

2794C INSOLVENCY: DEFINED – WIS. STAT. § 242.02(2)

(Debtor) was insolvent (at the time) (as a result) of the transaction if, at fair valuation, the total amount of (his) (her) (its) debts was greater than the total amount of (his) (her) (its) assets.

In determining (debtor)’s assets, do not include property that has been transferred, concealed, or removed with intent to hinder, delay, or defraud creditors. [In determining (debtor)’s debts, do not include a debt to the extent it is secured by a valid lien on (his) (her) (its) property that is not included as an asset.]¹

NOTES

1. Include the bracketed final sentence if it is relevant to the facts of the case. See Wis. Stat. § 242.02(1)(b).

COMMENT

This instruction and comment were approved in October 2025.

This instruction sets forth the statutory definition of “insolvency” within the Uniform Voidable Transactions Act. See Wis. Stat. § 242.02.