AN ACT ***to amend*** 808.04 (8) of the statutes; **relating to:** filing of notice of intent to appeal.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft was prepared for the joint legislative council's special committee on adoption and termination of parental rights (TPR) law.

Current s. 808.04 (8), stats., provides that if the record discloses that the judgment or order appealed from was entered after the notice of appeal was filed, the notice of appeal shall be treated as filed after such entry and on the day thereof. Currently, this provision affects a few TPR cases each year where a notice of intent to appeal (which is required in TPR cases, under s. 809.107, stats.) is filed prior to the entry of the judgment or order. In those cases, the notice of intent to appeal is treated as being filed too early and in violation of s. 808.04 (8), stats.

This draft amends s. 808.04 (8), stats., to provide that if the record discloses that the judgment or order appealed from was entered after the notice of appeal or the notice of intent to appeal was filed, the notice of appeal shall be treated as filed after such entry and on the day thereof.

SECTION 1. 808.04 (8) of the statutes is amended to read:

808.04 **(8)** If the record discloses that the judgment or order appealed from was entered after the notice of appeal <u>or intent to appeal</u> was filed, the notice of appeal shall be treated as filed after such entry and on the day thereof.

(END)