



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to repeal* 767.41 (1m) (g) and 767.41 (1m) (n); *to amend* 767.405 (8) (c)
2 and 767.41 (1m) (intro.); and *to create* 767.41 (1m) (cm) of the statutes;
3 **relating to:** proposed parenting plans in certain actions affecting the family.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

4 **SECTION 1.** 767.405 (8) (c) of the statutes is amended to read:
5 767.405 (8) (c) The initial session under par. (a) shall be a screening and
6 evaluation mediation session to determine whether mediation is appropriate and
7 whether both parties wish to continue in mediation. At the initial session, the
8 mediator shall review discuss with each of the parties ~~the nonfinancial provisions~~
9 ~~that must be~~ information included in the proposed parenting ~~plan~~ plans under s.
10 767.41 (1m).

1 **SECTION 2.** 767.41 (1m) (intro.) of the statutes is amended to read:

2 767.41 (1m) PARENTING PLAN. (intro.) Unless the court orders otherwise, in an
3 action for annulment, divorce, or legal separation, an action to determine paternity,
4 or an action under s. 767.001 (1) (e), 767.501, or 767.805 (3), in which legal custody
5 or physical placement is contested, a party seeking sole or joint legal custody or
6 periods of physical placement shall file a proposed parenting plan with the court if
7 the court waives the requirement to attend mediation under s. 767.405 (8) (b) or if
8 the parties ~~attend~~ have attended mediation and the mediator notifies the court
9 under s. 767.405 (12) (b) that the parties have not reached an agreement. If the
10 parties to an action described in this subsection are required to participate in an
11 initial session of mediation under s. 767.405 (8), the parties shall exchange proposed
12 parenting plans and each party shall submit a copy of that party's proposed
13 parenting plan to the director of family court services for the county in which the
14 action is pending or the assigned mediator. For purposes of the exchange and
15 submission requirement under this subsection, a party may provide a copy of the
16 party's proposed parenting plan electronically. Unless the court orders otherwise,
17 the proposed parenting plan shall be filed within 60 days after the court waives the
18 mediation requirement or the mediator notifies the court that no agreement has been
19 reached or, for parties participating in the initial session of mediation under s.
20 767.405 (8), shall be exchanged and submitted to the director of family court services
21 or the assigned mediator at least 10 days before the initial mediation session. Except
22 for cause shown, a party required to file a proposed parenting plan under this
23 subsection who does not timely file a proposed parenting plan waives the right to
24 object to the other party's parenting plan. A proposed parenting plan shall provide
25 information about the following questions:

