
Wisconsin Legislative Council

ACT MEMO



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2021 Wisconsin Act 191
[2021 Senate Bill 420]

**Battery or Threat to a Court
Officer or Advocate in a Tribal
Court Proceeding**

BACKGROUND

State statutes provide that it is a Class H felony to intentionally cause or threaten to cause bodily harm to the person or a family member of a guardian ad litem, corporation counsel, or attorney if:

1. The person causing or threatening to cause the harm knows or should have known the person is a current or former guardian ad litem, corporation counsel, or attorney, or a member of the current or former guardian ad litem's, corporation counsel's, or attorney's family, and;
2. The act or threat is in response to an action taken by the current or former guardian ad litem, corporation counsel, or attorney in his or her official capacity in a court proceeding relating to child welfare, juvenile justice, guardianships, protective services, or an action affecting the family.

2021 WISCONSIN ACT 191

The act expands the provisions above by providing that a person who intentionally causes or threatens to cause bodily harm to the person or a family member of an advocate, as defined by the act, is guilty of a Class H felony if:

1. The person causing or threatening to cause the harm knows or should have known the person is an advocate or a member of the advocate's family, and;
2. The act or threat is in response to an action taken by the advocate in his or her official capacity in a tribal court proceeding similar to the proceedings described above.

“Advocate” is defined by the act to mean “an individual who is representing the interests of a child, the tribe, or another party in a tribal court proceeding.”

Effective date: March 19, 2022

SM:jal