

1989 Assembly Bill 210

Date of enactment: **March 16, 1990**
Date of publication*: **March 30, 1990**

1989 WISCONSIN ACT 132

AN ACT *to renumber and amend* 767.07 (2); *to amend* 767.085 (1) (c); and *to create* 767.07 (2) (b), 767.085 (1) (cm) and 767.12 (3) of the statutes, **relating to:** grounds for legal separation of spouses.

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

SECTION 1. 767.07 (2) of the statutes is renumbered 767.07 (2) (a) and amended to read:

767.07 (2) (a) The In connection with a judgment of divorce or legal separation, the court finds that the marriage is irretrievably broken under s. 767.12 (2); and, unless par. (b) applies.

SECTION 2. 767.07 (2) (b) of the statutes is created to read:

767.07 (2) (b) In connection with a judgment of legal separation, the court finds that the marital relationship is broken under s. 767.12 (3); and

SECTION 3. 767.085 (1) (c) of the statutes is amended to read:

767.085 (1) (c) That If the relief requested is a divorce or a legal separation in which the parties do not

file a petition under s. 767.12 (3), that the marriage is irretrievably broken, or, alternatively, that both parties agree that the marriage is irretrievably broken.

SECTION 4. 767.085 (1) (cm) of the statutes is created to read:

767.085 (1) (cm) If the relief requested is a legal separation and the parties have filed a petition under s. 767.12 (3), that both parties agree that the marital relationship is broken.

SECTION 5. 767.12 (3) of the statutes is created to read:

767.12 (3) **BREAKDOWN OF MARITAL RELATIONSHIP.** If both of the parties by petition or otherwise have stated under oath or affirmation that the marital relationship is broken, the court, after hearing, shall make a finding that the marital relationship is broken.