



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-5594/1  
EHS:cjs

## 2019 ASSEMBLY BILL 986

March 2, 2020 - Introduced by Representatives C. TAYLOR, STUBBS, ZAMARRIPA, EMERSON, SARGENT, CROWLEY, SINICKI, CONSIDINE, SHANKLAND, CABRERA, BROSTOFF, NEUBAUER, FIELDS, ANDERSON, POPE and SPREITZER, cosponsored by Senator SMITH. Referred to Committee on Children and Families.

1     **AN ACT to amend** 48.23 (2m) (b) of the statutes; **relating to:** legal representation  
2             for an adult expectant mother of an unborn child who is alleged to be in need  
3             of protection or services.

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### *Analysis by the Legislative Reference Bureau*

This bill expands the right to counsel of an adult expectant mother of an unborn child who is alleged to be in need of protection or services.

Current law grants to the court assigned to exercise jurisdiction under the Children's Code (juvenile court) jurisdiction over an unborn child alleged to be in need of protection or services that can be ordered by the juvenile court and whose expectant mother habitually lacks self-control in the use of alcohol beverages, controlled substances, or controlled substance analogs, exhibited to a severe degree, to the extent that there is a substantial risk that the physical health of the unborn child, and of the child when born, will be seriously affected or endangered unless the expectant mother receives prompt and adequate treatment for that habitual lack of self-control. Current law also grants to the juvenile court exclusive original jurisdiction over the expectant mother of such an unborn child, and permits the juvenile court to place an adult expectant mother outside her home under certain circumstances.

Under this bill, an adult expectant mother of an unborn child who is alleged in a petition to be in need of protection or services must be represented by counsel at all proceedings. Under current law, such an adult expectant mother must be represented by counsel at the fact-finding hearing and subsequent proceedings, if

