

Rep. Rodriguez: Two Rodriguez Bills simplifying family law move to Governor's desk

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MADISON - The Wisconsin Assembly unanimously concurred on 2021 Senate Bills [603](#) and [604](#), bills authored by Rep. Jessie Rodriguez (R-Oak Creek) and Sen. Joan Ballweg (R-Markesan) that seek to improve the family law system and its impact on Wisconsin families.

Under current law, a circuit court commissioner may preside at and grant a fully stipulated (i.e. agreed upon) divorce, just as a circuit court judge can. However, current law does not allow court commissioners to preside at and grant a fully stipulated legal separation. Instead, only a judge can finalize legal separations. This requires an additional court proceeding, even in the case of legal separations that have been fully agreed upon by both parties. SB 603 will extend the authority of a court commissioner to preside over a final hearing in an action for legal separation if both parties to the action state that the marital relationship is broken and that the parties have resolved all material issues.

“Extending the ability to preside over legal separations to court commissioners will result in more timely resolutions of legal separations, provide circuit courts with more time to concentrate on contested matters, and result in fewer hearings and lower costs to litigants,” said Rep. Rodriguez.

After a divorce is final, current law requires the parties to exchange financial information on an annual basis where there is either a child support or family support order in effect. However, there is no language in statute that specifies what

specific financial information is to be exchanged. SB 604 will clarify which financial documents are to be exchanged and require that the documents be exchanged by May 1st of each calendar year. Additionally, the bill outlines information that may be redacted, either for privacy or safety reasons. Lastly, this bill will extend the requirement that the exchange of financial information take place to those paying or receiving maintenance (formerly known as alimony), which is not currently required.

“These changes to current law will have a positive impact on the family court system,” commented Rodriguez. “Clarifying *what* financial information needs to be exchanged and *when* the documentation is due will reduce litigation, provide parity among parties, and help determine accurate amounts for child support, family support, or maintenance.”

Both bills passed in the Senate unanimously in January, so with today’s action by the Assembly the bills now head to Gov. Tony Evers’ desk.