



2023 WJCCA NEW JUVENILE CLERK ORIENTATION

July 26, 2023

Welcome and Overview

Lisa Milella
WJCCA President
Juvenile Clerk, Washington County

Justin Wolff
Legal Advisor, Children's Court Improvement
Program

Learning Objectives

1. Learn about the Children's Court Improvement Program and the WJCCA organization
2. Identify the various resources available to Juvenile Clerks
3. Obtain information about juvenile court clerk practice
4. Learn about new clerk mentorship

BINDER MATERIALS

	Tab
▪ Agenda	1
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ONLINE MATERIALS

**New Clerk Orientation Materials
available at:**

www.wicciptraining.com

“Resources” tab at the top of the screen>
Training Materials>WJCCA



Overview of WJCCA and CCIP

Linda Redman

Register in Probate/Juvenile Clerk, Crawford County

Justin Wolff

Legal Advisor, Children's Court Improvement Program

HISTORY OF THE ASSOCIATION

- Formation of the Wisconsin Juvenile Court Clerk Association (WJCCA)
- First Meeting – April 1987
 - Stevens Point, Wisconsin
- Constitution and Bylaws



CHANGES SINCE 1987

- Role of the Juvenile Clerk
 - Workload
 - Laws
 - Technology
- In 2007, partnership with the CCIP to co-sponsor the WJCCA New Juvenile Clerk Orientation and Annual Conference



HOW CAN WJCCA HELP YOU?

- Support
- Networking
- Educational Opportunities
- Listserv for Juvenile Clerks



WEBSITES

COURTNET



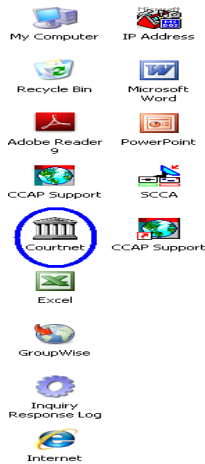
- Court staff only
- Model record keeping and other procedures
- Bulletins
- Travel forms
- Calendars and directories

WICOURTS.GOV



- Public website
- Standard court forms and form summaries
- WCCA
- Opinions
- Court system organization

COURTNET ICON



CONTACTS

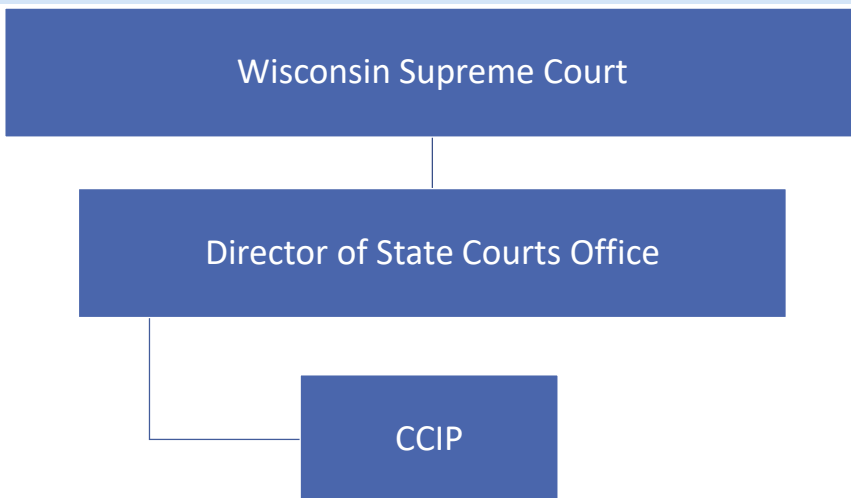
- Join the Juvenile Clerks listserv by sending email:
 - To: LISTSERV@LIST1.WICOURTS.GOV
 - Subject: Leave blank
 - Body of Message: SUB Juvenile-Court-Clerks MAIL Your Name (e.g. "SUB Juvenile-Court-Clerks MAIL Terry Reynolds")
- Add name to Juvenile Court Clerks group e-mail address
 - If not already included in group, contact CCAP

CHILDREN'S COURT IMPROVEMENT PROGRAM

- **CCIP** = Children's Court Improvement Program
- Federal grant began in 1995
 - Expanded in 2005
 - All 50 states, D.C., Puerto Rico, and U.S. Virgin Islands receive funding
- Grant continues to be reauthorized by Congress



