#### 2011 DRAFTING REQUEST

## Assembly Amendment (AA-ASA1-AB30)

Received: <b>05/17/2011</b>				Received By: gmalaise				
Wanted: Today					Companion to LRB:			
For: <b>Jon Richards</b> (608) 266-0650					By/Representing: Himself			
May Contact: Subject: Children - abuse and negl Children - out-of-home pl			• .		Drafter: <b>gmalaise</b> Addl. Drafters:			
			_	nt				
					Extra Copies:			
Submit	via email: YES							
Request	ter's email:	Rep.Richa	rds@legis.v	wisconsin.gov	y			
Carbon	copy (CC:) to:							
Pre Top	pic:	***************************************						
No spec	cific pre topic g	iven						
Topic:								
Persons	delegated care	and custody of	child; appo	intmentof gua	rdian ad litem			
Instruc	ctions:							
-	appointmentof with juvenile c		ew child an	d investigate a	and approve arran	gement. Require	e POA to	
Draftin	g History:		,		· · · · · · · · · · · · · · · · · · ·			
Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	Proofed	Submitted	<u>Jacketed</u>	Required	
/?	gmalaise 05/17/2011	kfollett 05/17/2011						
/1			rschluet 05/17/20	11	lparisi 05/17/2011	lparisi 05/17/2011		
FE Sent	For:							

<END>

#### 2011 DRAFTING REQUEST

## Assembly Amendment (AA-ASA1-AB30)

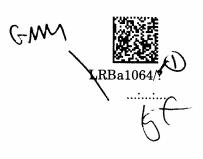
Received: 05/17/2011					Received By: gmalaise			
Wanted: Today For: Jon Richards (608) 266-0650					Companion to LRB:  By/Representing: Himself			
		ren - abuse and neglect ren - out-of-home placement		nt	Addl. Drafters:			
				Extra Copies:				
Submit via	a email: YES	S						
Requester'	s email:	Rep.Richa	ards@legis.	wisconsin.gov	7			
Carbon co	py (CC:) to:							
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No specifi	c pre topic g	given						
Topic:	alegated care	and custody of	Cahild: appa	intment of aug	rdion ad litam		MANUAL CO.	
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Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	Jacketed	Required	
/?	gmalaise	5/17						
FE Sent For:			<end></end>					



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# State of Wisconsin

IN SM



#### ASSEMBLY AMENDMENT,

# TO ASSEMBLY SUBSTITUTE AMENDMENT 1, **TO 2011 ASSEMBLY BILL 30**

1	At the locations indicated, amend the substitute amendment as follows:
2	1. Page 3, line 1: delete that line and substitute:
3	"Section 1d. 48.235 (1) (h) of the statutes is created to read:
4	48.235 (1) (h) The court shall appoint a guardian ad litem for any child who is
5	the subject of a delegation of power regarding the care and custody of the child to an
6	agent under s. 48.979.
7	SECTION 1f. 48.235 (3) (c) of the statutes is created to read:
8	48.235 (3) (c) In addition to any other duties and responsibilities required of
9	a guardian ad litem, a guardian ad litem appointed for a child who is the subject of
10	a delegation of power regarding the care and custody of the child to an agent under

s. 48.979 shall do all of the following unless granted leave by the court not to do so:

<ol> <li>Meet with the parent who is delegating that power, interview that parent,</li> </ol>
determine that the parent has legal custody of the child, and investigate the reasons
for the proposed delegation.

- 2. Personally, or through a trained designee, meet with the child and, if appropriate to the age and developmental level of the child, interview the child and determine the child's goals and concerns regarding the proposed delegation.
- 3. Interview the proposed agent, personally or through a trained designee, visit the agent's home, if appropriate, and report to the court concerning the suitability of the proposed agent to provide for the care and custody of the child.
- 4. Make clear and specific recommendations to the court regarding whether the proposed delegation is in the best interests of the child.
  - **SECTION 1h.** 48.60 (2) (a) of the statutes is amended to read:".
  - **2.** Page 11, line 21: after that line insert:
- "(bm) Before a parent may delegate his or her powers regarding the care and custody of a child to an agent under par. (a), the parent or, if the delegation is facilitated by an entity specified in par. (b), the entity shall request the court to appoint a guardian ad litem for the child under s. 48.235 (1) (h). The parent may not execute the power of attorney delegating those powers until the guardian ad litem has fulfilled all of the duties and responsibilities specified in s. 48.235 (3) (c). After proper execution of the power of attorney, the guardian ad litem shall file the power of attorney with the court."
  - **3.** Page 16, line 9: after that line insert:

"STATEMENT OF GUARDIAN AD LITEM

I, .... (name and address of guardian ad litem), have met with and interviewed 1 .... (name(s) of parent(s)), .... (name(s) of child(ren)) and .... (name of agent), have 3 reviewed this delegation of parental powers, and, based on those interviews and that review, have determined that .... (name(s) of parent(s)) have legal custody of .... 4 (name(s) of child(ren)), that .... (name of agent) is suitable to provide for the care and 5 6 custody of .... (name(s) of child(ren), and that this delegation of parental power is in the best interests of .... (names) of child(ren) Guardian ad litem's signature .... 8 Date ....". 9 (END)