

Rep. Jessie Rodriguez, Sen. Ballweg: Wisconsin simplifies the process for legal separations

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MADISON – Senator Joan Ballweg (R-Markesan) and Representative Jessie Rodriguez (R-Oak Creek) authored [Senate Bill 603](#), which will allow court commissioners to grant legal separations when the terms of the separation are fully stipulated. This bill was signed into law as [2021 Wisconsin Act 169](#) today.

Under current law, circuit court commissioners are able to preside at and grant a fully stipulated divorce. However, they are not able to preside at and grant a fully stipulated legal separation. Legal separations address the same issues that are generally addressed in a divorce case: custody, placement, support issues, division of property, and other financial orders. Act 169 will extend the authority of a court commissioner to preside over final hearings in actions for legal separation if both parties state that the marital relationship is broken and that the parties have resolved all material issues.

“This update to our statutes will eliminate the need for litigants to appear in court when the terms of their separation are already stipulated, which will allow our overwhelmed court system to spend more time on contested matters. This is especially important as our courts continue to address the backlog they have been dealing with because of the pandemic,” commented Rep. Rodriguez.

Senate Bill 603 passed the Assembly and the Senate unanimously, and is supported by the Family Law Section of the State Bar and End Domestic Abuse Wisconsin.

“Divorces and legal separations can be messy, but this change to our state laws will smooth over the process for receiving a legal separation in our state and allow

families to minimize the time and money they spend on the court process,” concluded Sen. Ballweg.