number or federal employer identification number was not previously
17 provided on the application for the license or at a previous renewal of the license. If
18 an administrator who is an individual does not have a social security number, the
19 individual shall provide to the commissioner, at each annual renewal and on a form
20 prescribed by the department of workforce development children and families, a
21 statement made or subscribed under oath or affirmation that the administrator does
22 not have a social security number.

23 **SECTION 3694.** 633.15 (2) (c) of the statutes is amended to read:

24 633.15 (2) (c) *Failure to pay support or to comply with subpoena or warrant.*

25 The commissioner shall suspend, limit or refuse to renew a license issued under this

1 section to an individual if the individual is delinquent in court-ordered payments of
2 child or family support, maintenance, birth expenses, medical expenses or other
3 expenses related to the support of a child or former spouse, or if the individual fails
4 to comply, after appropriate notice, with a subpoena or warrant issued by the
5 department of workforce development children and families or a county child
6 support agency under s. 59.53 (5) and related to paternity or child support
7 proceedings, as provided in a memorandum of understanding entered into under s.
8 49.857.

9 **SECTION 3695.** 645.09 (2) (a) of the statutes is amended to read:

10 645.09 (2) (a) *Causes of delinquency.* The commissioner may include in his or
11 her annual report, not later than the 2nd annual report following the initiation of any
12 formal proceedings under this chapter, a detailed analysis of the basic causes and the
13 contributing factors making the initiation of formal proceedings necessary, and may
14 make recommendations for remedial legislation. For this purpose the commissioner
15 may appoint a special assistant qualified in insurance, finance, and accounting to
16 conduct the study and prepare the analysis, and may determine the special
17 assistant's compensation, which shall be paid from the appropriation under s. 20.145
18 (1) (g) 1.

19 **SECTION 3696.** 645.09 (2) (b) of the statutes is amended to read:

20 645.09 (2) (b) *Final study.* The commissioner may include in his or her annual
21 report, not later than the 2nd annual report following discharge of the receiver, a
22 detailed study of the delinquency proceeding for each insurer subjected to a formal
23 proceeding, with an analysis of the problems faced and their solutions. The
24 commissioner may also suggest alternative solutions, as well as other material of
25 interest, for the purpose of assisting and guiding liquidators or rehabilitators in the

1 future. For this purpose the commissioner may appoint a special assistant qualified
2 to conduct the study and prepare the analysis, and may determine his or her
3 compensation, which shall be paid from the appropriation under s. 20.145 (1) (g) 1.

4 **SECTION 3697.** 645.46 (4) of the statutes is amended to read:

5 645.46 (4) Defray all expenses of taking possession of, conserving, conducting,
6 liquidating, disposing of, or otherwise dealing with the business and property of the
7 insurer. If the property of the insurer does not contain sufficient cash or liquid assets
8 to defray the costs incurred, the liquidator may advance the costs so incurred out of
9 the appropriation under s. 20.145 (1) (g) 1. Any amounts so paid shall be deemed
10 expense of administration and shall be repaid for the credit of the office of the
11 commissioner of insurance out of the first available moneys of the insurer.

12 **SECTION 3698.** 647.02 (2) (g) of the statutes is amended to read:

13 647.02 (2) (g) The figure to be used by the provider as the actual or projected
14 length of a resident's stay in the facility in the formula in the contract provision
15 required under s. 647.05 (9) (1m) (i) and supporting information showing how the
16 figure was determined.

17 **SECTION 3699.** 647.04 (5) of the statutes is amended to read:

18 647.04 (5) Inform the commissioner of any change in the figure used by the
19 provider as the actual or projected length of a resident's stay in the facility in the
20 formula in the contract provision required under s. 647.05 (9) (1m) (i) within 30 days
21 after the change is made and submit supporting information showing how the
22 change was determined.

23 **SECTION 3700.** 647.05 of the statutes is renumbered 647.05 (1m), and 647.05
24 (1m) (g), as renumbered, is amended to read:

1 647.05 (1m)(g) Provides that if a resident dies or the continuing care contract
2 is terminated after the first 30 days of occupancy, but within the first 90 days of
3 occupancy, the provider will refund at least 90% of the amount computed under sub.
4 (6) par. (f).

5 **SECTION 3701.** 647.05 (2m) of the statutes is created to read:

6 647.05 (2m) Subject to s. 49.455, a continuing care contract may require that,
7 before a resident applies for medical assistance, the resident must spend on his or
8 her care the resources declared for purposes of admission to the facility.

9 **SECTION 3702.** 655.27 (2) of the statutes is amended to read:

10 655.27 (2) FUND ADMINISTRATION AND OPERATION. Management of the fund shall
11 be vested with the board of governors. The commissioner shall either provide staff
12 services necessary for the operation of the fund or, with the approval of the board of
13 governors, contract for all or part of these services. Such a contract is subject to ss.
14 16.753 and 16.765, but is otherwise exempt from subch. IV of ch. 16. The
15 commissioner shall adopt rules governing the procedures for creating and
16 implementing these contracts before entering into the contracts. At least annually,
17 the contractor shall report to the commissioner and to the board of governors
18 regarding all expenses incurred and subcontracting arrangements. If the board of
19 governors approves, the contractor may hire legal counsel as needed to provide staff
20 services. The cost of contracting for staff services shall be funded from the
21 appropriation under s. 20.145 (2) (u). The fund shall pay to the commissioner
22 amounts charged for organizational support services, which shall be credited to the
23 appropriation account under s. 20.145 (1) (g) 2.

24 **SECTION 3703.** 701.06 (5) (intro.) of the statutes is amended to read:

1 701.06 (5) CLAIMS FOR PUBLIC SUPPORT. (intro.) Notwithstanding any provision
2 in the creating instrument or subs. (1) and (2), if the settlor is legally obligated to pay
3 for the public support of a beneficiary under s. 46.10, 49.345, or 301.12 or the
4 beneficiary is legally obligated to pay for the beneficiary's public support or that
5 furnished the beneficiary's spouse or minor child under s. 46.10, 49.345, or 301.12,
6 upon application by the appropriate state department or county official, the court
7 may:

8 **SECTION 3703g.** 703.02 (10) of the statutes is amended to read:

9 703.02 (10) "Limited common elements" ~~mean those element~~ means a common
10 elements element identified in a declaration or on a condominium plat as reserved
11 for the exclusive use of one or more but less than all of the unit owners.

12 **SECTION 3703r.** 703.38 (1) of the statutes is amended to read:

13 703.38 (1) Except as otherwise provided in this section and s. 30.1335, this
14 chapter is applicable to all condominiums, whether established before or after
15 August 1, 1978. However, with respect to condominiums existing on August 1, 1978,
16 the declaration, bylaws or condominium plat need not be amended to comply with
17 the requirements of this chapter.

18 **SECTION 3704.** 751.15 (1) of the statutes is amended to read:

19 751.15 (1) The supreme court is requested to enter into a memorandum of
20 understanding with the department of workforce development children and families
21 under s. 49.857.

22 **SECTION 3705.** 751.15 (2) of the statutes is amended to read:

23 751.15 (2) The supreme court is requested to promulgate rules that require
24 each person who has a social security number, as a condition of membership in the
25 state bar, to provide the board of bar examiners with his or her social security

1 number, that require each person who does not have a social security number, as a
2 condition of membership in the state bar, to provide the board of bar examiners with
3 a statement made or subscribed under oath or affirmation on a form prescribed by
4 the department of workforce development children and families that the person does
5 not have a social security number, and that prohibit the disclosure of that number
6 to any person except the department of workforce development children and families
7 for the purpose of administering s. 49.22.

8 **SECTION 3706.** 751.15 (3) of the statutes is amended to read:

9 751.15 (3) The supreme court is requested to promulgate rules that deny,
10 suspend, restrict or refuse to renew a license to practice law if the applicant or
11 licensee fails to provide the information required under rules promulgated under
12 sub. (2) or fails to comply, after appropriate notice, with a subpoena or warrant issued
13 by the department of workforce development children and families or a county child
14 support agency under s. 59.53 (5) and related to paternity or child support
15 proceedings or if the department of workforce development children and families
16 certifies that the applicant or licensee has failed to pay court-ordered payments of
17 child or family support, maintenance, birth expenses, medical expenses or other
18 expenses related to the support of a child or former spouse. The supreme court is also
19 requested to promulgate rules that invalidate a license to practice law if issued in
20 reliance upon a statement made or subscribed under oath or affirmation under rules
21 promulgated under sub. (2) that is false.

22 **SECTION 3707e.** 757.83 (4) of the statutes is amended to read:

23 757.83 (4) STAFF. The judicial commission shall hire an executive director, and
24 may hire one staff member, in the unclassified service. The executive director shall

1 be a member of the State Bar of Wisconsin and shall provide staff services to the
2 judicial commission and the judicial council.

3 **SECTION 3707p.** 758.13 (1) (a) 7. of the statutes is amended to read:

4 758.13 (1) (a) 7. The revisor of statutes or an assistant designated by the revisor
5 chief of the legislative reference bureau or his or her designee.

6 **SECTION 3707r.** 758.13 (1) (b) of the statutes is amended to read:

7 758.13 (1) (b) The names of the judicial council members shall be certified to
8 the secretary of state by the executive secretary of the judicial commission judicial
9 council attorney. Members shall hold office until their successors have been selected.

10 Members shall receive no compensation, but shall be reimbursed from the
11 appropriation made by s. ~~20.665 (1)~~ 20.670 (1) for expenses necessarily incurred by
12 members in attending council meetings.

