



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 442
[2005 Senate Bill 99]

Service of a Responsive Pleading

Prior to the enactment of 2005 Wisconsin Act 442, the general time period for serving a responsive pleading was 45 days. This was the basic rule in civil procedure and in specified proceedings including appeals in worker's compensation cases and appeals of alcohol licensing decisions.

Act 442 generally provides that a responsive pleading must be made within 20 days, except that a 45-day period applies in the following cases:

1. The defendant is the state or an officer, agent, employee, or agency of the state.
2. The defendant in an action is an insurance company or the complaint alleges that a tort occurred.

Effective Date: The Act takes effect on October 1, 2006 and first applies to actions commenced on October 1, 2006.

Prepared by: Ronald Sklansky, Senior Staff Attorney

May 26, 2006

RS:jal

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/>.