

1 **AN ACT** *to amend* 48.83 (1) of the statutes; **relating to:** jurisdiction over and venue
 2 for an adoption petition.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft was prepared for the Joint Legislative Council’s Special Committee on Permanency for Young Children in the Child Welfare System.

Background

Under current law, the court assigned to exercise jurisdiction under the Children’s Code (juvenile court) located in the county where the proposed adoptive parent or child resides, upon the filing of a petition for adoption or for the adoptive placement of a child, has jurisdiction over the child until the adoption petition is withdrawn, denied, or granted. The venue for an adoption petition is the county where the proposed adoptive parent or child resides at the time that the petition is filed. The juvenile court may, however, transfer the case to another juvenile court in the county in which the proposed adoptive parents reside.

Bill Draft

This draft expands jurisdiction over an adoption petition to also include a juvenile court in a county where the TPR petition was filed and expands the venue to also include the county where the TPR petition was filed.

3 **SECTION 1.** 48.83 (1) of the statutes is amended to read:
 4 48.83 (1) Except as provided in s. 48.028 (3) (b), the court of the county where the
 5 proposed adoptive parent or child resides and the court of the county where the termination
 6 of parental rights petition was filed under s. 48.42, upon the filing of a petition for adoption
 7 or for the adoptive placement of a child, ~~has~~ have jurisdiction over the child until the petition
 8 is withdrawn, denied, or granted. Venue ~~shall~~ for a petition for adoption may be in the county
 9 where the proposed adoptive parent or child resides at the time the petition is filed or the

1 county where the termination of parental rights petition was filed under s. 48.42. The court
2 may transfer the case to a court in the county in which the proposed adoptive parents reside.

NOTE: This SECTION expands jurisdiction over an adoption petition to include a juvenile court in a county where the TPR petition was filed and expands that venue for an adoption petition to include the county where the TPR petition was filed.

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(END)