13 **SECTION 3707s.** 758.13 (3) (g) of the statutes is created to read:

14 758.13 (3) (g) 1. In this paragraph:

15 a. "Candidate" has the meaning given in s. 11.01 (1).

16 b. "Contribution" has the meaning given in s. 11.01 (6).

17 c. "Local office" has the meaning given in s. 5.02 (9).

18 d. "State office" has the meaning give in s. 5.02 (23).

19 2. The judicial council may appoint outside of the classified service an attorney,
20 who is a member in good standing of the State Bar of Wisconsin, who shall be strictly
21 nonpartisan, and who shall not make a contribution to a candidate for state office or
22 local office while employed by the judicial council, to provide staff services to the
23 council.

24 **SECTION 3708.** 758.19 (4m) of the statutes is created to read:

1 758.19 (4m) The director of state courts may establish and charge fees for
2 electronic filing of court documents under the circuit court automated information
3 systems created under this section. The secretary of administration shall credit all
4 moneys collected under this subsection to the appropriation account under s. 20.680
5 (2) (j).

6 **SECTION 3709g.** 758.19 (5) (a) (intro.) of the statutes is amended to read:

7 758.19 (5) (a) (intro.) In this subsection, “:

8 1d. “Circuit court costs” means one or more of the following costs:

9 **SECTION 3709m.** 758.19 (5) (a) 1. and 2. of the statutes are renumbered 758.19
10 (5) (a) 1d. a. and b.

11 **SECTION 3709p.** 758.19 (5) (a) 1g., 1m. and 1r. of the statutes are created to
12 read:

13 758.19 (5) (a) 1g. “Judicial officer need” means the total need for judicial officers
14 as calculated by the director of state courts using the weighted caseload formula
15 based on case filings in the previous calendar year.

16 1m. “Judicial officers” means circuit court commissioners and circuit court
17 judges.

18 1r. “Weighted caseload formula” means the formula utilized by the director of
19 state courts to determine the number of cases filed in a calendar year and the judicial
20 officer time needed to process those cases.

21 **SECTION 3710m.** 758.19 (5) (a) 3. of the statutes is renumbered 758.19 (5) (a)
22 1d. c. and amended to read:

23 758.19 (5) (a) 1d. c. Witness fees set under s. 814.67 (1) (b) 1. and (c) for
24 witnesses called by the circuit court on its own motion or called by, or subpoenaed at
25 the request of, a district attorney, the state public defender or a private attorney

1 appointed under s. 977.08. Nothing in this subdivision affects the determination of
2 who is obligated to pay for fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called
3 by, or subpoenaed at the request of the state public defender or a private attorney
4 appointed under s. 977.08.

5 **SECTION 3711m.** 758.19 (5) (a) 4m. of the statutes is renumbered 758.19 (5) (a)
6 1d. d. and amended to read:

7 758.19 (5) (a) 1d. d. Fees for expert witnesses appointed under s. 907.06 by the
8 circuit court on its own motion or by the circuit court at the request of the district
9 attorney, the state public defender or a private attorney appointed under s. 977.08
10 or by the circuit court upon agreement of the district attorney, the state public
11 defender or a private attorney appointed under s. 977.08. Nothing in this subdivision
12 affects the determination of who is obligated to pay fees for an expert witness
13 appointed under s. 907.06.

14 **SECTION 3712m.** 758.19 (5) (a) 5. of the statutes is renumbered 758.19 (5) (a)
15 1d. e. and amended to read:

16 758.19 (5) (a) 1d. e. Fees for witnesses or expert witnesses subpoenaed by the
17 circuit court at the request of the district attorney, coroner or medical examiner
18 under s. 979.06 (1) and (2).

19 **SECTION 3712p.** 758.19 (5) (a) 6. of the statutes is renumbered 758.19 (5) (a)
20 1d. f.

21 **SECTION 3713m.** 758.19 (5) (a) 8. of the statutes is renumbered 758.19 (5) (a)
22 1d. g. and amended to read:

23 758.19 (5) (a) 1d. g. Any other circuit court costs, except costs related to
24 courtroom security, including security personnel, and costs related to rent, utilities,
25 maintenance, rehabilitation and construction of circuit court facilities.

1 **SECTION 3714.** 758.19 (5) (am) of the statutes is created to read:

2 758.19 (5) (am) The director of state courts may create a uniform chart of
3 accounts that each county shall be required to use for the recording of all financial
4 transactions relating to the operation of circuit courts and may audit the information
5 submitted under par. (e). If the director of state courts decides to create a uniform
6 chart of accounts, he or she shall consult with the department of revenue regarding
7 the creation of that chart.

8 **SECTION 3715.** 758.19 (5) (b) (intro.) of the statutes is amended to read:

9 758.19 (5) (b) (intro.) From the appropriation appropriations under s. 20.625
10 (1) (d) and (q), the director of state courts shall make payments to counties totaling
11 \$9,369,800 ~~within 30 days after October 29, 1999,~~ and on every July 1 and January
12 1 thereafter, which the director of state courts shall distribute as follows:

13 **SECTION 3715m.** 758.19 (5) (b) 1., 2. and 3. of the statutes are repealed and
14 recreated to read:

15 758.19 (5) (b) 1. A payment determined by dividing the number of circuit court
16 branches in the county by the total number of circuit court branches in the state and
17 multiplying that result by an amount equal to one-third of the total amount
18 appropriated under s. 20.625 (1) (d) and (q).

19 2. A payment determined by dividing the judicial officer need for the county by
20 the total judicial need for all counties and multiplying the result by an amount equal
21 to one-third of the total amount appropriated under s. 20.625 (1) (d) and (q).

22 3. A payment determined by dividing the total amount of circuit court fees,
23 fines, forfeitures, and surcharges collected by the county in the previous calendar
24 year by the total amount of circuit court fees, fines, forfeitures, and surcharges
25 collected by all counties in the previous calendar year and multiplying that result by

1 an amount equal to one-third of the total amount appropriated under s. 20.625 (1)
2 (d) and (q).

3 **SECTION 3716.** 758.19 (5) (d) of the statutes is repealed.

4 **SECTION 3717.** 758.19 (5) (e) of the statutes is amended to read:

5 758.19 (5) (e) ~~No later than July 1, 1994, and no later than July 1~~ May 15, 2009,
6 and no later than May 15 of each year thereafter, each county shall submit to the
7 director of state courts, in a format that is established by the director of state courts,
8 and in a manner that comports with the uniform chart of accounts under par. (am),
9 information regarding the amount of actual circuit court costs that the county
10 incurred in the previous calendar year for each of the court costs listed in par. (a) 1-
11 to 8 and revenues collected or received by the circuit court in the previous calendar
12 year.

13 **SECTION 3718.** 758.19 (5) (f) of the statutes is amended to read:

14 758.19 (5) (f) A county that fails to meet the requirements under par. (e) is not
15 eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3),
16 after the ~~July 1~~ May 15 that the information was not provided, or until the
17 information is provided, whichever is earlier. Except as provided in this paragraph
18 and par. (g), the information regarding the amount of actual costs reported under par.
19 (e) does not affect the amount paid to a county under par. (b).

20 **SECTION 3719.** 758.19 (5) (g) of the statutes is amended to read:

21 758.19 (5) (g) Beginning with the submittal of information under par. (e) on
22 July 1, 1995, if the director of state courts determines, based on the information
23 submitted under par. (e), that the payment made to a county under par. (b) for any
24 calendar year exceeds the circuit court costs incurred by the county for that calendar
25 year, the director of state courts shall deduct the difference from the next payment

1 under par. (b) made to that county after the director's determination. The difference
2 shall be apportioned as provided in par. (c) among the other counties for payment
3 under par. (b) to the other counties on that payment date. For purposes of this
4 paragraph, the director of state courts shall treat the period beginning on August 13,
5 1993, and ending on December 31, 1994, as a calendar year and determine from the
6 information submitted under par. (e) on July 1, 1994, and July 1, 1995, whether the
7 payment to a county under par. (b) on January 1, 1994, exceeds the circuit court costs
8 incurred by the county for the period beginning on August 13, 1993, and ending on
9 December 31, 1994.

10 **SECTION 3720.** 767.001 (1d) of the statutes is amended to read:

11 767.001 (1d) "Department" means the department of workforce development
12 children and families.

13 **SECTION 3721.** 767.001 (2) (b) of the statutes is amended to read:

14 767.001 (2) (b) With respect to the department of health and family services
15 or a county agency specified in s. 48.56 (1) or a licensed child welfare agency granted
16 legal custody of a child, the rights and responsibilities specified under s. 48.02 (12).

17 **SECTION 3722.** 767.205 (2) (a) 3. of the statutes is amended to read:

18 767.205 (2) (a) 3. Whenever aid under s. 46.261, 48.57 (3m) or (3n), 48.645,
19 49.19, or 49.45 is provided on behalf of a dependent child or benefits are provided to
20 the child's custodial parent under ss. 49.141 to 49.161.

21 **SECTION 3723.** 767.205 (2) (a) 4. of the statutes is amended to read:

22 767.205 (2) (a) 4. Whenever aid under s. 46.261, 48.57 (3m) or (3n), 48.645,
23 49.19, or 49.45 has, in the past, been provided on behalf of a dependent child, or
24 benefits have, in the past, been provided to the child's custodial parent under ss.

1 49.141 to 49.161, and the child's family is eligible for continuing child support
2 services under 45 CFR 302.33.