ORGANIZATIONAL STRUCTURE



CCIP STAFF

- Answer questions and provide technical assistance to clerks, judges, attorneys, tribes, county agencies, DCF, etc.
 - Bridget Mauerman, Director
 - Bridget.Mauerman@wicourts.gov
 - Kristen Wetzel, Legal Advisor
 - Kristen.Wetzel@wicourts.gov
 - Justin Wolff, Legal Advisor
 - Justin.Wolff@wicourts.gov
 - Hilary Xayvong, Program Assistant
 - Hilary.Xayvong@wicourts.gov



CCIP Trainings

- WJCCA New Clerk Orientation & Conference
- Child Welfare Law Orientation
 - Annual, required program for all circuit court judges to attend once within each 6-year term
- Conference on Child Welfare and the Courts – Sept. 27-29, 2023 in Wisconsin Dells
 - Co-sponsored by Wisconsin Department of Children & Families (DCF)
 - Multidisciplinary, including judicial officers, juvenile clerks & DCAs
 - In-Person or virtual attendance available (Free!)
- Webinars
 - Upcoming: *Understanding and Assessing Child Maltreatment Related Statements of Children*
 - 8/16/2023 from 12:00-1:30 p.m.
 - Recordings of past webinars and resources available at: wicciptraining.com
- Juvenile Clerks Meet-Up
 - Next Meet-Up: Sept. 13, 2023 from 12:00 p.m. – 1:00 p.m.



CCIP GRANT ACTIVITIES

- Improvement Efforts
 - Tailored Dispositional Orders Project
 - WICWA Continuous Quality Improvement Reviews
 - TPR Timeliness Project
 - Judicial Engagement Team (JET) Initiative
- Committees
 - Wisconsin Judicial Committee on Child Welfare
 - Wisconsin Commission on Children, Families and the Courts
 - Subcommittees as needed
 - Juvenile Clerks Workgroup



CCIP E-Learning Activities www.wicciptraining.com

- Online training resource for CHIPS, TPR, guardianship, adoption, and other child welfare proceedings and topics
- 21 learning activities
 - ▶ Currently undergoing design updates
- Each activity is 10-35 minutes
- Judicial officers may earn 2.6 Judicial Education Credits each reporting period
- Contains statutory requirements, case law, best practices, and case management tips
- Hyperlinks to statutory references and forms



WISCONSIN CHILDREN'S COURT IMPROVEMENT PROGRAM

Welcome

E-Learning Activities

Training Calendar

Resources

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FAQ

Welcome

Welcome to the Wisconsin Children's Court Improvement Program (CCIP) website for the CCIP E-Learning Project. To access training modules on child in need of protection or services and termination of parental rights court case processing, as well as other child welfare specialty topics, click on or hover over the E-Learning Activities icon.



About CCIP

The Children's Court Improvement Program (CCIP) is a federal grant awarded to the Wisconsin Supreme Court, Director of State Courts Office to enhance the processing of child welfare cases in the court system. The CCIP E-Learning Project is one of several activities supported by CCIP funding. Visit the [CCIP page](#) on the court system's website for more information.


Announcements

Registration Open: 2023 Conference on Child Welfare and the Courts: Better Together. Uniting for Children
 CCIP and the Department of Children and Families invite you to attend this free event being held September 27-29, 2023 at Wilderness Resort in Wisconsin Dells and virtually. The conference will bring county, tribal, and state stakeholders together to advance sustainable solutions to improve the lives of children and families by building on their own strengths. The conference will highlight innovative child welfare practices from around the state and country. For additional information or to register, you may access the conference website by clicking [HERE](#).

Tailored Dispositional Orders Project
 The Children's Court Improvement Program (CCIP) and the Department of Children and Families (DCF) are expanding the Tailored Dispositional Orders Project to additional counties. The project seeks to collaboratively bring together child welfare agency, court, and legal partners to improve conditions for return in CHIPS cases and/or conditions of supervision in Youth Justice cases while utilizing the SMART goals framework. Additional information about the project can be found under the [Resources](#) page.

Please contact Kristen.Wetzel@wiscourts.gov if your county is interested in learning more about the Tailored Dispositional Orders Project.

Judicial Education Credits for CCIP E-Learning
 Wisconsin judicial officers may earn 2.6 Judicial Education Credits during each six-year reporting period for viewing all 21 of the CCIP E-Learning activities.


