



**WISCONSIN LEGISLATIVE COUNCIL
REPORT TO THE LEGISLATURE**

**SPECIAL COMMITTEE ON
GUARDIANS AD LITEM IN
ACTIONS AFFECTING
THE FAMILY**

April 14, 2003

RL 2003-11

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April 14, 2003

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PART I

KEY PROVISIONS OF COMMITTEE RECOMMENDATION

This part of the report summarizes the key provisions of the proposal recommended by the Special Committee on Guardians Ad Litem in Actions Affecting the Family and approved by the Joint Legislative Council. The recommendations of the Special Committee were approved for introduction in the 2001-02 Session of the Legislature, but failed to pass, and the following bill was subsequently approved for introduction in the 2003-04 Session:

ASSEMBLY BILL 244, RELATING TO GUARDIANS AD LITEM, PARENT EDUCATION, AND PARENTING PLANS IN ACTIONS AFFECTING THE FAMILY

Key Provisions

- Clarifies the current statutory provision governing guardian ad litem (GAL) compensation to provide that when parties are ordered to pay GAL compensation, they may be ordered to pay the GAL directly, pay into an escrow account from which the GAL will be paid, or reimburse the county if it has paid the GAL's compensation. Also, allows the court to order the county to pay a GAL's compensation for an indigent party if either party is indigent.
- Permits a court to order income withholding to collect GAL fees or fees for mediation and custody and physical placement studies.
- Requires the clerk of court to provide parties with instructions for completing and filing a parenting plan when the parties file a petition or receive a summons for an action affecting the family. Also, provides that a mediator must review the nonfinancial provisions of the parenting plan at the initial session of mediation.
- Requires parties to file a parenting plan with the court within 60 days after the court waives the requirement that the parties attend mediation or within 60 days after the mediator notifies the court that the parties have not reached an agreement, unless the court orders otherwise.
- Requires parties to an action affecting the family in which a minor child is involved to attend a parent education program that includes at least four hours of instruction or training on the effects of divorce on a child; working together in the best interest of the child; parenting or coparenting skills; the consequences of stipulating to a custody and placement arrangement and of resolution of disputes by the court; available mediation; current law relating to custody and physical placement; current law relating to the duties and responsibilities of a GAL; and the potential costs associated with an action affecting the family.
- Provides that a court or family court commissioner (FCC) may elect not to order attendance at a parent education program or may order the parties to attend separate sessions of the program if the court or FCC determines that attending the program or attending the

program with the other party would cause undue hardship or endanger the health or safety of one of the parties.

- Provides that the court or FCC may require attendance as a condition to the granting of a final judgment or order in the action, if attendance at the program is ordered. In addition, the court or FCC may refuse to hear a custody or physical placement motion of a party who refuses to attend the program.

PART II

COMMITTEE ACTIVITY

ASSIGNMENT

The Joint Legislative Council established the Special Committee by a May 18, 2000 mail ballot and appointed the co-chairs by a June 13, 2000 mail ballot. The Special Committee was directed to study the GAL system as it applies to actions affecting the family, including an examination of the appointment, role, supervision, training and compensation of GALs. The review of the appointment of GALs was to include the necessity of appointment in contested custody or placement cases and whether professionals with specialized expertise in the emotional and developmental phases and needs of children should be appointed to act as GALs. The committee was directed to prepare a report of any recommended legislation and to petition the Wisconsin Supreme Court to consider rules for the reform of the GAL system in actions affecting the family based on the committee's recommendations that are more appropriate for Supreme Court rules.

The membership of the Special Committee, appointed by August 14 and October 12, 2000 mail ballots, consisted of four Senators, three Representatives and 12 Public Members.

A membership list of the Joint Legislative Council is included as **Appendix 2**. A list of the committee membership is included as **Appendix 3**.