3 **SECTION 3724.** 767.217 (1) of the statutes is amended to read:

4 **767.217 (1) NOTICE OF PLEADING OR MOTION.** In an action affecting the family in
5 which either party is a recipient of benefits under ss. 49.141 to 49.161 or aid under
6 s. 46.261, 48.645, 49.19, or 49.45, each party shall, either within 20 days after serving
7 the opposite party with a motion or pleading requesting the court to order or to
8 modify a previous order relating to child support, maintenance, or family support,
9 or before filing the motion or pleading in court, serve a copy of the motion or pleading
10 on the county child support agency under s. 59.53 (5) of the county in which the action
11 is begun.

12 **SECTION 3725.** 767.407 (1) (c) 1. of the statutes is amended to read:

13 **767.407 (1) (c) 1.** Aid is provided under s. 46.261, 48.57 (3m) or (3n), 48.645,
14 49.19, or 49.45 on behalf of the child, or benefits are provided to the child's custodial
15 parent under ss. 49.141 to 49.161, but the state and its delegate under s. 49.22 (7)
16 are barred by a statute of limitations from commencing an action under s. 767.80 on
17 behalf of the child.

18 **SECTION 3726.** 767.41 (3) (a) of the statutes is amended to read:

19 **767.41 (3) (a)** If the interest of any child demands it, and if the court finds that
20 neither parent is able to care for the child adequately or that neither parent is fit and
21 proper to have the care and custody of the child, the court may declare the child to
22 be in need of protection or services and transfer legal custody of the child to a relative
23 of the child, as defined in s. 48.02 (15), to a county department, as defined under s.
24 48.02 (2g), or to a licensed child welfare agency, or, in a county having a population
25 of 500,000 or more, the department of health and family services. If the court

1 transfers legal custody of a child under this subsection, in its order the court shall
2 notify the parents of any applicable grounds for termination of parental rights under
3 s. 48.415. If the court transfers legal custody under this section to an agency, the
4 court shall also refer the matter to the court intake worker, as defined in s. 48.02 (3),
5 who shall conduct an inquiry under s. 48.24 to determine whether a petition should
6 be filed under s. 48.13.

7 **SECTION 3727.** 767.41 (3) (a) of the statutes, as affected by 2007 Wisconsin Act
8 (this act), is amended to read:

9 767.41 (3) (a) If the interest of any child demands it, and if the court finds that
10 neither parent is able to care for the child adequately or that neither parent is fit and
11 proper to have the care and custody of the child, the court may declare the child to
12 be in need of protection or services and transfer legal custody of the child to a relative
13 of the child, as defined in s. 48.02 (15), to a county department, as defined under s.
14 48.02 (2g), to a licensed child welfare agency, or, in a county having a population of
15 500,000 or more, the department of health and family services children and families.

16 If the court transfers legal custody of a child under this subsection, in its order the
17 court shall notify the parents of any applicable grounds for termination of parental
18 rights under s. 48.415. If the court transfers legal custody under this section to an
19 agency, the court shall also refer the matter to the court intake worker, as defined in
20 s. 48.02 (3), who shall conduct an inquiry under s. 48.24 to determine whether a
21 petition should be filed under s. 48.13.

22 **SECTION 3728.** 767.41 (3) (am) of the statutes is created to read:

23 767.41 (3) (am) If the court transfers legal custody of a child under this
24 subsection, the order transferring custody shall include a finding that placement of
25 the child in his or her home would be contrary to the welfare of the child and a finding

1 that reasonable efforts have been made to prevent the removal of the child from the
2 home, while assuring that the health and safety of the child are the paramount
3 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.
4 applies. If the legal custodian appointed under par. (a) is a county department, the
5 court shall order the child into the placement and care responsibility of the county
6 department as required under 42 USC 672 (a) (2) and shall assign the county
7 department primary responsibility for providing services to the child. The court
8 shall make the findings specified in this paragraph on a case-by-case basis based
9 on circumstances specific to the child and shall document or reference the specific
10 information on which those findings are based in the court order. A court order that
11 merely references this paragraph without documenting or referencing that specific
12 information in the court order or an amended court order that retroactively corrects
13 an earlier court order that does not comply with this paragraph is not sufficient to
14 comply with this paragraph.

15 **SECTION 3729.** 767.451 (7) of the statutes is amended to read:

16 **767.451 (7) TRANSFER TO DEPARTMENT.** The court may order custody transferred
17 to the department of health and family services only if that department agrees to
18 accept custody. If the court orders custody transferred to the department of health
19 and family services, the order transferring custody shall include the findings and
20 order specified in s. 767.41 (3) (am).

21 **SECTION 3730.** 767.451 (7) of the statutes, as affected by 2007 Wisconsin Act
22 (this act), is amended to read:

23 **767.451 (7) TRANSFER TO DEPARTMENT.** The court may order custody transferred
24 to the department of health and family services only if that the department agrees
25 to accept custody. If the court orders custody transferred to the department of health

1 and family services, the order transferring custody shall include the findings and
2 order specified in s. 767.41 (3) (am).

3 SECTION 3731. 767.521 (intro.) of the statutes is amended to read:

4 767.521 Action by state for child support. (intro.) The state or its delegate
5 under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.001
6 (1) (f) or for paternity determination and child support under s. 767.80 if the child's
7 right to support is assigned to the state under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b)
8 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the
9 following apply:

10 SECTION 3732. 767.55 (3) (a) 2. of the statutes is amended to read:

11 767.55 (3) (a) 2. The child's right to support is assigned to the state under s.
12 ~~46.261 (3)~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b.

13 SECTION 3733. 767.57 (1e) (title) of the statutes is amended to read:

14 767.57 (1e) (title) RECEIVING AND DISBURSING FEE FEES.

15 SECTION 3734. 767.57 (1e) (a) of the statutes is amended to read:

16 767.57 (1e) (a) For receiving and disbursing maintenance, child support, or
17 family support payments, including payments in arrears, and for maintaining the
18 records required under par. (e) sub. (1) (c), the department or its designee shall collect
19 an annual fee of \$35 \$65 from a party ordered to make payments. The court shall
20 order each party ordered to make payments to pay the fee in each year for which
21 payments are ordered or in which an arrearage in any of those payments is owed.
22 In directing the manner of payment, the court shall order that the fee be withheld
23 from income and sent to the department or its designee, as provided under s. 767.75.
24 Fees under this paragraph shall be deposited in the appropriation account under s.
25 20.445 (3) (ja). At the time of ordering payment of the fee, the court shall notify each

1 party ordered to make payments of the requirement to pay, and the amount of, the
2 fee. If the fee under this paragraph is not paid when due, the department or its
3 designee may not deduct the fee from any maintenance, child or family support, or
4 arrearage payment, but may move the court for a remedial sanction under ch. 785.

5 **SECTION 3735.** 767.57 (1e) (a) of the statutes, as affected by 2007 Wisconsin Act
6 (this act), is amended to read:

7 767.57 (1e) (a) For receiving and disbursing maintenance, child support, or
8 family support payments, including payments in arrears, and for maintaining the
9 records required under sub. (1) (c), the department or its designee shall collect an
10 annual fee of \$65 from a party ordered to make payments. The court shall order each
11 party ordered to make payments to pay the fee in each year for which payments are
12 ordered or in which an arrearage in any of those payments is owed. In directing the
13 manner of payment, the court shall order that the fee be withheld from income and
14 sent to the department or its designee, as provided under s. 767.75. Fees under this
15 paragraph shall be deposited in the appropriation account under s. 20.445 (3) 20.437
16 (2) (ja). At the time of ordering payment of the fee, the court shall notify each party
17 ordered to make payments of the requirement to pay, and the amount of, the fee. If
18 the fee under this paragraph is not paid when due, the department or its designee
19 may not deduct the fee from any maintenance, child or family support, or arrearage
20 payment, but may move the court for a remedial sanction under ch. 785.

21 **SECTION 3736.** 767.57 (1e) (b) 1m. of the statutes is amended to read:

22 767.57 (1e) (b) 1m. The department or its designee may collect any unpaid fees
23 under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated
24 payment and collection system on December 31, 1998, and shall deposit all fees
25 collected under this subdivision in the appropriation account under s. 20.445 (3)

1 20.437 (2) (ja). The department or its designee may collect unpaid fees under this
2 subdivision through income withholding under s. 767.75 (2m). If the department or
3 its designee determines that income withholding is inapplicable, ineffective, or
4 insufficient for the collection of any unpaid fees under this subdivision, the
5 department or its designee may move the court for a remedial sanction under ch. 785.
6 The department or its designee may contract with or employ a collection agency or
7 other person for the collection of any unpaid fees under this subdivision and,
8 notwithstanding s. 20.930, may contract with or employ an attorney to appear in any
9 action in state or federal court to enforce the payment obligation. The department
10 or its designee may not deduct the amount of unpaid fees from any maintenance,
11 child or family support, or arrearage payment.

12 **SECTION 3737.** 767.57 (1e) (c) of the statutes is created to read:

13 767.57 (1e) (c) The department or its designee shall collect an annual fee of \$25
14 from every individual receiving child support or family support payments. In
15 applicable cases, the fee shall comply with all requirements under 42 USC 654 (6)
16 (B). The department or its designee may deduct the fee from maintenance, child or
17 family support, or arrearage payments. Fees collected under this paragraph shall
18 be deposited in the appropriation account under s. 20.445 (3) (ja).