CHILDREN'S COURT IMPROVEMENT PROGRAM
 WISCONSIN

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[E-Learning Activities](#)
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E-Learning Activities

The materials and learning activities provided on this website should not be construed as legal advice and are meant for informational purposes only. Please use Microsoft Edge, Chrome, or Firefox browsers to view the learning activities. Newer versions of Internet Explorer (IE11) will no longer be supported by Microsoft.

Module 1: Child in Need of Protection or Services

Temporary Physical Custody Hearing	28:30
Plea Hearing	24:30
Fact-Finding Hearing	16:30
Consent Decree	12:00
Dispositional Hearing	33:15
Extension Hearing	15:00
Revision Hearing	12:30
Change in Placement	33:00
Permanency Hearing	33:00
Case Closure Order	11:30

Module 2: Termination of Parental Rights

Voluntary Hearing on the Petition	23:30
Involuntary Hearing on the Petition	32:00
Involuntary Fact-Finding Hearing	21:00
TPR Dispositional Hearing	24:00

Module 3: Specialty Topics

Interstate Compact on the Placement of Children	14:30
Adoption	19:00
Qualified Residential Treatment Program	15:00
WICWA	39:00
Child Safety Decision-Making	26:45
§ 48.977 Guardianship	17:30
§ 48.9795 Guardianship	29:00

CIP

CHILDREN'S COURT IMPROVEMENT PROGRAM

WISCONSIN

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Resources

Resources provided on this website should not be construed as legal advice and are meant for informational purposes only. Please note that this information may not be up to date.

Judicial Resources

+

Training Materials

-

Child Welfare Law Orientation – Attorneys

+

Child Welfare Law Orientation – Judicial Officers

+

Webinars

-

Case Closure Orders: Adopting Family Law Procedures in Juvenile Court

Ethical Considerations in Juvenile Court: Child Participation and Representation

Minor Guardianship Legislation Outline

List of Minor Guardianship Circuit Court Forms

Minor Guardianship – Attorneys

Minor Guardianship – Judicial Officers

Minor Guardianship – Clerks, Registers, Juvenile Clerks

WICWA Fundamentals

WICWA Webinar Series – History & Jurisdiction PowerPoint

WICWA Webinar Series – Identification, Notice & Rights PowerPoint and WICWA Checklist

WICWA Webinar Series – Active Efforts PowerPoint and Active Efforts Guide

WICWA Webinar Series – Qualified Direct Witnesses, Placement Preferences & Burdens of Proof PowerPoint and ICWA Jury Instructions

QRTP – Circuit Court Form Changes

QRTP – JD-1826 Request for QRTP Findings

QRTP – JD-1827 Findings and Order for QRTP

QRTP – DCJ Permanency Plan Addendum for QRTP

QRTP – Presentation PowerPoint

QRTP – Resource Guide

Reasonable Efforts Webinar – PowerPoint

Reasonable Efforts Webinar – Early Representation of Parents Article

Reasonable Efforts Webinar – Relative Placement Article

Reasonable Efforts Webinar – The Urgency of Placing Children with Relatives Article

Reasonable Efforts Webinar – Family Time Article

Juvenile Records Webinar – PowerPoint

Juvenile Records Webinar – JD-1738 & JD-1739 Circuit Court Forms

Juvenile Records Webinar – Herpet Procedures – Sample Letter to Parents

ICEBREAKERS

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Mentor Information

Jody Bartels

Register in Probate/Juvenile Clerk, Grant County

Tips for New Juvenile Clerks

Jessica Hermann

Register in Probate, Chippewa County

Justin Wolff

Legal Advisor, Children's Court Improvement Program

Case Numbering

- When using alpha suffixes, limit to same child/juvenile in the same calendar year.
 - Correct: 09JV01, 09JV01A, 09JV01B
 - Incorrect: 08JV01, 09JV01A, 11JV01B
 - Note: to use alpha suffixes, auto-sequencing must be turned off and case number entered manually.
- Open one TP case for each termination of parental rights (TPR) petition filed; not one for each parent.
 - Unless filed under two separate petitions.
 - May want to add note under charges indicating which grounds apply to which parent.



Case Opening

- Open a Juvenile Guardianship (JG) case for § 48.977, § 48.9795, or § 48.831 guardianship of the minor person.
 - Create separate JG case for each § 48.9795 petition filed on same child (i.e., emergency, temporary, limited, full).
 - Create separate JG case for Ch. 48 guardianships where child/juvenile is subject to a CHIPS/JIPS; do not file guardianship in the JC/JV case.
- Open a Guardianship (GN) case for a Ch. 54 guardianship of estate of a minor.
 - If a guardianship of the person and estate are consolidated, both cases should be consolidated into the JG case.