SUMMARY OF MEETINGS

The Special Committee held five meetings at the State Capitol in Madison on the following dates:

September 13, 2000	December 12, 2000
October 24, 2000	January 12, 2001
November 14, 2000	

September 13, 2000: The Special Committee received testimony from J. Denis Moran, Director of State Courts, and Attorney Gretchen Viney, Baraboo. Mr. Moran, accompanied by Pam Radloff, fiscal officer for the Director of State Courts, discussed his office's role in training GALs, the "Through the Eyes of a Child" training program and the Board of Bar Examiners' approval of continuing legal education courses for GALs. Mr. Moran also explained his office's administration of grants to counties for GAL expenditures and answered questions regarding how GALs are reimbursed when parents do not pay. Attorney Viney described her work as a contract GAL in Sauk County. She explained circumstances in which GALs are appointed and noted that each county has its own system for appointing and compensating GALs. Ms. Viney outlined the statutory requirements for GALs in family law cases and the steps she goes through as a GAL in a typical proceeding.

The Special Committee also briefly reviewed a staff brief on GALs in family law cases.

October 24, 2000: The Special Committee received testimony from Judge Gary Carlson and Jean Nuernberger, Coordinator, Family and Juvenile Services, Taylor County Circuit Court, Medford; Attorney Charles Senn, Thorp; Judge Daniel Noonan, Milwaukee County Circuit Court, Milwaukee; Attorney Margaret Wrenn Hickey, Milwaukee; Kathleen Jeffords, Director, Dane County Family Court Counseling Services, Madison; Judge John Albert, Dane County Circuit Court, Madison; and Diane Wolff, Director, Waukesha County Family Court Counseling Services, Waukesha. Judge Carlson explained how he works as a team with Ms. Nuernberger and Attorney Senn in contested family law cases. He explained what he requires of the parties and attorneys in a custody case and distributed materials concerning the median cost of a GAL for a litigated case in Taylor County. Ms. Nuernberger described her work as coordinator of a parenting program on divorce and as a mediator in contested cases. She also explained her role in developing parenting plans, recommending whether GALs are needed in certain cases and conducting home studies. Attorney Senn discussed the need for ongoing training of GALs who are handling family court cases. He also addressed the need for parties to be educated regarding the role of the GAL and the costs of litigation. He also discussed the evaluation of GALs. Judge Noonan discussed the large volume of divorce cases in Milwaukee County, about 50% of which are *pro se* cases. He explained the system for appointing GALs in Milwaukee County and the arrangement the county has with the Legal Aid Society of Milwaukee County for appointing GALs in low-income cases. Attorney Hickey discussed her role as a family law attorney in Milwaukee County and the importance of GALs being attorneys, since the law requires them to be advocates for the best interests of children. Ms. Jeffords explained the parent education program and mediation and custody and placement study services provided by the Dane County Family Court Counseling Services program. She emphasized the importance of GALs being attorneys and recommended additional funding for family court counseling services. Judge Albert discussed his role as a circuit judge handling divorce cases. He noted his opposition to having trained volunteers, rather than attorneys, acting as GALs. He stated the importance of GAL training including training in child development and the need for more accountability for GALs. Ms. Wolff discussed the family court counseling services provided in Waukesha County. She noted the importance of GALs bringing a legal perspective, as opposed to a social work perspective, and their trial advocacy skills, to a case.

The Special Committee also discussed Memo No. 1, *Issues Raised for Consideration by the Special Committee on Guardians Ad Litem in Actions Affecting the Family* (October 13, 2000).

November 14, 2000: The Special Committee received testimony from Kenneth Waldron, psychologist, Waldron, Kriss and Associates, Middleton; Jan Raz, President, Wisconsin Fathers for Children and Families, Hales Corners; Carol Medaris, staff attorney, Wisconsin Council on Children and Families, Madison; and Attorney Marjorie Schuett, Lathrop and Clark, LLP and Chair, Family Law Section, State Bar of Wisconsin, Madison. Mr. Waldron discussed his work with divorcing families as a psychologist. He stated that GALs would benefit from increased knowledge in several areas, including: child development; understanding the effects of conflict on children, recognizing parents' character disorders; working with mental health professionals, learning how children express preferences; and developing child-focused plans for divorcing families. Mr. Raz cited a number of concerns, including that parenting plans are not used early enough in the court process and that the best

