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Rodriguez Bill Improving Family Law Moves to Governor’s Desk

MADISON – Representative Jessie Rodriguez (R-Oak Creek) applauded her colleagues in the Assembly for unanimously concurring on 2021 Senate Bill 116 ([SB 116](#))/Assembly Bill 113 ([AB 113](#)), legislation that will allow for changes to a physical custody or placement order contingent upon a future event.

In custody or physical placement orders, there are often foreseeable events that will occur (such as a child beginning school) that would require changes in a placement schedule. This legislation by Rep. Rodriguez and Sen. Joan Ballweg (R- Markesan) allows the court to approve anticipated modifications to a custody or physical placement order without returning to court, as long as both parties agree.

“This proposal gives parents greater flexibility to negotiate orders based on the family’s individual needs. Making these changes will reduce the likelihood of parental conflict, which can be harmful to a young child,” said Rep. Rodriguez.

The bill stipulates that contingency placements cannot be based on anticipated parental behavior modification (such as completion of an anger management course or AODA treatment). In addition, incarceration for certain crimes would deem a parent ineligible for a contingency placement.

“Last session, when I was the chair of the Assembly Committee on Family Law, we ran into some concerns that the proposal [2019 Assembly Bill 95 at the time] could potentially place victims of domestic violence in situations where they could be influenced by their abuser,” said Rodriguez. “We addressed this concern with an amendment last session, and this session I am proud to say that we included that language in the original bill by stipulating that a contingency placement cannot be based on things such as completion of an anger management course.”

“This proposal will benefit parents, children and the family court system. This bill is the outcome of over three years of hard work, and I applaud my colleagues for passing SB 116 unanimously today. I urge the Governor to sign this broadly bipartisan bill as soon as it arrives on his desk,” said Rep. Rodriguez.

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