**NOTICE OF MOTION AND MOTION TO PRECLUDE COMPETENCY INQUIRY**

**AND FOREGO ADMINISTRATION OF THE OATH**

##### State of Wisconsin

 PLEASE TAKE NOTICE that on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, at \_\_\_\_\_ o’clock in the \_\_\_\_\_\_noon, before the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Circuit Court Judge, Branch \_\_\_\_, the plaintiff, State of Wisconsin, through Assistant Attorney General \_\_\_\_\_\_\_\_\_\_\_\_\_, will move the court for an order:

 1. To dispense with the formality of administering an oath to child witness \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , date of birth \_\_\_/\_\_\_/\_\_\_.

 2. To preclude questioning by the court or counsel to determine the “competency” of child witness \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , date of birth \_\_\_/\_\_\_/\_\_\_.

 AS GROUNDS THEREFORE and in support thereof, the State relies on §§ 906.01, 906.03, 906.11, Wis. Stats., *State v. Hansen,* 439 N.W.2d 133 (Wis. 1989), and the attached memorandum of law.

DATED at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Assistant District Attorney