interests of the child standard conflicts with the requirement to maximize placement with each parent. He suggested that GALs not be appointed unless there are special concerns for the welfare of the child and that parents be required to file a parenting plan earlier in the process. He also suggested requiring courts to determine allocation of periods of physical placement by considering the parenting plans and requiring GALs and mediators to use the same legal standards for resolving custody and placement disputes as do court commissioners and judges. Ms. Medaris stated that GALs are very important in contested custody proceedings and that they must be attorneys to balance the representation of the parents' interests with those of their children. She recommended that GALs receive additional training focusing on child development, family systems and trial advocacy, as well as domestic abuse training to heighten GALs' awareness and sensitivity to the effect of domestic abuse on family dynamics. She also recommended that financial and other costs of custody disputes be explained to parents early in the case and that the "best interests of the *poor* child" should be taken into consideration. Ms. Schuett discussed the Family Law Section's efforts on behalf of children and the Section's perspective on the importance of maintaining high standards for GALs. She described various areas in which the Section has supported the Legislature's and the Supreme Court's initiatives to improve the quality of GAL representation and to try to ensure fair results in family law disputes. She noted that the Family Law Section supports continuing education and training for GALs as well as adequate compensation.

The Special Committee discussed the recommendations that had been made to the committee to date, summarized in Memo No. 2, *Issues Raised for Consideration by the Special Committee on Guardians Ad Litem in Actions Affecting the Family* (November 7, 2000). The committee eliminated some recommendations from further consideration and agreed to discuss others at a subsequent meeting.

December 12, 2000: The Special Committee received testimony from Jennifer Ortiz, Supervising Attorney, Guardian ad Litem Division, and James Brennan, Chief Staff Attorney, Legal Aid Society of Milwaukee, Inc., Milwaukee; Amy O'Neil, Task Force on Family Violence, Milwaukee; and Laurie Jorgensen, Cochair, Justice Committee, Governor's Council on Domestic Abuse, Wausau. Ms. Ortiz discussed the GAL Division's work in representing low-income individuals in family court cases, including serving as GALs for minor teen parents from Milwaukee County. She explained the in-house training provided for GALs by Legal Aid in order to try to address the many different cultural needs of individuals represented. She recommended continuing the practice of using attorneys as GALs and providing training to GALs relating to cultural sensitivity. Mr. Brennan discussed Legal Aid's employment of social workers and training of attorneys to investigate cases and conduct home studies. Ms. O'Neil explained her role as a victim advocate for children in court cases and assisting families in obtaining restraining orders and advocating for children who have been abused or have witnessed abuse. She discussed the importance of GALs in custody cases and the particularly vital role of GALs when domestic abuse or child abuse is present. She emphasized the need for GALs to recognize the dynamics of a child's home life in domestic abuse situations and the importance of training GALs to recognize and understand warning signs of domestic abuse. Ms. Jorgensen explained the work of the Justice Committee in advising the Governor's Council on Domestic Abuse regarding issues in the courts across the state as they relate to victims of domestic abuse. She emphasized the need for GALs to have training in and understanding of the dynamics of domestic violence and the profound impact it

has on children, as well as the need for GALs to take threats of violence seriously. She also addressed the need for a mechanism for accountability when GALs do not fulfill their responsibilities adequately.

The Special Committee discussed Memo No. 3, *Issues Raised for Consideration by the Special Committee on Guardians Ad Litem in Actions Affecting the Family* (December 5, 2000). The committee discussed issues relating to training for GALs and agreed to include a number of suggested training topics in a letter to the State Bar. The committee also discussed Memo No. 4, *Three Draft Letters* (December 5, 2000), which contained three draft letters prepared at the committee's request. The first letter, addressed to the Cochairs of the Joint Legislative Audit Committee, requested that the Legislative Audit Bureau be directed to audit various items relating to the compensation of GALs and the provision of family court counseling services. The second letter, to Chief Justice Shirley Abrahamson, in her capacity as Chair of the Supreme Court's Judicial Education Committee, requested that that Judicial Education Committee consider including several items relating to GALs in its judicial education program. The third letter, to George Brown, Executive Director, State Bar of Wisconsin, requested that the Bar provide continuing legal education for GALs that focuses on issues that arise in family law disputes; develop a videotape that addresses the consequences to parties of contesting legal custody or physical placement; and coordinate mentoring for new GALs. The committee suggested a number of changes in the draft letters to be reviewed at the next meeting of the committee.

