
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Assembly Bill 95

**Assembly
Amendment 1**

2019 ASSEMBLY BILL 95

2019 Assembly Bill 95 addresses agreements between parents in a family law action relating to legal custody or physical placement of a child. The bill authorizes a court to approve a stipulated agreement between the parties in an initial agreement, or in a later modification, in which the parents include arrangements to modify legal custody or physical placement based on contingent future events.

Under the bill, contingency arrangements in a stipulation may be based only upon the occurrence of life events of the parents or child, or upon the developmental and educational needs of the child, that are reasonably certain to occur within two years of the date of the stipulation. The bill prohibits stipulated contingency agreements that are based on anticipated behavior modifications by a parent.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 identifies examples of behavior modifications that cannot be used as the basis for a stipulated contingency agreement in a later modification of an initial order for legal custody or physical placement. Specifically, if parents voluntarily agree to a later modification of an initial order and submit a stipulated agreement to the court, the types of behavior modifications that cannot form the basis for arrangements to modify legal custody or physical placement include any of the following:

- Anticipated completion of an anger management course or anger management therapy.
- Anticipated completion of a batterer's intervention program.
- Anticipated completion of drug or alcohol treatment or therapy.
- Anticipated completion of incarceration or other sentencing for certain identified crimes, such as homicide, battery, endangering safety by use of a dangerous weapon, and violation of a restraining order, among others.

BILL HISTORY

Representative Rodriguez offered Assembly Amendment 1 on June 6, 2019. On September 10, 2019, the Assembly Committee on Family Law adopted the amendment and recommended passage of the bill, as amended, on votes of Ayes, 9; Noes, 0.

On January 15, 2020, the Assembly adopted the amendment and passed the bill, as amended, on voice votes.

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