19 **SECTION 3737d.** 767.57 (1e) (c) of the statutes, as created by 2007 Wisconsin
20 Act (this act), is amended to read:

21 767.57 (1e) (c) The department or its designee shall collect an annual fee of \$25
22 from every individual receiving child support or family support payments. In
23 applicable cases, the fee shall comply with all requirements under 42 USC 654 (6)
24 (B). The department or its designee may deduct the fee from maintenance, child or

1 family support, or arrearage payments. Fees collected under this paragraph shall
2 be deposited in the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (ja).

3 **SECTION 3738.** 767.57 (1m) (c) of the statutes is amended to read:

4 767.57 (1m) (c) The party entitled to the support or maintenance money or a
5 minor child of the party has applied for or is receiving aid under s. ~~46.261~~ 48.645 or
6 public assistance under ch. 49 and there is an assignment to the state under s. ~~46.261~~
7 48.645 (3) or 49.19 (4) (h) 1. b. of the party's right to the support or maintenance
8 money.

9 **SECTION 3739.** 767.57 (2) of the statutes is amended to read:

10 767.57 (2) PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to
11 maintenance or support, or both, is receiving public assistance under ch. 49, the
12 party may assign the party's right to support or maintenance to the county
13 department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment
14 shall be approved by order of the court granting the maintenance or support. The
15 assignment may not be terminated if there is a delinquency in the amount to be paid
16 to the assignee of maintenance and support previously ordered without the written
17 consent of the assignee or upon notice to the assignee and a hearing. When an
18 assignment of maintenance or support, or both, has been approved by the order, the
19 assignee shall be deemed a real party in interest within s. 803.01 solely for the
20 purpose of securing payment of unpaid maintenance or support ordered to be paid,
21 by participating in proceedings to secure the payment of unpaid amounts.
22 Notwithstanding assignment under this subsection, and without further order of the
23 court, the department or its designee, upon receiving notice that a party or a minor
24 child of the parties is receiving aid under s. ~~46.261~~ 48.645 or public assistance under
25 ch. 49 or that a kinship care relative or long-term kinship care relative of the minor

1 child is receiving kinship care payments or long-term kinship care payments for the
2 minor child, shall forward all support assigned under s. ~~46.261 (3)~~, 48.57 (3m) (b) 2.
3 or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. ~~46.261~~
4 (~~3~~), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19).

5 **SECTION 3740.** 767.57 (4) of the statutes is amended to read:

6 767.57 (4) PROCEDURE FOR CERTAIN CHILD RECIPIENTS. If an order or judgment
7 providing for the support of one or more children not receiving aid under s. ~~46.261~~,
8 48.57 (3m) or (3n), 48.645, or 49.19 includes support for a minor who is the
9 beneficiary of aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645, or 49.19, any support
10 payment made under the order or judgment is assigned to the state under s. ~~46.261~~
11 (~~3~~), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b. in the amount that
12 is the proportionate share of the minor receiving aid under s. ~~46.261~~, 48.57 (3m) or
13 (3n), 48.645, or 49.19, except as otherwise ordered by the court on the motion of a
14 party.

15 **SECTION 3741.** 767.59 (1c) (a) (intro.) of the statutes is amended to read:

16 767.59 (1c) (a) (intro.) On the petition, motion, or order to show cause of either
17 of the parties, the department, a county department under s. 46.215, 46.22, or 46.23,
18 or a county child support agency under s. 59.53 (5) if an assignment has been made
19 under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h), or 49.45 (19)
20 or if either party or their minor children receive aid under s. 48.57 (3m) or (3n) or
21 48.645 or ch. 49, a court may, except as provided in par. (b), do any of the following:

22 **SECTION 3742.** 767.59 (1f) (b) 4. of the statutes is amended to read:

23 767.59 (1f) (b) 4. A difference between the amount of child support ordered by
24 the court to be paid by the payer and the amount that the payer would have been
25 required to pay based on the percentage standard established by the department

1 under s. 49.22 (9) if the court did not use the percentage standard in determining the
2 child support payments and did not provide the information required under s. 46.10
3 (14) (d), 49.345 (14) (d), 301.12 (14) (d), or 767.511 (1n), whichever is appropriate.

4 **SECTION 3743.** 767.59 (2) (c) of the statutes is amended to read:

5 767.59 (2) (c). If the court revises a judgment or order providing for child support
6 that was entered under s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4),
7 938.355 (2) (b) 4., 938.357 (5m) (a) or 938.363 (2), the court shall determine child
8 support in the manner provided in s. 46.10 49.345 (14) or 301.12 (14), whichever is
9 applicable.

10 **SECTION 3744.** 767.59 (2s) of the statutes is amended to read:

11 767.59 (2s) STIPULATION FOR REVISION OF SUPPORT. In an action under sub. (1c),
12 the court may not approve a stipulation for the revision of a judgment or order with
13 respect to an amount of child support or family support unless the stipulation
14 provides for payment of an amount of child support or family support that is
15 determined in the manner required under s. 46.10 (14), 49.345 (14), 301.12 (14),
16 767.511, 767.805 (4), or 767.89, whichever is appropriate.

17 **SECTION 3745.** 767.87 (2m) of the statutes is amended to read:

18 767.87 (2m) ADMISSIBILITY OF CERTAIN MEDICAL AND GENETIC INFORMATION.
19 Medical and genetic information filed with the department of health and family
20 services or the court under s. 48.425 (1) (am) or (2) is not admissible to prove the
21 paternity of the child.

22 **SECTION 3746.** 767.87 (6) (a) of the statutes is amended to read:

23 767.87 (6) (a). Whenever the state brings the action to determine paternity
24 pursuant to an assignment under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3),
25 49.19 (4) (h) 1., or 49.45 (19), or receipt of benefits under s. 49.148, 49.155, 49.157,

1 or 49.159, the natural mother of the child may not be compelled to testify about the
2 paternity of the child if it has been determined that the mother has good cause for
3 refusing to cooperate in establishing paternity as provided in 42 USC 602 (a) (26) (B)
4 and the federal regulations promulgated pursuant to this statute, as of July 1, 1981,
5 and pursuant to any rules promulgated by the department which define good cause
6 in accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B)
7 in effect on July 1, 1981.

8 **SECTION 3746h.** 767.89 (2) of the statutes is renumbered 767.89 (2) (a).

9 **SECTION 3746i.** 767.89 (2) (b) of the statutes is created to read:

10 767.89 (2) (b) If the clerk of court or county child support agency is unable to
11 collect any of the following fees under par. (a), the department shall pay the fee and
12 may not require the county or county child support agency to reimburse the
13 department for the cost:

14 1. A fee for omitting the father's name on a birth certificate under s. 69.15 (3)

15 (a) 1.

16 2. A fee for changing the father's name on a birth certificate under s. 69.15 (3)

17 (a) 2.

18 3. A fee for inserting the father's name on a birth certificate under s. 69.15 (3)

19 (a) 3.

20 **SECTION 3747.** 769.201 (7) of the statutes is amended to read:

21 769.201 (7) The individual asserted parentage in a declaration of paternal
22 interest filed with the department of ~~health and family services~~ children and families
23 under s. 48.025 or in a statement acknowledging paternity filed with the state
24 registrar under s. 69.15 (3) (b) 1. or 3.

25 **SECTION 3748.** 769.31 (1) of the statutes is amended to read:

1 769.31 (1) The department of ~~workforce development~~ children and families is
2 the state information agency under this chapter.

3 **SECTION 3751.** 801.02 (1) of the statutes is amended to read:

4 801.02 (1) ~~A~~ Except as provided in s. 20.931 (5) (b), a civil action in which a
5 personal judgment is sought is commenced as to any defendant when a summons and
6 a complaint naming the person as defendant are filed with the court, provided service
7 of an authenticated copy of the summons and of the complaint is made upon the
8 defendant under this chapter within 90 days after filing.

9 **SECTION 3752.** 803.03 (2) (c) of the statutes is amended to read:

10 803.03 (2) (c) *Scheduling and pretrial conferences.* At the scheduling
11 conference and pretrial conference, the judge to whom the case has been assigned
12 shall inquire concerning the existence of and joinder of persons with subrogated,
13 derivative or assigned rights and shall make such orders as are necessary to
14 effectuate the purposes of this section. If the case is an action to recover damages
15 based on alleged criminally injurious conduct, the court shall inquire to see if an
16 award has been made under subch. I of ch. 949 and if the department of justice is
17 subrogated to the cause of action under s. 949.15.

18 **SECTION 3753.** 803.09 (1) and (2) of the statutes are amended to read:

19 803.09 (1) ~~Upon~~ Except as provided in s. 20.931, upon timely motion anyone
20 shall be permitted to intervene in an action when the movant claims an interest
21 relating to the property or transaction which is the subject of the action and the
22 movant is so situated that the disposition of the action may as a practical matter
23 impair or impede the movant's ability to protect that interest, unless the movant's
24 interest is adequately represented by existing parties.

1 (2) Upon Except as provided in s. 20.931, upon timely motion anyone may be
2 permitted to intervene in an action when a movant's claim or defense and the main
3 action have a question of law or fact in common. When a party to an action relies for
4 ground of claim or defense upon any statute or executive order or rule administered
5 by a federal or state governmental officer or agency or upon any regulation, order,
6 rule, requirement or agreement issued or made pursuant to the statute or executive
7 order, the officer or agency upon timely motion may be permitted to intervene in the
8 action. In exercising its discretion the court shall consider whether the intervention
9 will unduly delay or prejudice the adjudication of the rights of the original parties.

