AN ACT ***to amend*** 48.43 (6) of the statutes; **relating to:** creating a time limit for bringing a collateral attack against a judgment terminating parental rights.

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.

Under current law, a person whose parental rights have been terminated may petition for a rehearing on the grounds that new evidence has been discovered affecting the advisability of the court's adjudication no later than one year after the date on which the TPR judgment was entered. However, a parent who has consented to the TPR or who did not contest the TPR petition may move for relief from the judgment no later than 30 days after entry of the TPR judgment. This bill prohibits any person, for any reason, from collaterally attacking a TPR judgment more than one year after the date on which the time limit for filing an appeal from the judgment has expired, or more than one year after the date on which all appeals from the judgment, if any were filed, have been decided.

SECTION 1. 48.43 (6) of the statutes is amended to read:

48.43 **(6)** Judgments under this subchapter terminating parental rights are final and are appealable under s. 808.03 (1) according to the procedure specified in s. 809.107 <u>, and are subject to a petition for rehearing or a motion for relief only as provided in s. 48.46 (1m) and (2). In no event may any person, for any reason, collaterally attack a judgment terminating parental rights more than one year after the date on which the time limit for filing an appeal from the judgment has expired, or more than one year after the date on which all appeals from the judgment, if any were filed, have been decided</u>.

(END)