



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0660/P2  
EAW:cjs

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT** *to amend* 767.461; and *to create* 767.34 (3), 767.41 (5m) and 767.451  
2           (3r) of the statutes; **relating to:** modifications to legal custody or physical  
3           placement contingent upon a future event.

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***Analysis by the Legislative Reference Bureau***

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

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

4           **SECTION 1.** 767.34 (3) of the statutes is created to read:  
5           767.34 (3) APPROVAL OF STIPULATION FOR MODIFICATIONS CONTINGENT ON FUTURE  
6           EVENT. A court may approve a stipulation for legal custody and physical placement  
7           that includes modifications to legal custody or physical placement upon the  
8           occurrence of a specified future event that is reasonably certain to occur within 2  
9           years of the date of the stipulation.

1           **SECTION 2.** 767.41 (5m) of the statutes is created to read:

2           **767.41 (5m)** APPROVAL OF STIPULATION FOR MODIFICATIONS CONTINGENT ON FUTURE  
3           EVENT. In making an order of legal custody under sub. (2) or (3) or physical placement  
4           under sub. (4), the court may approve a stipulation for modifications to legal custody  
5           or physical placement upon the occurrence of a specified future event that is  
6           reasonably certain to occur within 2 years of the date of the stipulation and  
7           incorporate the terms of the stipulation into the order.

8           **SECTION 3.** 767.451 (3r) of the statutes is created to read:

9           **767.451 (3r)** APPROVAL OF STIPULATION FOR MODIFICATIONS CONTINGENT ON FUTURE  
10          EVENT. Notwithstanding sub. (1), in an action to modify a legal custody or physical  
11          placement order, the court may approve a stipulation for further modifications to  
12          legal custody or physical placement upon the occurrence of a specified future event  
13          that is reasonably certain to occur within 2 years of the date of the stipulation and  
14          incorporate the terms of the stipulation into any revised legal custody or physical  
15          placement order granted by the court.

16          **SECTION 4.** 767.461 of the statutes is amended to read:

17          **767.461 Revisions agreed to by stipulation.** If after an initial order is  
18          entered under s. 767.41 the parties agree to a modification in an order of physical  
19          placement or legal custody and file a stipulation with the court that specifies the  
20          agreed upon modification, including a modification to physical placement or legal  
21          custody upon the occurrence of a specified future event that is reasonably certain to  
22          occur within 2 years of the date of the stipulation, the court shall incorporate the  
23          terms of the stipulation into a revised order of physical placement or legal custody  
24          unless the court finds that the modification is not in the best interest of the child.

25          **SECTION 5. Initial applicability.**

