



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2005 Wisconsin Act 101**  
[2005 Assembly Bill 522]

**Custody and Physical Placement  
Determinations**

2005 Wisconsin Act 101 requires a court to consider, among other factors, in determining legal custody and physical placement of a child in an action affecting the family (e.g., a divorce) whether a person with whom a parent of the child has a dating relationship or a person who resides, has resided, or will reside regularly or intermittently in a proposed custodial household has a criminal record or whether there is evidence that such a person engaged in abuse of the child or any other child or neglected the child or any other child. The court must consider this factor in an action to modify an order for legal custody or physical placement, as well, and must also consider whether a stepparent of the child has a criminal record and whether there is evidence that a stepparent of the child has engaged in abuse of the child or any other child or neglected the child or any other child.

**Effective Date:** Act 101 takes effect on January 20, 2006 and first applies to actions or proceedings that are commenced on that date.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.