Case Opening cont'd.

- Only use Juvenile Injunction (JI) case type when:
 - Respondent is a child, or
 - There is a pending CHIPS case involving the same child victim.
- Use Group Juvenile (GJ) case type when appropriate, including:
 - Temporary Physical Custody without a petition.
 - Cross-reference the GJ with JC/JV, if filed.
 - Search warrants.
 - Denied Temporary Restraining Order.
 - TPR Consent for case in another jurisdiction.
 - Orders denying jurisdiction.
 - Voluntary Placement Agreement or Delegation of Parental Powers
 - Indian child.
 - Unless there is already an open case.
 - Appeal of agency's maltreatment substantiation decision.
 - Restoration of parents' names on birth certificate.
 - Firearm restriction removal for restrictions placed in different county.
 - Access to agency and law enforcement records, if no case filed or filed in a different county.



Case Management

- Cross-reference, *at minimum*, all CHIPS, TPR, guardianship, and adoption cases for the same child.
- Dismiss cases with a consent decree in CCAP once the consent decree has expired.
 - No additional filing or court action required.
 - Use CDTD (Consent Decree Termination Date) activity code.
- File paperwork related to permanency planning in TP case (not JC) after parental rights have been terminated.
 - Do not send parents notices after rights are terminated; withdraw as parties after 30 days.
- Enter APRO (Administrative Permanency Review Occurred) event code in CCAP using date the admin/panel review occurred.
 - Use the APRSF code when the summary is filed.



Parties and Notice

- Use Notice Recipient feature to electronically send case participants (w/ email addresses) CCAP generated notices.
 - CCAP generated orders may also be sent via the Notice Recipient feature.
- Enter child's/juvenile's foster parent/relative caregiver as a Notice Recipient in CCAP and send notice of all hearings directly to foster parent/relative caregiver (not to the child).
- Additionally, send notice of the Permanency Hearing to:
 - The child's/juvenile's school.
 - Operator of the facility if the child/juvenile is placed in a group home, residential treatment center, or other facility.
- Use Notice of Permanency Hearing form (JD/IW-1700) to provide notice and additional advisements applicable to Permanency Hearings.



Parties and Notice cont'd.

- Refer CHIPS cases to the State Public Defender's Office (SPD) for appointment of adversary counsel when child is 12 years or older at time of any hearing.
 - Court has authority to refer children under 12 in CHIPS cases, any child in a TPR case, or a minor parent in a CHIPS case to SPD for appointment of counsel, if appropriate.
 - Send notices of all post-dispositional hearings to local SPD using the Notice Recipient feature by adding the local office as a Notice Recipient.
- Send the Notice to School Board (JD-1725) in CHIPS, JIPS, and delinquency cases when appropriate, including:
 - Delinquency petition alleging felony offense AND any subsequent dismissal.
 - Any delinquency adjudication (not consent decree).
 - Attending school is a condition of a CHIPS/JIPS dispositional order.
 - Child's/juvenile's school changes as a result of a dispositional order.



Transfer of Venue

- When transferring a case from one county to another county, transfer case electronically using procedures found at: <http://help.wicourts.gov/cc/index.htm>
- If a case is being transferred post-disposition, the disposition code of COVCC (Change of Venue - Closed Case) will automatically be entered as an event in the receiving county's case.
- When transferring a case to a tribal court, use circuit court forms IW-1740 and IW-1741 and follow the procedures contained in the ICWA Model Record Keeping Procedures.



Court Orders (if performed by clerk)

- Provide the specific name of the placement on the dispositional order when the child/juvenile is placed outside the home.
- Enter one child per order only. Prepare separate orders for sibling cases.
- Prepare an order for change in placement when the child's placement is changed with *or* without a hearing.
- Adjust expiration date for an out-of-home to in-home change in placement *if* the current expiration date is longer than a year from the change in placement order.
- Ensure written TPR warnings (JD-1753) and conditions of return are attached to court orders when child/juvenile is placed out of the home or a parent is denied visitation.
 - Dispositional Order, Change in Placement, Extension, Revision, Permanency Hearing.
 - Some of these orders already have TPR warnings incorporated, as designated by use of "T" suffix in the form name (ex.: JD-1791T).
 - TPR warnings not necessary post-TPR, both parents deceased or prior TPR, or at court discretion (older youth/delinquency where TPR is not a realistic outcome).



