



## 1995 ASSEMBLY BILL 372

May 10, 1995 - Introduced by Representatives BOYLE, GREEN, KRUG, NOTESTEIN, PLOMBON, BELL, COGGS, WIRCH, BLACK, RILEY, R. POTTER and WASSERMAN, cosponsored by Senators JAUCH, BURKE, HUELSMAN, ANDREA, DARLING and CLAUSING. Referred to Committee on Judiciary.

1 **AN ACT to amend** 895.73 (2) of the statutes; **relating to:** the presence of a victim's  
2 service representative at interviews and meetings.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a victim of domestic abuse, harassment, sexual exploitation by a therapist, sexual assault or child abuse has the right to select a service representative (a member of an organization or program that provides support services to victims without charging a fee) to attend hearings, depositions and court proceedings with the victim. Current law gives the service representative the right to attend those hearings, depositions and court proceedings with the victim and to confer with the victim during those events, except when the victim is testifying or is represented by private counsel.

This bill allows the service representative to also attend all interviews and meetings related to the hearings, depositions and court proceedings and to confer with the victim during those events.

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

3 **SECTION 1.** 895.73 (2) of the statutes is amended to read:

4 895.73 (2) **RIGHT TO BE PRESENT.** A complainant has the right to select a service  
5 representative to attend, with the complainant, hearings, depositions and court  
6 proceedings, whether criminal or civil, and all interviews and meetings related to  
7 those hearings, depositions and court proceedings, if abusive conduct is alleged to

1 have occurred against the complainant or if a crime is alleged to have been committed  
2 against the complainant and if the abusive conduct or the crime is a factor under s.  
3 767.24 or is a factor in the complainant's ability to represent his or her interest at the  
4 hearing, deposition or court proceeding. The complainant shall notify the court  
5 orally, or in writing, of that selection. A service representative selected by a  
6 complainant has the right to be present at every hearing, deposition and court  
7 proceeding and all interviews and meetings related to those hearings, depositions  
8 and court proceedings that the complainant is required or authorized to attend. The  
9 service representative selected by the complainant has the right to sit adjacent to the  
10 complainant and confer orally and in writing with the complainant in a reasonable  
11 manner during every hearing, deposition or court proceeding and related interviews  
12 and meetings, except when the complainant is testifying or is represented by private  
13 counsel. The service representative may not sit at counsel table during a jury trial.  
14 The service representative may address the court if permitted to do so by the court.

15 **SECTION 2. Initial applicability.**

16 (1) This act first applies to interviews and meetings occurring on the effective  
17 date of this subsection.

18 (END)