



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4699/1
SWB:wlj

2021 SENATE BILL 603

October 8, 2021 - Introduced by Senators BALLWEG, MARKLEIN, JOHNSON and ROYS, cosponsored by Representatives J. RODRIGUEZ, SNYDER, DOYLE, BILLINGS, CABRERA, DITTRICH, DUCHOW, KUGLITSCH, TUSLER and SINICKI. Referred to Committee on Judiciary and Public Safety.

- 1 **AN ACT to amend** 757.69 (1) (p) 1. of the statutes; **relating to:** allowing a court
2 commissioner to address stipulated final legal separation hearings.

Analysis by the Legislative Reference Bureau

This bill extends the authority of a court commissioner to preside over a final hearing in an action for legal separation under certain circumstances. Under current law, a court commissioner may preside over a final hearing to determine whether a judgment of divorce will be granted if both parties to the action state that the marriage is irretrievably broken and that the parties have resolved all material issues or if one party does not participate in the divorce action. This bill extends that authority to actions for legal separation. Under the bill, the court commissioner may preside over a final hearing to determine if a judgment of legal separation will be granted if both parties to the action state that the marital relationship is broken and that the parties have resolved all material issues. The court commissioner may also preside over any hearing held to determine whether a judgment of legal separation will be granted when one party does not participate in the action. Under current law, a court commissioner may proceed to grant and enter judgment in an action for divorce over which the commissioner has presided unless the commissioner does not approve of an agreement between the parties on material issues. Under the bill, a court commissioner may exercise that same authority in an action for legal separation.

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