10 **SECTION 3754.** 804.01 (2) (intro.) of the statutes is amended to read:

11 804.01 (2) SCOPE OF DISCOVERY. (intro.) Unless Except as provided in s. 20.931
12 (9), and unless otherwise limited by order of the court in accordance with the
13 provisions of this chapter, the scope of discovery is as follows:

14 **SECTION 3755.** 805.04 (1) of the statutes is amended to read:

15 805.04 (1) BY PLAINTIFF; BY STIPULATION. An Except as provided in sub. (2m), an
16 action may be dismissed by the plaintiff without order of court by serving and filing
17 a notice of dismissal at any time before service by an adverse party of responsive
18 pleading or motion or by the filing of a stipulation of dismissal signed by all parties
19 who have appeared in the action. Unless otherwise stated in the notice of dismissal
20 or stipulation, the dismissal is not on the merits, except that a notice of dismissal
21 operates as an adjudication on the merits when filed by a plaintiff who has once
22 dismissed in any court an action based on or including the same claim.

23 **SECTION 3756.** 805.04 (2m) of the statutes is created to read:

24 805.04 (2m) FALSE CLAIMS. An action filed under s. 20.931 may be dismissed
25 only by order of the court. In determining whether to dismiss the action filed under

1 s. 20.931, the court shall take into account the best interests of the parties and the
2 purposes of s. 20.931.

3 **SECTION 3757.** 806.025 (2) (am) of the statutes is amended to read:

4 806.025 (2) (am) If money remains after the payment of all unpaid orders and
5 judgments under par. (a), order reimbursement to the department of justice for an
6 award made under subch. I of ch. 949 for which the department is subrogated under
7 s. 949.15.

8 **SECTION 3758.** 809.105 (13) of the statutes is amended to read:

9 809.105 (13) CERTAIN PERSONS BARRED FROM PROCEEDINGS. No parent, or
10 guardian or legal custodian, if one has been appointed, or foster parent or treatment
11 foster parent, if the minor has been placed in a foster home or treatment foster home,
12 and the minor's parent has signed a waiver granting the department of health and
13 family services children and families, a county department under s. 46.215, 46.22,
14 or 46.23, the foster parent or the treatment foster parent the authority to consent to
15 medical services or treatment on behalf of the minor, or adult family member, as
16 defined in s. 48.375 (2) (b), of any minor who has initiated an appeal under this
17 section may attend or intervene in any proceeding under this section.

18 **SECTION 3759.** 809.30 (2) (d) of the statutes is amended to read:

19 809.30 (2) (d) *Indigency redetermination.* Except as provided in this
20 paragraph, whenever a person whose trial counsel is appointed by the state public
21 defender files a notice under par. (b) requesting public defender representation for
22 purposes of postconviction or postdisposition relief, the prosecutor may, within 5
23 days after the notice is served and filed, file in the circuit court and serve upon the
24 state public defender a request that the person's indigency be redetermined before
25 counsel is appointed or transcripts are requested. This paragraph does not apply to

1 a ~~child or juvenile person~~ who is entitled to be represented by counsel under s. 48.23,
2 51.60 (1), 55.105, or 938.23.

3 **SECTION 3760.** 813.12 (5) (b) of the statutes is amended to read:

4 813.12 (5) (b) The clerk of circuit court shall provide the simplified forms
5 provided under s. ~~46.95~~ 49.165 (3) (c) to help a person file a petition.

6 **SECTION 3761.** 813.122 (6) (b) of the statutes is amended to read:

7 813.122 (6) (b) Upon request, the clerk of circuit court shall provide, without
8 cost, the simplified forms obtained under s. ~~46.03~~ 48.47 (7) (d) to a petitioner.

9 **SECTION 3763.** 814.61 (13) of the statutes is amended to read:

10 814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services,
11 whenever a person not receiving benefits under s. 49.148 or 49.155 or aid under s.
12 49.19, 49.46, 49.465, 49.468 ~~or~~, 49.47, or 49.471 files a petition requesting child
13 support, maintenance or family support payments, \$10 in addition to any other fee
14 required under this section. This subsection does not apply to a petition filed by the
15 state or its delegate.

16 **SECTION 3764.** 814.69 (1) (a) of the statutes is amended to read:

17 814.69 (1) (a) For a transcript under SCR 71.04, a fee at the rate of \$1.50 per
18 25-line page for the original and 50 cents per 25-line page for the duplicate. Except
19 as provided in s. 967.06 (3), the fee shall be paid by the county treasurer upon the
20 certificate of the clerk of court.

21 **SECTION 3765.** 814.75 (22m) of the statutes is amended to read:

22 814.75 (22m) The supplemental food enforcement surcharge under s. 253.06
23 49.17 (4) (c).

24 **SECTION 3766.** 814.76 (15m) of the statutes is amended to read:

1 814.76 (15m) The supplemental food enforcement surcharge under s. 253.06
2 49.17 (4) (c).

3 **SECTION 3767.** 814.80 (11) of the statutes is amended to read:

4 814.80 (11) The supplemental food enforcement surcharge under s. 253.06
5 49.17 (4) (c).

6 **SECTION 3768.** 859.07 (2) (a) (intro.) of the statutes is amended to read:

7 859.07 (2) (a) (intro.) The personal representative shall provide notice of the
8 date set under s. 859.01 to the department of health and family services, the
9 department of children and families, or the department of corrections, as applicable,
10 and to the county clerk of the decedent's county of residence, as defined in s. 49.001
11 (6) if, at any time prior to or at the time of the decedent's death, any of the following
12 applied:

13 **SECTION 3769.** 859.07 (2) (a) 2. of the statutes is amended to read:

14 859.07 (2) (a) 2. The decedent was responsible for any obligation owing to the
15 state or a county under s. 46.03 (18), 46.10, 48.36, 49.32 (1), 49.345, 301.03 (18),
16 301.12, or 938.36.

17 **SECTION 3770.** 859.15 of the statutes is amended to read:

18 **859.15 Effect of statute of limitations.** Except as provided in ss. 46.10 (11),
19 49.08 and, 49.195 (1), 49.345 (11), and 301.12 (11), a claim shall not be allowed which
20 that was barred by any statute of limitations at the time of the decedent's death. A
21 claim shall not be barred by statutes of limitation which that was not barred at the
22 time of the decedent's death if the claim is filed against the decedent's estate in the
23 court on or before the deadline for filing a claim under s. 859.01.

24 **SECTION 3771.** 885.01 (5) of the statutes is amended to read:

1 885.01 (5) By the department of workforce development children and families
2 or a county child support agency under s. 59.53 (5) in the administration of ss. 49.145,
3 49.19, 49.22, 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011
4 to 2029.

5 **SECTION 3772.** 885.01 (5) of the statutes, as affected by 2007 Wisconsin Act
6 (this act), is amended to read:

7 885.01 (5) By the department of children and families or a county child support
8 agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, 49.22, 49.46 and,
9 49.47, and 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029.

10 **SECTION 3772m.** 885.237 (2) of the statutes is amended to read:

11 885.237 (2) Notwithstanding s. 341.04, the fact that an automobile or motor
12 truck having a registered weight of 8,000 pounds or less is located on a highway, as
13 defined in s. 340.01 (22), and is not displaying a valid registration plates plate, a
14 temporary operation plate or other evidence of registration as provided under s.
15 341.18 (1) is prima facie evidence, for purposes of ch. 341, that the vehicle is an
16 unregistered or improperly registered vehicle. This subsection does not apply to
17 violations of ordinances enacted under s. 341.65, but this subsection does apply to
18 violations of ordinances enacted under s. 341.65, 2003 stats.

19 **SECTION 3773.** 885.38 (3) (a) (intro.) of the statutes is amended to read:

20 885.38 (3) (a) (intro.) ~~In criminal proceedings and in proceedings under ch. 48,~~
21 ~~51, 55, or 938, if~~ If the court determines that the person has limited English
22 proficiency and that an interpreter is necessary, the court shall advise the person
23 that he or she has the right to a qualified interpreter and that, ~~if the person cannot~~
24 ~~afford one, an interpreter will be provided at the public's expense if the person is one~~
25 of the following:

1 **SECTION 3774.** 885.38 (8) (a) (intro.) of the statutes is amended to read:

2 885.38 (8) (a) (intro.) Except as provided in par. (b), the necessary expenses of
3 providing qualified interpreters to indigent persons with limited English proficiency
4 under this section shall be paid as follows:

5 **SECTION 3775.** 893.981 of the statutes is created to read:

6 **893.981 False claims.** An action or claim under s. 20.931 shall be commenced
7 within 10 years after the cause of the action or claim accrues or be barred.

8 **SECTION 3776.** 895.45 (1) (a) of the statutes is amended to read:

9 895.45 (1) (a) “Abusive conduct” means domestic abuse, as defined under s.
10 ~~46.95~~ 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under
11 s. 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault
12 under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under
13 ss. 948.02 to 948.11.

14 **SECTION 3777.** 895.4803 of the statutes is amended to read:

15 **895.4803 Civil liability exemption; information concerning paternity.**
16 Any member of the staff of a hospital who is designated by the hospital and trained
17 by the department of workforce development children and families under s. 69.14 (1)
18 (cm) and who in good faith provides to a child’s available parents written information
19 that is provided by the department of workforce development children and families
20 and oral information or an audio or video presentation about the form that is
21 prescribed by the state registrar under s. 69.15 (3) (b) 3. and about the significance
22 and benefits of, and alternatives to, establishing paternity, under the requirements
23 of s. 69.14 (1) (cm), is immune from civil liability for his or her acts or omissions in
24 providing that oral information or audio or video presentation and written
25 information.