Court Orders

Attaching TPR Warnings & Conditions

- Discussion: How are counties attaching TPR Warnings and Conditions of Return to associated orders?
 - Required to be attached to a number of JC and JV orders
 - May need to be proven in any subsequent TPR case
 - Proposed order is required to be submitted as Word document, but attachments submitted as PDF
 - Show up as linked in CCAP (court access), but do not appear as “attached” in eFiling



Wisconsin Indian Child Welfare Act

(WICWA)

- Use the applicable WICWA circuit court forms (designated by “IW” prefix) and model recordkeeping procedures when case is subject to the Wisconsin Indian Child Welfare Act.
 - Use standard forms and procedures for CHIPS/JIPS cases when an Indian child is placed in the home of a parent and for all delinquency cases.
- Refer both parents and any Indian custodians in CHIPS and JIPS cases to SPD when the case is subject to WICWA for appointment counsel if indigent.
- Use the WICWA maintenance code, CSTW (Case Subject to WICWA), when the case is subject to WICWA.
 - Use CNSTW (Case Not Subject to WICWA) maintenance code if it is later determined WICWA does not apply.



New Clerk Orientation Buzz Session

SANDRA RHEAD, DUNN COUNTY JUVENILE CLERK

KRISTEN WETZEL, CCIP LEGAL ADVISOR



History Event Code Guides

- ▶ History event code guides are available on CourtNet on the bottom of the Model Record Keeping page.



[HOME](#)

History event code guides

- > [Adult guardianships](#)  (03/23)
- > [Juvenile codes – JC, JV, TP, JI, JA/AD](#)  (07/23)
- > [Protective Placement codes](#)  (03/23)
- > [Minor guardianships of the estate](#)  (04/21)
- > [Minor guardianships – 48.977 and 48.831](#)  (04/21)
- > [Minor guardianships – 48.9795](#)  (09/21)

Form Summaries

JC-1611

Dispositional Order - Protection or Services (Chapter 48)

Formal order of the court detailing the disposition in a Ch. 48 juvenile in need of protection or services (CHIPS) case. This does not apply to a Ch. 938 Juvenile in need of protection or services. CCAP form.

09/08/2022

☐ [Form English](#)

☐ [Form English](#)

☐ [Form Spanish](#)

☐ [Form Spanish](#)

FORM SUMMARY

Name of Form: Dispositional Order - Protection or Services (Chapter 48)

Form Number: JC-1611

Statutory Reference: §§48.345, 48.355, 48.356, 48.78(2)(ag) and (aj), Wisconsin Statutes

Benchbook Reference:

Purpose of Form: Formal order of the court detailing the disposition in a ch. 48 child in need of protection or services (CHIPS) case (this does not apply to a ch. 938 juvenile in need of protection or services).

Who Completes It: Court clerk, corporation counsel or district attorney.

Who Signs It: BY THE COURT: Circuit Court Judge/Circuit Court Commissioner. THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.

Distribution of Form: Court, Child's Guardian ad Litem/Adversary Counsel, Parents, Parents' Attorney(s), Child's Guardian/Legal Custodian/Trustee, District Attorney/Corporation Counsel, Caseworker and Court Appointed Special Advocate (CASA).

Accompanying Forms:

New Form/Modification: Modified; last update 08/21.

Modifications: Updated distribution list.

Comments: NOTE: JC-1611T contains TPR Notice. TPR Notice should be provided for out-of-home cases and when a parent is denied periods of physical placement or visitation.

Pursuant to the requirements of the Federal Indian Child Welfare Act and accompanying regulations of the Bureau of Indian Affairs, the court must make inquiry on the record in all cases whether any party has reason to believe that the child is an Indian child. The responses shall be recorded in the record. Additionally, the court must order the parties to disclose any such belief, should additional information become available.

Approval Date: 09/08/2022
Release Date: 11/10/2022

Page 1

JC-1611a, Dispositional Order - Protection or Services

Page 2 of 2

RMC recommends that the court not rely upon attachments alone as the basis for its findings. Where attachments are used, specific reference to the document title, page and paragraph should be made.

