

LEGAL SERVICES

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MEMORANDUM

March 4, 2016

SUBJECT: CSSB 180() relating to the temporary delegation by a parent or guardian of powers related to a child
(Work Order No. 29-LS1431\P)

TO: Senator Cathy Giessel
Attn: Kari Nore

FROM:  Terry Bannister
Legislative Counsel

This memo addresses the bill described above.

Return of child after revocation. The requested changes made to sec. 13.26.023(b) raise a question about the last sentence of sec. 13.26.023(b). The requested changes extend the revocation of a power of attorney to the revocation of the power of attorney of another parent or guardian of the child. But the last sentence is unclear as to coverage and may be interpreted to only address what happens to the child when a parent or guardian revokes the parent or guardian's own power of attorney. You may want to consider clarifying what this sentence covers and whether you want it to address the return of the child when a parent or guardian revokes a power of attorney made by another parent or guardian. You have indicated that you do not want to change the last sentence of sec. 13.26.023(b) at this time.

If I may be of further assistance, please advise.

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Attachment