1 **SECTION 3778.** 895.485 (4) (a) of the statutes is amended to read:

2 895.485 (4) (a) The agency has failed to provide the foster, treatment foster, or
3 family-operated group home parent with any information relating to a medical,
4 physical, mental, or emotional condition of the child that it is required to disclose
5 under this paragraph. The department of health and family services children and
6 families shall promulgate rules specifying the kind of information that an agency
7 shall disclose to a foster, treatment foster, or family-operated group home parent
8 which relates to a medical, physical, mental, or emotional condition of the child.

9 **SECTION 3778m.** 895.507 (7m) of the statutes is amended to read:

10 895.507 (7m) EFFECT OF FEDERAL LEGISLATION. If the joint committee on
11 administrative rules determines that the federal government has enacted legislation
12 that imposes notice requirements substantially similar to the requirements of this
13 section and determines that the legislation does not preempt this section, the joint
14 committee on administrative rules shall submit to the revisor of statutes legislative
15 reference bureau for publication in the Wisconsin administrative register a notice of
16 its determination. This section does not apply after publication of a notice under this
17 subsection.

18 **SECTION 3779.** 905.15 (1) of the statutes is amended to read:

19 905.15 (1) An employee of the department of health and family services, the
20 department of workforce development children and families or a county department
21 under s. 46.215, 46.22 or 46.23 or a member of a governing body of a federally
22 recognized American Indian tribe who is authorized by federal law to have access to
23 or awareness of the federal tax return information of another in the performance of
24 duties under s. 49.19 or 49.45 or 7 USC 2011 to 2049 may claim privilege to refuse

1 to disclose the information and the source or method by which he or she received or
2 otherwise became aware of the information.

3 **SECTION 3780.** 938.02 (6) of the statutes is amended to read:

4 938.02 (6) "Foster home" means any facility that is operated by a person
5 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
6 no more than 4 juveniles or, if necessary to enable a sibling group to remain together,
7 for no more than 6 juveniles or, if the department of health and family services
8 children and families promulgates rules permitting a different number of juveniles,
9 for the number of juveniles permitted under those rules.

10 **SECTION 3781.** 938.02 (7) of the statutes is amended to read:

11 938.02 (7) "Group home" means any facility operated by a person required to
12 be licensed by the department of health and family services children and families
13 under s. 48.625 for the care and maintenance of 5 to 8 juveniles.

14 **SECTION 3782.** 938.02 (17) of the statutes is amended to read:

15 938.02 (17) "Shelter care facility" means a nonsecure place of temporary care
16 and physical custody for juveniles, including a holdover room, licensed by the
17 department of health and family services children and families under s. 48.66 (1) (a).

18 **SECTION 3783.** 938.06 (1) (b) of the statutes is amended to read:

19 938.06 (1) (b) Notwithstanding par. (a), the county board of supervisors may
20 make changes in the administration of services to the children's court center in order
21 to qualify for the maximum amount of federal and state aid as provided in sub. (4)
22 and s. ss. 46.495 and 48.569.

23 **SECTION 3784.** 938.06 (4) of the statutes is amended to read:

24 938.06 (4) STATE AID. State aid to any county for juvenile delinquency-related
25 court services under this section shall be at the same net effective rate that each

1 county is reimbursed for county administration under s. 46.495 48.569, except as
2 provided in s. 301.26. Counties having a population of less than 500,000 may use
3 funds received under ss. 46.495 48.569 (1) (d) and 301.26, including county or federal
4 revenue sharing funds allocated to match funds received under s. 46.495 48.569 (1)
5 (d), for the cost of providing court attached intake services in amounts not to exceed
6 50% of the cost of providing court attached intake services or \$30,000 per county per
7 calendar year, whichever is less.

8 **SECTION 3786.** 938.21 (5) (b) 1. of the statutes is renumbered 938.21 (5) (b) 1.
9 a. and amended to read:

10 938.21 (5) (b) 1. a. A finding that continued placement of the juvenile in his or
11 her home would be contrary to the welfare of the juvenile. ~~Unless the court finds that~~
12 ~~any of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies, the order shall~~
13 ~~in addition include a~~

14 b. A finding as to whether the person who took the juvenile into custody and
15 the intake worker have made reasonable efforts to prevent the removal of the
16 juvenile from the home, while assuring that the juvenile's health and safety are the
17 paramount concerns, and a ~~unless the court finds that any of the circumstances~~
18 specified in s. 938.355 (2d) (b) 1. to 4. applies.

19 c. A finding as to whether the person who took the juvenile into custody and
20 the intake worker have made reasonable efforts to make it possible for the juvenile
21 to return safely home.

22 1m. If for good cause shown sufficient information is not available for the court
23 to make a finding as to whether those reasonable efforts were made to prevent the
24 removal of the juvenile from the home, the order shall include while assuring that
25 the juvenile's health and safety are the paramount concerns, a finding as to whether

1 those reasonable efforts were made to make it possible for the juvenile to return
2 safely home and an order for the county department or agency primarily responsible
3 for providing services to the juvenile under the custody order to file with the court
4 sufficient information for the court to make a finding as to whether those reasonable
5 efforts were made to prevent the removal of the juvenile from the home by no later
6 than 5 days, excluding Saturdays, Sundays, and legal holidays, after the date of on
7 which the order is granted.

8 **SECTION 3787.** 938.21 (5) (b) 1. d. of the statutes is created to read:

9 938.21 (5) (b) 1. d. If the juvenile is under the supervision of the county
10 department, an order ordering the juvenile into the placement and care
11 responsibility of the county department as required under 42 USC 672 (a) (2) and
12 assigning the county department primary responsibility for providing services to the
13 juvenile.

14 **SECTION 3788.** 938.21 (5) (c) of the statutes is amended to read:

15 938.21 (5) (c) The court shall make the findings specified in par. (b) 1., 1m., and
16 3. on a case-by-case basis based on circumstances specific to the juvenile and shall
17 document or reference the specific information on which those findings are based in
18 the custody order. A custody order that merely references par. (b) 1., 1m., or 3.
19 without documenting or referencing that specific information in the custody order
20 or an amended custody order that retroactively corrects an earlier custody order that
21 does not comply with this paragraph is not sufficient to comply with this paragraph.

22 **SECTION 3789.** 938.22 (1) (a) of the statutes is amended to read:

23 938.22 (1) (a) Subject to s. 48.66 (1) (b), the county board of supervisors of a
24 county may establish a juvenile detention facility in accordance with ss. 301.36 and
25 301.37 or the county boards of supervisors for 2 or more counties may jointly

1 establish a juvenile detention facility in accordance with ss. 46.20, 301.36, and
2 301.37. The county board of supervisors of a county may establish a shelter care
3 facility in accordance with ss. ~~46.16 and 46.17~~ 48.576 and 48.578 or the county boards
4 of supervisors for 2 or more counties may jointly establish a shelter care facility in
5 accordance with ss. ~~46.16, 46.17, and 46.20~~, 48.576, and 48.578. A private entity may
6 establish a juvenile detention facility in accordance with ss. 301.36 and 301.37 and
7 contract with one or more county boards of supervisors under s. 938.222 to hold
8 juveniles in the private juvenile detention facility.

9 **SECTION 3790.** 938.22 (2) (a) of the statutes is amended to read:

10 938.22 (2) (a) Counties shall submit plans for a juvenile detention facility or
11 juvenile portion of the county jail to the department of corrections and submit plans
12 for a shelter care facility to the department of ~~health and family services~~ children and
13 families. A private entity that proposes to establish a juvenile detention facility shall
14 submit plans for the facility to the department of corrections. The applicable
15 department shall review the submitted plans. A county or a private entity may not
16 implement a plan unless the applicable department has approved the plan. The
17 department of corrections shall promulgate rules establishing minimum
18 requirements for the approval and operation of juvenile detention facilities and the
19 juvenile portion of county jails. The plans and rules shall be designed to protect the
20 health, safety, and welfare of the juveniles placed in those facilities.

21 **SECTION 3791.** 938.22 (7) (a) of the statutes is amended to read:

22 938.22 (7) (a) No person may establish a shelter care facility without first
23 obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to
24 operate a shelter care facility, a person must meet the minimum requirements for a
25 license established by the department of ~~health and family services~~ children and

1 families under s. 48.67, meet the requirements specified in s. 48.685, and pay the
2 license fee under par. (b). A license issued under s. 48.66 (1) (a) to operate a shelter
3 care facility is valid until revoked or suspended, but shall be reviewed every 2 years
4 as provided in s. 48.66 (5).

5 **SECTION 3792.** 938.22 (7) (b) of the statutes is amended to read:

6 938.22 (7) (b) Before the department of health and family services children and
7 families may issue a license under s. 48.66 (1) (a) to operate a shelter care facility,
8 the shelter care facility shall pay to that department a biennial fee of \$60.50, plus
9 a biennial fee of \$18.15 per juvenile, based on the number of juveniles that the shelter
10 care facility is licensed to serve. A shelter care facility that wishes to continue a
11 license issued under s. 48.66 (1) (a) shall pay the fee by the continuation date of the
12 license. A new shelter care facility shall pay the fee by no later than 30 days before
13 the opening of the shelter care facility.

14 **SECTION 3793.** 938.235 (4) (b) of the statutes is amended to read:

15 938.235 (4) (b) The court shall order the agency identified under s. 938.355 (2)
16 (b) ~~1~~, 938.33 (1) (c) as primarily responsible for the provision of services to notify the
17 guardian ad litem, if any, regarding actions to be taken under par. (a).

