

Fiscal Estimate Narratives

CTS 6/28/2021

LRB Number	21-3658/1	Introduction Number	AB-0418	Estimate Type	Original
Description the appointment of a guardian ad litem in a proceeding to grant reasonable visitation rights to a nonparent					

Assumptions Used in Arriving at Fiscal Estimate

This bill requires the appointment of a Guardian ad Litem (GAL) when a petition for reasonable visitation rights has been filed by a nonparent (e.g., grandparent, great-grandparent, stepparent, or person who has maintained a relationship similar to a parent-child relationship with the child) under Wis. Stat. 767.43.

Fiscal Effect – Costs/Savings: The Director of State Courts has determined that the implementation of this bill would incur an indeterminate increased cost to Counties. No cost to the State.

Counties will likely have to pay more in GAL fees if the court is required to appoint a GAL in these cases. However, it is unclear what the fiscal impact will be on counties given the lack of information available regarding how many of these cases counties are already appointing GALs, and given the different payment structures counties use for GALs based on local practice. Additionally, some counties already struggle with finding good, qualified GALs to take appointments, so this may create additional challenges in those counties.

Under s. 758.19 (5), Wis. Stats., the Director of State Courts makes payments to counties for circuit court costs, but these payments are limited to the funding provided in 20.625 (1)(cg) Circuit Court Cost appropriation. Without an increase to Circuit Court Cost appropriation, the cost of the increased GAL appointments will be borne by the counties.

Long-Range Fiscal Implications

The long-range fiscal implication of this bill is indeterminate.