



2013 ASSEMBLY BILL 488

1 **AN ACT** *to renumber and amend* 51.20 (4); *to amend* 51.20 (2) (a), 51.20 (4)
2 (title) and 51.20 (7) (a); and *to create* 51.20 (4) (b) and (c) of the statutes;
3 **relating to:** involuntary commitment proceedings and limited appearance by
4 corporation counsel.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 51.20 (2) (a) of the statutes is amended to read:
6 51.20 (2) (a) Upon the filing of a petition for examination, the court shall review
7 the petition within 24 hours after the petition is filed, excluding Saturdays, Sundays,
8 and legal holidays, to determine whether an order of detention should be issued. The
9 subject individual shall be detained only if there is cause to believe that the
10 individual is mentally ill, drug dependent or developmentally disabled and the

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1 individual is eligible for commitment under sub. (1) (a) or (am) based upon specific
2 recent overt acts, attempts or threats to act or on a pattern of recent acts or omissions
3 made by the individual.

4 **SECTION 2.** 51.20 (4) (title) of the statutes is amended to read:

5 51.20 (4) (title) PUBLIC REPRESENTATION; LIMITED APPEARANCE.

6 **SECTION 3.** 51.20 (4) of the statutes is renumbered 51.20 (4) (a) and amended
7 to read:

8 51.20 (4) (a) Except as provided in ss. 51.42 (3) (ar) 1. and 51.437 (4m) (f) and
9 subject to par. (b), the corporation counsel shall represent the interests of the public
10 in the conduct of all proceedings under this chapter, including the drafting of all
11 necessary papers related to the action.

12 **SECTION 4.** 51.20 (4) (b) and (c) of the statutes are created to read:

13 51.20 (4) (b) If corporation counsel does not believe that involuntary
14 commitment under this section is appropriate for the subject individual, corporation
15 counsel shall inform the person seeking the petition under sub. (1) that the person
16 may discontinue pursuing the involuntary commitment or may request that
17 corporation counsel file the petition under sub. (1) under a limited appearance. If the
18 person seeking the petition requests a limited appearance by corporation counsel for
19 the purpose of filing a petition under sub. (1), corporation counsel shall do all of the
20 following:

21 1. Notify the person seeking the petition of the scope of what corporation
22 counsel will do under the limited appearance.

23 2. File, in a timely manner, the petition as described in sub. (1), except that the
24 corporation counsel does not need to affirm that the facts in the petition constitute