18 **SECTION 3795.** 938.30 (6) (b) of the statutes is amended to read:

19 938.30 (6) (b) If it appears to the court that disposition of the case may include
20 placement of the juvenile outside the juvenile's home, the court shall order the
21 juvenile's parent to provide a statement of the income, assets, debts, and living
22 expenses of the juvenile and the juvenile's parent to the court or the designated
23 agency under s. 938.33 (1) at least 5 days before the scheduled date of the
24 dispositional hearing or as otherwise ordered by the court. The clerk of court shall
25 provide, without charge, to any parent ordered to provide that statement a document

1 setting forth the percentage standard established by the department of workforce
2 development children and families under s. 49.22 (9) and listing the factors that a
3 court may consider under s. 301.12 (14) (c).

4 **SECTION 3796.** 938.31 (7) (b) of the statutes is amended to read:

5 938.31 (7) (b) If it appears to the court that disposition of the case may include
6 placement of the juvenile outside the juvenile's home, the court shall order the
7 juvenile's parent to provide a statement of the income, assets, debts, and living
8 expenses of the juvenile and the juvenile's parent, to the court or the designated
9 agency under s. 938.33 (1) at least 5 days before the scheduled date of the
10 dispositional hearing or as otherwise ordered by the court. The clerk of court shall
11 provide, without charge, to any parent ordered to provide the statement a document
12 setting forth the percentage standard established by the department of workforce
13 development children and families under s. 49.22 (9) and listing the factors that a
14 court may consider under s. 301.12 (14) (c).

15 **SECTION 3797.** 938.315 (2m) (a) of the statutes is amended to read:

16 938.315 (2m) (a) The court making an initial finding under s. 938.21 (5) (b) 1.
17 or 1m., 938.355 (2) (b) 6., or 938.357 (2v) (a) 1. that reasonable efforts have been made
18 to prevent the removal of the juvenile from the home, while assuring that the
19 juvenile's health and safety are the paramount concerns, or an initial finding under
20 s. 938.21 (5) (b) 3., 938.355 (2) (b) 6r., or 938.357 (2v) (a) 3. that those efforts were not
21 required to be made because a circumstance specified in s. 938.355 (2d) (b) 1. to 4.
22 applies, more than 60 days after the date on which the juvenile was removed from
23 the home.

24 **SECTION 3798.** 938.32 (1) (c) 1. d. of the statutes is created to read:

1 938.32 (1) (c) 1. d. If the juvenile's placement or other living arrangement is
2 under the supervision of the county department, an order ordering the juvenile into
3 the placement and care responsibility of the county department as required under
4 42 USC 672 (a) (2) and assigning the county department primary responsibility for
5 providing services to the juvenile.

6 **SECTION 3806.** 938.346 (1) (h) 3. of the statutes is amended to read:

7 938.346 (1) (h) 3. The right to compensation, as provided under subch. I of ch.
8 949.

9 **SECTION 3807.** 938.355 (2) (b) 1. of the statutes is amended to read:

10 938.355 (2) (b) 1. The specific services ~~or continuum of services~~ to be provided
11 to the juvenile and the juvenile's family, ~~the identity of the agencies that are~~
12 ~~primarily responsible for the provision of the services, the identity of the person or~~
13 ~~agency that will provide case management or coordination of services, if any, and, if~~
14 ~~custody is to be transferred to effect the treatment plan, the identity of the legal~~
15 ~~custodian.~~

16 **SECTION 3808.** 938.355 (2) (b) 6g. of the statutes is created to read:

17 938.355 (2) (b) 6g. If the juvenile is placed outside the home under the
18 supervision of the county department, an order ordering the juvenile into the
19 placement and care responsibility of the county department as required under 42
20 USC 672 (a) (2) and assigning the county department primary responsibility for
21 providing services to the juvenile.

22 **SECTION 3809.** 938.355 (2b) of the statutes is amended to read:

23 938.355 (2b) **CONCURRENT REASONABLE EFFORTS PERMITTED.** A county
24 department or the agency primarily responsible for providing services to a juvenile
25 under a court order may, at the same time as the county department or agency is

1 making the reasonable efforts required under sub. (2) (b) 6. to prevent the removal
2 of the juvenile from the home or to make it possible for the juvenile to return safely
3 to his or her home, work with the department of health and family services children
4 and families, a county department under s. 48.57 (1) (e) or (hm), or a child welfare
5 agency licensed under s. 48.61 (5) in making reasonable efforts to place the juvenile
6 for adoption, with a guardian, with a fit and willing relative, or in some other
7 alternative permanent placement.

8 **SECTION 3810.** 938.355 (6) (d) 1. of the statutes is amended to read:

9 938.355 (6) (d) 1. Placement of the juvenile in a secure detention facility or
10 juvenile portion of a county jail that meets the standards promulgated by the
11 department by rule or in a place of nonsecure custody, for not more than 10 days and
12 the provision of educational services consistent with his or her current course of
13 study during the period of placement. The juvenile shall be given credit against the
14 period of detention or nonsecure custody imposed under this subdivision for all time
15 spent in secure detention in connection with the course of conduct for which the
16 detention or nonsecure custody was imposed. If the court orders placement of the
17 juvenile in a place of nonsecure custody under the supervision of the county
18 department, the court shall order the juvenile into the placement and care
19 responsibility of the county department as required under 42 USC 672 (a) (2) and
20 shall assign the county department primary responsibility for providing services to
21 the juvenile.

22 **SECTION 3812.** 938.355 (6m) (a) 1g. of the statutes is amended to read:

23 938.355 (6m) (a) 1g. Placement of the juvenile in a secure detention facility or
24 juvenile portion of a county jail that meets the standards promulgated by the
25 department by rule or in a place of nonsecure custody, for not more than 10 days and

1 the provision of educational services consistent with his or her current course of
2 study during the period of placement. The juvenile shall be given credit against the
3 period of detention or nonsecure custody imposed under this subdivision for all time
4 spent in secure detention in connection with the course of conduct for which the
5 detention or nonsecure custody was imposed. The use of placement in a secure
6 detention facility or in a juvenile portion of a county jail as a sanction under this
7 subdivision is subject to the adoption of a resolution by the county board of
8 supervisors under s. 938.06 (5) authorizing the use of those placements as a sanction.

9 If the court orders placement of the juvenile in a place of nonsecure custody under
10 the supervision of the county department, the court shall order the juvenile into the
11 placement and care responsibility of the county department as required under 42
12 USC 672 (a) (2) and shall assign the county department primary responsibility for
13 providing services to the juvenile.

14 **SECTION 3814.** 938.357 (1) (am) 3. of the statutes is amended to read:

15 938.357 (1) (am) 3. If the court changes the juvenile's placement from a
16 placement outside the home to another placement outside the home, the change in
17 placement order shall contain ~~one of the statements~~ the applicable order under sub.
18 (2v) (a) 1m. and the applicable statement under sub. (2v) (a) 2.

19 **SECTION 3815.** 938.357 (1) (c) 3. of the statutes is amended to read:

20 938.357 (1) (c) 3. If the court changes the juvenile's placement from a placement
21 in the juvenile's home to a placement outside the juvenile's home, the change in
22 placement order shall contain the findings under sub. (2v) (a) 1., ~~one of the~~
23 ~~statements~~ the applicable order under sub. (2v) (a) 1m., the applicable statement
24 under sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances

1 under s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, the determination
2 under sub. (2v) (a) 3.

3 **SECTION 3816.** 938.357 (2m) (c) of the statutes is amended to read:

4 938.357 (2m) (c) ~~In-home to out-of-home placement; findings~~ Findings
5 required. If the court changes the juvenile's placement from a placement in the
6 juvenile's home to a placement outside the juvenile's home, the change in placement
7 order shall contain the findings under sub. (2v) (a) 1., ~~one of the statements the~~
8 applicable order under sub. (2v) (a) 1m., the applicable statement under sub. (2v) (a)
9 2., and, if in addition the court finds that any of the circumstances under s. 938.355
10 (2d) (b) 1. to 4. applies with respect to a parent, the determination under sub. (2v)
11 (a) 3. If the court changes the juvenile's placement from a placement outside the
12 home to another placement outside the home, the change in placement order shall
13 contain the applicable order under sub. (2v) (a) 1m. and the applicable statement
14 under sub. (2v) (a) 2.

15 **SECTION 3817.** 938.357 (2v) (a) 1m. of the statutes is created to read:

16 938.357 (2v) (a) 1m. If the change in placement order changes the placement
17 of a juvenile who is under the supervision of the county department to a placement
18 outside the juvenile's home, whether from a placement in the home or from another
19 placement outside the home, an order ordering the juvenile into, or to be continued
20 in, the placement and care responsibility of the county department as required under
21 42 USC 672 (a) (2) and assigning the county department primary responsibility, or
22 continued primary responsibility, for providing services to the juvenile.

23 **SECTION 3818.** 938.357 (4) (a) of the statutes is amended to read:

24 938.357 (4) (a) When the juvenile is placed with the department, the
25 department may, after an examination under s. 938.50, place the juvenile in a

1 juvenile correctional facility or a secured residential care center for children and
2 youth or on aftercare supervision, either immediately or after a period of placement
3 in a juvenile correctional facility or a secured residential care center for children and
4 youth. The department shall send written notice of the change in placement to the
5 parent, guardian, legal custodian, county department designated under s. 938.34
6 (4n), if any, and committing court. If the department places a juvenile in a Type 2
7 juvenile correctional facility operated by a child welfare agency, the department shall
8 reimburse the child welfare agency at the rate established under s. 46.037 49.343
9 that is applicable to the type of placement that the child welfare agency is providing
10 for the juvenile. A juvenile who is placed in a Type 2 juvenile correctional facility or
11 a secured residential care center for children and youth remains under the
12 supervision of the department, remains subject to the rules and discipline of that
13 department, and is considered to be in custody, as defined in s. 946.42 (1) (a).