The committee also discussed a bill draft, WLCS: 0019/1, relating to compensation of guardians ad litem, parent education and parenting plans in actions affecting the family. The draft: (1) clarified current law to provide that parties ordered to pay GAL compensation may be ordered to pay the GAL directly, pay into an escrow fund from which the GAL will be paid, or reimburse the county if it is paid the GAL's compensation; (2) added a requirement that the four-hour educational program for parties in family law cases on the effects of marriage dissolution must include the viewing of a videotape that addresses the financial and other consequences of contesting legal custody or physical placement and the effects of conflict on children; and (3) required parties to file a parenting plan with the court prior to attending the first session of mediation, with certain exceptions. The committee asked for a redraft of this proposal to include language proposed in a memo from Judge Kirk for items to be covered in parent education. The committee also asked staff to prepare a draft requiring a GAL to describe to the court what he or she considered in making the recommendation regarding the best interest of a child.

January 12, 2001: The Special Committee discussed the three draft letters that were revised following the previous meeting to incorporate members' suggestions. The committee agreed to make additional modifications in the three letters and gave final approval to sending the letters, as modified. The committee then discussed WLCS: 0019/2, a redraft of a previous draft. The committee made a number of modifications to the draft and gave final approval to recommending the draft, as amended and renumbered WLC: 0019/3, to the Joint Legislative Council for introduction. The committee considered WLCS: 0057/1, agreed to incorporate a portion of it in WLC: 0019/3 and rejected the remainder of the draft. The committee also considered a draft petition to the Wisconsin Supreme Court asking for modifications to the Supreme Court's rules regarding GAL training. The committee made a modification and

approved the petition, as amended, for submission to the Joint Legislative Council for approval and subsequently, to the Wisconsin Supreme Court. The committee reviewed and decided not to send a letter to Representative Carol Owens, Chair of the Assembly Family Law Committee, and Senator Gary George, Chair of the Senate Judiciary Committee, regarding child support.

PART III

RECOMMENDATION INTRODUCED BY THE JOINT LEGISLATIVE COUNCIL

This part of the report provides background information on, and a description of, the bill recommended by the Special Committee on Guardians Ad Litem in Actions Affecting the Family and approved by the Joint Legislative Council.

2003 ASSEMBLY BILL 244, RELATING TO GUARDIANS AD LITEM, PARENT EDUCATION, AND PARENTING PLANS IN ACTIONS AFFECTING THE FAMILY

Reimbursement of GAL Costs

Background

Current law relating to GAL compensation provides that the court must order either or both parties in an action affecting the family to pay all or any part of the compensation of the GAL. The Special Committee determined that many judges and FCCs are interpreting this provision to require the GAL to collect his or her own fees although many counties prefer to collect the fees for GALs and reimburse them, to eliminate the pressure that a party who is paying the GAL directly may exert. The Special Committee concluded that judges and FCCs should be permitted to require parties to place funds into an escrow account to reimburse the GAL or to order the county to pay the GAL directly and then have the parties reimburse the county.

Description of the Bill

The bill specifies that a court order to pay the compensation of a GAL may direct either or both parties to pay the GAL directly, to pay into an escrow fund from which the GAL is reimbursed, or to reimburse the county of venue for payments made by the county to the GAL.

Compensation of GALs for Indigent Parties

Background

Under current law relating to GAL compensation, if both parties to an action affecting the family are indigent, the court may direct that the county of venue pay the compensation and fees. Prior to the enactment of 1995 Wisconsin Act 27, the 1995-97 Biennial Budget Act, the court was permitted to direct the county of venue to pay compensation and fees of a GAL if either or both parties were unable to pay. In addition, the court was permitted to direct that any or all parties reimburse the county in whole or in part, for the payment. A recent Court of Appeals decision held that the current statute does not permit a court to order the county to pay a GAL's compensation when only one party to an action affecting the family proceeding is found to be indigent. The court stated that the change in the wording of the statute under Act 27 is a clear signal that the Legislature intended to decrease the number of cases in which counties are ordered to pay for GALs. The court concluded that, as currently drafted, the

statute provides that when one party is indigent and the other is not, the court's only option is to order the nonindigent party to pay the GAL's fees. [*Olmsted v. Circuit Court*, 2000 Wi. App. 261, 2000 Wisc. App. LEXIS 1111 (2000).]