RMC has concerns that out of home placements ordered to be effective in the future may violate ASFA rules. One suggested procedure in these cases is to first enter a dispositional order placing the child at home, then revise the dispositional order pursuant to §48.363 upon the actual removal from the home. Another option is to adjourn the dispositional hearing until the actual removal date.

About this Form:

This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.

Distribution Lists

- Distribution lists have been updated on the bottom left of each Circuit Court form.
- Each form summary also contains a distribution list

DISTRIBUTION:

1. Court
2. Child's Guardian ad Litem/Adversary Counsel
3. Parents
4. Parents' Attorney(s)
5. Child's Guardian/Legal Custodian/Trustee
6. District Attorney/Corporation Counsel
7. Caseworker
8. Court Appointed Special Advocate (CASA)

Party vs. Notice Recipient

▶ Party

- ▶ Petitioner
- ▶ Child
- ▶ Child's Attorney and/or Guardian ad Litem
- ▶ Parent
 - ▶ Mother
 - ▶ Father
 - ▶ Parent's attorney(s)
- ▶ Guardian
- ▶ Indian Custodian and Legal Custodian
- ▶ Tribe – if the case is subject to ICWA

▶ Notice Recipient

- ▶ Case Worker
 - ▶ In addition to filing regular documents as non-party filer, case workers can file initiating documents.
- ▶ Agency
- ▶ Alleged father
- ▶ Foster parent and Physical Custodian
- ▶ Grandparent and relative
- ▶ CASA
- ▶ School, group home, residential treatment center, shelter home

*Attorneys cannot be added for notice recipients, only parties.

Attorney for Foster Parent or Relative

- ▶ The attorney for a foster parent or relative cannot opt-in to the case.
 - ▶ They should also be entered as a Notice Recipient.
- ▶ The foster parent or relative is not considered a party to the action. See s. 48.27(3)(a)1m.
 - ▶ They are entitled to notice of all hearings, opportunity to be heard, and object to change in placement.
- ▶ The foster parent, relative, and attorney would need a court order to access the records in the court file.

Cross referencing

- ▶ Cross-referencing is visible to parties. However, confidential cross-referenced cases will only appear to parties that are on both cases. If the case number hyperlink appears, the hyperlink would take the individual to the cross-referenced case in WCCA.
- ▶ When a party on a confidential case clicks on the cross-referenced case number hyperlink, an authenticated WCCA webpage opens, verifying they are on the cross-referenced case already without restriction as a second check, and then the party is allowed to view the cross-referenced case record.
- ▶ For example, if a JV case was cross-referenced with another JV case, and the filer did not have access to that other case, they would not see that case number appear in the cross-referenced section.
 - ▶ If the cross-referenced case was something that is not confidential, the filer would be able to then see the case number and bring it up in WCCA to view.

Safe at Home

- ▶ Safe at Home is a statewide address confidentiality program for victims of actual or threatened domestic abuse, child abuse, sexual abuse, stalking, and trafficking, or those who simply fear for their physical safety.
- ▶ Participants use and receive mail at an assigned address in Madison in lieu of their actual address.
- ▶ <https://www.doj.state.wi.us/ocvs/safe-home>

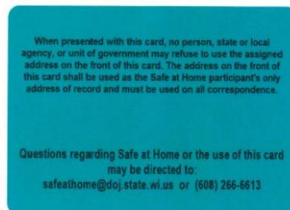
Safe at Home

- Once enrolled, program participants receive a participant authorization card and will e-file the Notice to Court of Participation in Safe at Home to use the Safe at Home address for court notices and documents.