14 **SECTION 3819.** 938.357 (4) (b) 2. of the statutes is amended to read:

15 938.357 (4) (b) 2. If a juvenile whom the court has placed in a Type 2 residential
16 care center for children and youth under s. 938.34 (4d) violates a condition of his or
17 her placement in the Type 2 residential care center for children and youth, the child
18 welfare agency operating the Type 2 residential care center for children and youth
19 shall notify the county department that has supervision over the juvenile and, if the
20 county department agrees to a change in placement under this subdivision, the child
21 welfare agency shall notify the department, and the department, after consulting
22 with the child welfare agency, may place the juvenile in a Type 1 juvenile correctional
23 facility under the supervision of the department, without a hearing under sub. (1)
24 (am) 2., for not more than 10 days. If a juvenile is placed in a Type 1 juvenile
25 correctional facility under this subdivision, the county department that has

1 supervision over the juvenile shall reimburse the child welfare agency operating the
2 Type 2 residential care center for children and youth in which the juvenile was
3 placed at the rate established under s. ~~46.037~~ 49.343, and that child welfare agency
4 shall reimburse the department at the rate specified in s. 301.26 (4) (d) 2. or 3.,
5 whichever is applicable, for the cost of the juvenile's care while placed in a Type 1
6 juvenile correctional facility.

7 **SECTION 3820.** 938.357 (4) (c) 1. of the statutes is amended to read:

8 938.357 (4) (c) 1. If a juvenile is placed in a Type 2 juvenile correctional facility
9 operated by a child welfare agency under par. (a) and it appears that a less restrictive
10 placement would be appropriate for the juvenile, the department, after consulting
11 with the child welfare agency that is operating the Type 2 juvenile correctional
12 facility, may place the juvenile in a less restrictive placement, and may return the
13 juvenile to the Type 2 juvenile correctional facility without a hearing under sub. (1)
14 (am) 2. The child welfare agency shall establish a rate for each type of placement in
15 the manner provided in s. ~~46.037~~ 49.343.

16 **SECTION 3821.** 938.357 (4) (c) 2. of the statutes is amended to read:

17 938.357 (4) (c) 2. If a juvenile is placed in a Type 2 residential care center for
18 children and youth under s. 938.34 (4d) and it appears that a less restrictive
19 placement would be appropriate for the juvenile, the child welfare agency operating
20 the Type 2 residential care center for children and youth shall notify the county
21 department that has supervision over the juvenile and, if the county department
22 agrees to a change in placement under this subdivision, the child welfare agency may
23 place the juvenile in a less restrictive placement. A child welfare agency may also,
24 with the agreement of the county department that has supervision over a juvenile
25 who is placed in a less restrictive placement under this subdivision, return the

1 juvenile to the Type 2 residential care center for children and youth without a
2 hearing under sub. (1) (am) 2. The child welfare agency shall establish a rate for each
3 type of placement in the manner provided in s. 46.037 49.343.

4 **SECTION 3822.** 938.357 (5m) (a) of the statutes is amended to read:

5 938.357 (5m) (a) If a proposed change in placement would change a juvenile's
6 placement from a placement in the juvenile's home to a placement outside the
7 juvenile's home, the court shall order the juvenile's parent to provide a statement of
8 the income, assets, debts, and living expenses of the juvenile and the juvenile's
9 parent to the court or the person or agency primarily responsible for implementing
10 the dispositional order by a date specified by the court. The clerk of court shall
11 provide, without charge, to any parent ordered to provide that statement a document
12 setting forth the percentage standard established by the department of workforce
13 development children and families under s. 49.22 (9) and listing the factors under
14 s. 301.12 (14) (c). If the juvenile is placed outside the juvenile's home, the court shall
15 determine the liability of the parent in the manner provided in s. 301.12 (14).

16 **SECTION 3823.** 938.36 (1) (b) of the statutes is amended to read:

17 938.36 (1) (b) In determining the amount of support under par. (a), the court
18 may consider all relevant financial information or other information relevant to the
19 parent's earning capacity, including information reported under s. 49.22 (2m) to the
20 department of workforce development children and families, or the county child
21 support agency, under s. 59.53 (5). If the court has insufficient information with
22 which to determine the amount of support, the court shall order the juvenile's parent
23 to furnish a statement of the income, assets, debts, and living expenses of the juvenile
24 and the juvenile's parent, if the parent has not already done so, to the court within

1 10 days after the court's order transferring custody or designating an alternative
2 placement is entered or at such other time as ordered by the court.

3 **SECTION 3824.** 938.363 (1) (c) of the statutes is amended to read:

4 938.363 (1) (c) If the proposed revision is for a change in the amount of child
5 support to be paid by a parent, the court shall order the juvenile's parent to provide
6 a statement of the income, assets, debts, and living expenses of the juvenile and the
7 juvenile's parent to the court and the person or agency primarily responsible for
8 implementing the dispositional order by a date specified by the court. The clerk of
9 court shall provide, without charge, to any parent ordered to provide that statement
10 a document setting forth the percentage standard established by the department of
11 workforce development children and families under s. 49.22 (9) and listing the
12 factors that a court may consider under s. 301.12 (14) (c).

13 **SECTION 3825.** 938.38 (2) (intro.) of the statutes is amended to read:

14 938.38 (2) **PERMANENCY PLAN REQUIRED.** (intro.) Except as provided in sub. (3),
15 for each juvenile living in a foster home, treatment foster home, group home,
16 residential care center for children and youth, juvenile detention facility, or shelter
17 care facility, the agency that placed the juvenile or arranged the placement or the
18 agency assigned primary responsibility for providing services to the juvenile under
19 s. 938.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following
20 conditions exists, and, for each juvenile living in the home of a relative other than
21 a parent, that agency shall prepare a written permanency plan, if any of the
22 conditions under pars. (a) to (e) exists:

23 **SECTION 3826.** 938.396 (2g) (b) of the statutes is amended to read:

24 938.396 (2g) (b) *Federal program monitoring.* Upon request of the department
25 of health and family services, the department of corrections children and families,

1 or a federal agency to review court records for the purpose of monitoring and
2 conducting periodic evaluations of activities as required by and implemented under
3 45 CFR 1355, 1356, and 1357, the court shall open those records for inspection by
4 authorized representatives of that department or federal agency.

5 **SECTION 3827.** 938.396 (4) of the statutes is amended to read:

6 938.396 (4) OPERATING PRIVILEGE RECORDS. When a court assigned to exercise
7 jurisdiction under this chapter and ch. 48 or a municipal court exercising jurisdiction
8 under s. 938.17 (2) revokes, suspends, or restricts a juvenile's operating privilege
9 under this chapter, the department of transportation may not disclose information
10 concerning or relating to the revocation, suspension, or restriction to any person
11 other than a court assigned to exercise jurisdiction under this chapter and ch. 48, a
12 municipal court exercising jurisdiction under s. 938.17 (2), a district attorney, county
13 corporation counsel, or city, village, or town attorney, a law enforcement agency, a
14 driver licensing agency of another jurisdiction, the juvenile whose operating
15 privilege is revoked, suspended, or restricted, or the juvenile's parent or guardian.
16 Persons entitled to receive this information may not disclose the information to other
17 persons or agencies.

18 **SECTION 3828.** 938.538 (6) of the statutes is amended to read:

19 938.538 (6) PURCHASE OF SERVICES. The department of corrections may contract
20 with the department of health and family services, the department of children and
21 families, a county department, or any public or private agency for the purchase of
22 goods, care, and services for participants in the program under this section. The
23 department of corrections shall reimburse a person from whom it purchases goods,
24 care, or services under this subsection from the appropriation under s. 20.410 (3) (cg).

25 **SECTION 3829.** 938.547 (2) of the statutes is amended to read:

1 938.547 (2) DEPARTMENT RESPONSIBILITIES. Within the availability of funding
2 under s. ~~20.435 (7)~~ 20.437 (1) (mb) that is available for the pilot program, the
3 department of health and family services children and families shall select counties
4 to participate in the pilot program. Unless a county department of human services
5 has been established under s. 46.23 in the county that is seeking to implement a pilot
6 program, the application submitted to the department of health and family services
7 children and families shall be a joint application by the county department that
8 provides social services and the county department established under s. 51.42 or
9 51.437. The department of health and family services children and families shall
10 select counties in accordance with the request-for-proposal procedures established
11 by that department. The department of health and family services children and
12 families shall give a preference to county applications that include a plan for case
13 management.

14 **SECTION 3830.** 938.548 of the statutes is amended to read:

15 **938.548 Multidisciplinary screen and assessment criteria.** The
16 department of health and family services children and families shall make the
17 multidisciplinary screen developed under s. 938.547 (3) and the assessment criteria
18 developed under s. 938.547 (4) available to all counties.

19 **SECTION 3831.** 938.57 (3) (a) (intro.) of the statutes is amended to read:

20 **938.57 (3) (a) (intro.)** From the reimbursement received under s. 46.495 48.569
21 (1) (d), counties may provide funding for the maintenance of any juvenile who meets
22 all of the following qualifications:

23 **SECTION 3832.** 938.57 (3) (a) 3. of the statutes is amended to read:

24 **938.57 (3) (a) 3.** Received funding under s. 46.495 48.569 (1) (d) immediately
25 prior to his or her 17th birthday.