The Bill

Under the bill, if either party is indigent, the court may direct that the county of venue pay the GAL compensation and fees for that party.

Income Withholding to Pay Fees

Background

Under current law, the court is not permitted to order an income withholding, or "wage assignment," in order to reimburse the county or a GAL for GAL compensation or to collect fees for mediation services or custody and placement studies.

The Bill

Under the bill, the court may order an income withholding for the amount of GAL reimbursement in favor of the county or the GAL and against a party or parties responsible for the reimbursement. In addition, a court or FCC may order income withholding for one or both parties in order to collect fees for mediation or a custody and placement study.

Parenting Plans

Background

Under current law, in an action affecting the family in which legal custody or physical placement of a child is contested, a party seeking sole or joint legal custody or periods of physical placement must file a parenting plan with the court before any pretrial conference. Unless cause is shown, a party required to file a parenting plan who does not timely file the plan waives the right to object to the other party's plan.

A parenting plan must provide information about questions such as what legal custody or physical placement the parent is seeking, where the parent lives, where the parent works and what hours he or she works, who will provide necessary child care, where the child will go to school, how the child's medical care will be provided and what the child's religious commitment will be, if any. In addition, the parenting plan must discuss how the child's time is proposed to be divided between the two parents and how the parent proposes to resolve disagreements related to matters over which the court orders joint decision-making. Finally, the parenting plan should discuss what child support, family support, maintenance or other income transfer there will be.

Under current law, the parenting plan must be filed with the court before any pretrial conference. Testimony to the Special Committee indicated that there is no definition of pretrial conference and the term is interpreted differently across the state. Also, in some counties, the

pretrial conference is considered to be a conference that is held in preparation for a scheduled trial.

The Special Committee discussed that the parenting plan appears to be a good tool in helping parties come to a mutually satisfactory agreement outside of court about custody and placement arrangements. The committee concluded, therefore, that parties should receive information on the parenting plan soon after commencing an action affecting the family.

The Bill

Under the bill, the clerk of court must provide, without charge, to each person filing a petition in an action affecting the family instructions for completing and filing a parenting plan. In addition, a summons in any action affecting the family must be accompanied by instructions, provided without charge by the clerk of court, for completing and filing a parenting plan.

The bill also provides that at the parties' initial session of mediation in an action affecting the family, the mediator must review with the parties the nonfinancial provisions of the parenting plan.

Finally, under the bill, the parenting plan must be filed with the court within 60 days after the court waives the requirement for the parties to attend mediation or within 60 days after the mediator for the parties notifies the court that the parties have not reached an agreement, unless the court orders otherwise.

Parent Education

Background

Under current law, at any time during the pendency of an action affecting the family in which a minor child is involved and in which the court or FCC determines that it is appropriate and in the best interests of the child, the court or FCC, on its own motion, may order the parties to attend a program specified by the court or FCC concerning the effects on a child of a dissolution of the marriage. In addition, at any time during the pendency of an action to determine paternity of a child, the court or FCC may order either or both of the parties to attend a program specified by the court or FCC that provides training in parenting or coparenting skills or both.

Current law provides that these programs must be educational rather than therapeutic in nature and may not exceed a total of four hours in length. The parties are responsible for the costs, if any, of attendance at the program.

Under current law, the court or FCC may require the parties to attend an educational program as a condition to the granting of a final judgment or order in the action affecting the family that is pending. A party who fails to attend an educational program as ordered or who fails to pay for the educational program may be proceeded against for contempt of court.