FRONT



BACK



STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY					
Plaintiff/Petitioner	Notice to Court of Participation in Safe at Home Case No. _____				
-VS-					
Defendant/Respondent					
Other					
This notice is to inform the court and all parties to the above-named action that _____ is a participant in Safe at Home. Wisconsin's address confidentiality program.					
<ul style="list-style-type: none"> Pursuant to §66.0504(2), Wis. Stats., the clerk shall redact all references to the last known address/actual address in the case number referenced above. Pursuant to §165.68(5)(a), Wis. Stats., a Safe at Home participant may use their Department of Justice assigned address for all purposes. Correspondence may be mailed to the above-named participant at the following assigned address: <table border="1" style="margin: 10px auto;"> <tr> <th>Assigned Address</th> </tr> <tr> <td>3902 Milwaukee St., #5 _____</td> </tr> <tr> <td>PO Box 7188</td> </tr> <tr> <td>Madison, WI 53707</td> </tr> </table> 		Assigned Address	3902 Milwaukee St., #5 _____	PO Box 7188	Madison, WI 53707
Assigned Address					
3902 Milwaukee St., #5 _____					
PO Box 7188					
Madison, WI 53707					
<ul style="list-style-type: none"> The Wisconsin Department of Justice is the designated agent for service of process for this Safe at Home participant. Legal documents to be personally served to this Safe at Home participant may be served to the Department of Justice at the Office of the Attorney General in the Wisconsin State Capitol Building (114 East, State Capitol) during business hours. Additional information may be found at www.safeathomewi.gov. No state or local agency or unit of government may refuse to use a program participant's assigned address for any official business, unless a specific statutory duty requires the agency or unit of government to use the participant's actual address. A state or local agency or unit of government may confirm with the department a person's status as a program participant. See Wis. Stat. §165.68(5)(b). To do so, contact Safe at Home directly at (608) 266-6613 or safeathome@doj.state.wi.us. No person who has received a notification form from a program participant may refuse to use the assigned address for the program participant, may require the program participant to disclose his or her actual address, or may intentionally disclose to another person the actual address of a program participant. See Wis. Stat. §165.68(5)(c). A person who intentionally releases actual address information of a Safe at Home participant is guilty of a misdemeanor. See Wis. Stat. §165.68(7). Safe at Home participant should note that <u>this notice is not confidential</u> and that they will need to complete a notice form for each case in which their actual address appears. The clerk will continue to use the Safe at Home assigned address until notified of a new address by the program participant. 					
Safe at Home Participant Signature: _____ Date: _____					

Safe at Home Memo

- Safe at Memo to Clerks from Amber Peterson – January 29, 2019
- On CourtNet under Resources, Court Operations memos

Important Notes Regarding "Notice to Court of Participation in Safe at Home"					
<ul style="list-style-type: none"> No fee to file the form. CCAP court record event: NSAH (Notice to court of participation in safe at home) Adding the NSAH court record event adds an SH (Safe at Home Participant) maintenance bar to the case. The Notice form <u>is not</u> confidential. Unlike other motions to seal and redact information, it is the clerk's responsibility to search the file for all references to the address. Participants are not required to indicate the location of each reference to their address in the court record. Clerks are not required to retain the participant's actual address once it has been replaced with the assigned address. Clerks can keep it, but it must be retained in a confidential manner and not disclosed to anyone, except pursuant to court order. Erasing the actual address better protects against accidental disclosure. It is the <u>participant's responsibility</u> to notify the court of enrollment in Safe at Home for every new court case. If a participant has notified the court in one case and a subsequent case is filed, it is <u>not</u> the clerk's responsibility to determine if parties are enrolled. 	<table border="1"> <thead> <tr> <th>Address Redaction Checklist Did You Check:</th> </tr> </thead> <tbody> <tr> <td>✓ Court minutes</td> </tr> <tr> <td>✓ All documents, <u>including</u> the distribution lists on the Notice of Hearing court original documents</td> </tr> <tr> <td>✓ Additional text of the CAN (Change of address notification) court record event</td> </tr> </tbody> </table>	Address Redaction Checklist Did You Check:	✓ Court minutes	✓ All documents, <u>including</u> the distribution lists on the Notice of Hearing court original documents	✓ Additional text of the CAN (Change of address notification) court record event
Address Redaction Checklist Did You Check:					
✓ Court minutes					
✓ All documents, <u>including</u> the distribution lists on the Notice of Hearing court original documents					
✓ Additional text of the CAN (Change of address notification) court record event					

Holidays excluded from the TPC Hearing calculation

- ▶ TPC Hearing must be held within 48 hours of custody decision for CHIPS cases
 - ▶ Chapter 938 cases - 24 hours end of the day
- ▶ § 48.21(1)(a) and § 938.21(1)(a) only exclude "legal holidays" from the calculation.
- ▶ § 995.20 defines legal holidays: New Year's Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Juneteenth Day, 4th of July, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day, and certain election days.
 - ▶ The day after Thanksgiving, Christmas Eve, New Year's Eve, courthouse closures, and additional county holidays are **not** excluded from the calculation.

What hearings can court commissioners hear?

