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# Wisconsin Legislative Council

## AMENDMENT MEMO

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### 2019 Assembly Bill 566

### Assembly Substitute Amendment 1 and Assembly Amendment 1 to Assembly Substitute Amendment 1

## 2019 ASSEMBLY BILL 566

Under current law, a termination of parental rights (TPR) proceeding is initiated by filing a petition for TPR. The proceeding is procedurally independent from any child in need of protection or services (CHIPS) or juvenile in need of protection or services (JIPS) proceeding involving the parent and child.

Under 2019 Assembly Bill 566, a TPR proceeding may be initiated as part of an open CHIPS or JIPS proceeding by filing a **petition** for TPR in that open proceeding. The petition must set forth the information required for a TPR petition under current law and is subject to the procedures for TPR under current law.

## ASSEMBLY SUBSTITUTE AMENDMENT 1

Under the substitute amendment, a TPR proceeding may be initiated as part of an open CHIPS or JIPS proceeding by filing a **motion** for TPR in that open proceeding. The motion is subject to the procedures for TPR under current law.

The substitute amendment specifies that a party may request substitution of the judge when a TPR motion is filed if the party did not previously request substitution in the underlying CHIPS proceeding.

## ASSEMBLY AMENDMENT 1 TO ASSEMBLY SUBSTITUTE AMENDMENT 1

The amendment eliminates the provisions under which a TPR proceeding may be initiated by filing a motion in an open JIPS proceeding. Therefore, under the amendment, a motion for a TPR may be filed only in an open CHIPS proceeding.

## BILL HISTORY

Representative Kulp introduced 2019 Assembly Bill 566 on October 23, 2019, and offered Assembly Substitute Amendment 1 on December 6, 2019. Representative James offered Assembly Amendment 1 to Assembly Substitute Amendment 1 on December 16, 2019. On December 17, 2019, the Assembly Committee on Family Law recommended adoption of the amendment and the substitute amendment, as amended, on votes of Ayes, 9; Noes, 0. The committee recommended passage of the bill, as amended, on a vote of Ayes, 7; Noes, 2.

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