Also under current law, at any time during the pendency of a divorce or paternity action, the court or FCC may order the parties to attend a class as approved by the court or FCC and that addresses such issues as child development, family dynamics, how parental separation affects child development and what parents can do to make raising a child in a separated situation less stressful for the child. The court or FCC may not require the parties to attend such a class as a condition to the granting of the final judgment or order in the divorce or paternity action. However, the court or FCC may refuse to hear a custody or physical placement motion of a party who refuses to attend such a class. The parties are responsible for any costs of attending such a class. However, if the court or FCC finds that a party is indigent, any costs that would be the responsibility of that party are paid by the county.

During its deliberations, the Special Committee discussed the importance of educating parties on the effects and consequences of litigation in family court, the financial costs of protracted litigation and the roles and responsibilities of the parties, GALs and attorneys in the cases. The Special Committee concluded that certain changes should be made to current law relating to education programs to better prepare parties for litigation and coparenting after a divorce or other action affecting the family.

The Bill

Under the bill, during the pendency of an action affecting the family in which a minor child is involved, the court or FCC *must* order the parties to attend a program specified by the court or FCC that provides instruction on or training in any of the following that the court or FCC determines is appropriate in the particular case:

- The effects of divorce on a child.
- Working together in the best interest of the child.
- Parenting or coparenting skills, or both.
- The consequences of stipulating to a custody and placement arrangement and of resolution of disputes by the court.
- Available mediation.
- Current law relating to custody and placement.
- The provisions of current law relating to the role and responsibilities of the GAL and the duties and responsibilities of a GAL in representing the best interest of a child.
- The potential costs of an action affecting the family, including the cost of representation by an attorney; mediation fees; legal custody and physical placement study fees; GAL fees and expenses and the fees and expenses of any expert witness ordered to assist the GAL; the costs of mental or physical examinations of a party,

if applicable, including the costs for preparing a written report or court testimony; and any other costs, fees or expenses that may be incurred during litigation.

Under the bill, in the discretion of the court or FCC, the parties may not be required to attend an educational program or may be required to attend separate sessions of the program if the court or FCC finds that attending such a program or attending such a program with the other party would cause undue hardship or endanger the health or safety of one of the parties. When making a determination of whether attending a program or attending the program with the other party would endanger the health or safety of one of the parties, the court or FCC must consider evidence that a party engaged in abuse of the child, evidence of interspousal battery or domestic abuse, evidence that either party has a significant problem with alcohol or drug abuse, and any other evidence indicating that a party's health or safety will be in danger by attending a program or by attending the program with the other party.

Under the bill, the educational program must include *at least* four hours of instruction or training.

The bill provides that the court or FCC may require the parties to an action affecting the family in which a minor child is involved to attend an educational program as a condition to granting a final judgment or order in an action affecting a family. If the parties were not ordered to attend a program because the court or FCC found that attending the program would cause undue hardship or endanger the health or safety of one of the parties, the court or FCC may not condition the granting of the final judgment or order in the action affecting the family on attending the program.

The bill also provides that the court or FCC may refuse to hear a custody or physical placement motion of a party who refuses to attend an educational program.

Committee and Joint Legislative Council Votes

The bill described in this report was first introduced in the 2001 Legislative Session as 2001 Senate Bill 126. The bill did not pass in the 2001 Session. On March 12, 2003, the Joint Legislative Council voted unanimously to reintroduce the proposal into the 2003-04 Legislature. The votes by the Special Committee and by the Joint Legislative Council for introduction of the proposal are listed below.

SPECIAL COMMITTEE VOTE

At its January 12, 2001 meeting, the Special Committee voted to recommend WLC: 0019/3 to the Joint Legislative Council for introduction in the 2001-02 Session of the Legislature. The vote on the draft is as follows:

- WLC: 0019/3, relating to guardians ad litem, parent education and parenting plans in actions affecting the family: Ayes, 13 (Sens. Plache and Huelsman; Reps. Gundrum, and Owens; and Public Members Barrett, Cranley, Fahrenkrug, Hansen, Kirk, Onheiber, Pfeiffer, Ptacek and Screnock); Noes, 0; and Absent, 6 (Sens. Shibilski and Welch; Rep. Staskunas; and Public Members Delaney, Gemignani and Serlin).

