

**1983 Assembly Bill 304**

Date of enactment: **April 5, 1984**  
Date of publication: **April 9, 1984**

**1983 Wisconsin Act 190**

**AN ACT** *to repeal 48.88 (2) (a) 3; to renumber 48.981 (10) (a) 1. d; to amend 48.88 (2) (a) (intro.) and 48.981 (10) (a) 1. a to c; and to create 48.88 (2) (c) and 48.981 (10) (a) 1. d of the statutes, relating to investigations in stepparent adoptions.*

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

**SECTION 1.** 48.88 (2) (a) (intro.) of the statutes is amended to read:

48.88 (2) (a) (intro.) ~~When~~ Except as provided under par. (c), when a petition to adopt a child is filed, the court shall order an investigation to determine whether the child is a proper subject for adoption and whether the petitioner's home is suitable for the child. The court shall order one of the following to conduct the investigation:

SECTION 2. 48.88 (2) (a) 3 of the statutes is repealed.

SECTION 3. 48.88 (2) (c) of the statutes is created to read:

48.88 (2) (c) If a stepparent has filed a petition for adoption and no agency has guardianship of the child, the court shall order a county agency under s. 48.56 or, with the consent of the department or a licensed child welfare agency, order the department or the agency to conduct a screening, consisting of no more than one interview with the petitioner and a check of the petitioner's background through public records, including records maintained by the department or any county agency under s. 48.981. The agency that conducts the screening shall file a report of the screening with the court within 30 days. After reviewing the report, the court may proceed to act on the petition, may order the county agency to conduct an investigation as described under par. (a) (intro.) or may order the department or a licensed child welfare agency to make the investigation if the department or agency consents.

SECTION 4. 48.981 (10) (a) 1. a to c of the statutes are amended to read:

48.981 (10) (a) 1. a. The subject of any report, except that the department or other governmental agency shall not release data that would identify the initial reporter;

b. Appropriate staff of the department or county agencies, who may release information to their agents or to an attending physician for treatment and diagnosis, but prior reports or a lack of prior reports shall not be the basis for the determination of whether child abuse or neglect has occurred;

c. Any court conducting child protective proceedings or any court conducting dispositional proceedings under subch. VI in which child abuse or neglect is an issue; ~~and~~.

SECTION 5. 48.981 (10) (a) 1. d of the statutes is renumbered 48.981 (10) (a) 1. e.

SECTION 6. 48.981 (10) (a) 1. d of the statutes is created to read:

48.981 (10) (a) 1. d. The department, a county agency or licensed child welfare agency ordered to conduct a screening or an investigation of a stepparent under s. 48.88 (2) (c).

SECTION 7. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.22 (5)(c)	48.88 (2)(a)	48.88 (2)(a) and (c)
49.51 (2)(a) 9	48.88 (2)(a)	48.88 (2)(a) and (c)

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