JOINT LEGISLATIVE COUNCIL VOTES

At its March 14, 2001 meeting, the Joint Legislative Council voted to introduce WLC: 0019/3 on a roll call vote as follows: Ayes, 18 (Sens. Risser, Baumgart, Burke, Darling, George, Grobschmidt, Robson, Rosenzweig and Zien; and Reps. Rhoades, Bock, Foti, Freese, Gard, Huber, Jensen, Lehman and Stone); Noes, 0; and Absent, 4 (Sens. Chvala and Panzer; and Reps. Black and Krug).

WLC: 0019/3 was subsequently introduced as 2001 Senate Bill 126 on April 4, 2001 and was referred to the Senate Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform.

At its March 12, 2003 meeting, the Joint Legislative Council voted unanimously to reintroduce 2001 Senate Bill 126 into the 2003-04 Session of the Legislature. The bill was subsequently introduced as 2003 Assembly Bill 244.

APPENDIX 2

JOINT LEGISLATIVE COUNCIL

s. 13.81, Stats.

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This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the cochairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

GUARDIANS AD LITEM IN ACTIONS AFFECTING THE FAMILY

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STUDY ASSIGNMENT: The Committee is directed to study the guardian ad litem system as it applies to actions affecting the family, including an examination of the appointment, role, supervision, training and compensation of guardians ad litem. The review of the appointment of guardians ad litem shall include the necessity of appointment in contested custody or placement cases and whether professionals with specialized expertise in the emotional and developmental phases and needs of children should be appointed to act as guardians ad litem. The Committee shall prepare a report of any recommended legislation and shall petition the Wisconsin Supreme Court to consider rules for the reform of the guardian ad litem system in actions affecting the family based on the Committee's recommendations that are more appropriate for supreme court rules. The Special Committee shall report its recommendations to the Joint Legislative Council by January 1, 2001.

Established by a May 18, 2000 mail ballot; Cochairs appointed by a June 13, 2000 mail ballot; and members appointed by an August 14, 2000 mail ballot.

19 MEMBERS: 4 Senators; 3 Representatives and 12 Public Members.

LEGISLATIVE COUNCIL STAFF: Anne Sappenfield, Senior Staff Attorney; Pam Shannon, Senior Staff Attorney; and Julie Learned, Support Staff.

⁽¹⁾ Appointed as a Public Member of the Special Committee by an October 12, 2000 mail ballot.

Committee Materials List

September 13, 2000 Meeting

[Staff Brief 00-2](#), Guardians Ad Litem in Actions Affecting the Family (9-6-00)

October 24, 2000 Meeting

[Memo No. 1](#), Issues Raised for Consideration by the Special Committee on Guardians Ad Litem in Actions Affecting the Family (10-13-00)

[Material](#) submitted by Jan Raz, President, Wisconsin Fathers for Children and Family (10-6-00)

[Letter](#) from Robert and Rosemary Albrecht (10-10-00)

November 14, 2000 Meeting

[Memo No. 2](#), Issues Raised for Consideration by the Special Committee on Guardians Ad Litem in Actions Affecting the Family (11-7-00)

December 12, 2000 Meeting

[Memo No. 3](#), Issues Raised for Consideration by the Special Committee on Guardians Ad Litem in Actions Affecting the Family (12-5-00)

[Memo No. 4](#), Three Draft Letters (12-5-00)

[WLCS: 0019/1](#), relating to compensation of guardians ad litem, parent education and parenting plans in actions affecting the family

[Draft petition](#) to the Wisconsin Supreme Court

[Letter](#) from Joseph Vaughn (11-17-00)

January 12, 2001 Meeting

[Memo No. 5](#), Revised Draft Letters (1-5-01)

[WLCS: 0019/2](#), relating to guardians ad litem, parent education and parenting plans in actions affecting the family

[WLCS: 0057/1](#), relating to mediation and parenting plans in actions affecting the family

[Draft letter](#) to Representative Carol Owens and Senator Gary George, relating to child support legislation

[Memorandum](#) from Representative Tony Staskunas, WLCS: 0019/1 (1-4-01)