- ▶ CHIPS, UCHIPS, JIPS, Delinquency - § 757.69 (1)(g)
 - ▶ Temporary Physical Custody Hearings (TPC)
 - ▶ Plea Hearings
 - ▶ Emergency Change in Placement Hearings
 - ▶ Permanency Hearings
 - ▶ Enter into consent decrees
- ▶ § 48.9795 Guardianships - A Court Commissioner can only hear **uncontested** § 48.9795 guardianship proceedings. § 757.69 (1)(g)
- ▶ § 48.977 Guardianships - A Court Commissioner **cannot** hear § 48.977 guardianship proceedings. § 757.69 (1m)(e)

Change of Venue

Pre Disposition

- ▶ Enter the change of venue disposition code - [change of venue](#).

Post Disposition

- ▶ If disposition occurs in your county, you would enter the CHIPS Disposition code – [CHIPS](#).
- ▶ After entering the Disposition code, then you would enter the Order to Change Venue history event code - [OCV](#).
- ▶ And then use the change venue tab in CCAP.

Case Closure Orders

- ▶ A case closure order should be used to terminate the dispositional order in a juvenile court case under Ch. 48 or Ch. 938 where:
 - ▶ the child/juvenile is placed with a parent [and](#)
 - ▶ the juvenile court entered a dispositional order [and](#)
 - ▶ enter a family court order on a pending PA or FA Wisconsin case [or](#)
 - ▶ modify an existing Wisconsin family court order with regards to paternity, legal custody, physical placement, visitation, child support or payment of healthcare expenses.
- ▶ A hearing is required.
 - ▶ At least 5 days before the hearing, the court shall cause notice of the hearing, together with a copy of the request or proposal.

Case Closure Orders

- ▶ The Case Closure Order (JD-1815) should only contain the JC case number
- ▶ This order is filed in the JC CHIPS case **and**
- ▶ It is also filed in the FA/PA case but it is sealed.
- ▶ Code: CCO - Case closure order

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY
IN THE INTEREST OF _____
Name _____ Case Closure Order
Date of Birth _____ Case No. _____

THE COURT FINDS:

1. A dispositional order was made in this case on [Date] _____.
2. The child/juvenile is placed in the home of a parent.
3. There is a pending or existing family court action involving the child/juvenile.
4. A request for case closure order has been brought pursuant to §§ 48.355(4g) or 938.355(4g), Wis. Stats.
5. The hearing on the request was heard on [Date] _____, which is the effective date of this Order.
6. Entry of a case closure order ☐ is ☐ is not in the best interest of the child/juvenile.

THE COURT ORDERS:
The request for case closure order is
☐ 1. DENIED.
☐ 2. GRANTED.

A. The family court order in [Case Number] _____ in [County] _____ is entered or modified as indicated in the attached document (FA-614).
B. The dispositional order in the above-captioned case is terminated.
C. The clerk of juvenile court shall transmit this Order and the attached family court order to the court exercising jurisdiction in the family court case, where it shall be filed and become part of the record in that case.
D. This case closure order, excluding the attached family court order, shall be sealed in the record of the family court case unless otherwise ordered in the family court case.
E. The clerk of the family court in the court exercising jurisdiction in the family court case shall provide the attached family court order to all parties in that action, including the county child support agency.

THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.

DISTRIBUTION:
1. Court
2. Child/Juvenile
3. Attorney for Child/Juvenile
4. Guardian ad Litem
5. Parents
6. Guardian/Custodian
7. Case Worker
8. Clerk of Attorney/Corporation Counsel
9. Family Court File
10. Other _____

JD-1815, 11/17 Case Closure Order (§48.355(4g) and §938.355(4g), and Ch. 787, Wisconsin Statutes)
This form shall not be modified. It may be supplemented with additional material.
Page 1 of 1

Case Closure Order – Family Court Order

- ▶ The Order Affecting the Family Court Action (FA-614) should only contain the FA/PA case number.
- ▶ It is filed in the JC CHIPS case.
- ▶ It is also filed in the FA/PA case.
- ▶ Code: OAFCA - Order affecting family court action

Petitioner/Joint Petitioner A: _____
Respondent/Joint Petitioner B: _____

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY
IN RE: THE ☐ MARRIAGE ☐ PATERNITY OF _____
Petitioner/Joint Petitioner A _____
and _____
Respondent/Joint Petitioner B _____
The State of Wisconsin (Child Support Agency)
☐ is ☐ is not a party to this action. Case No. _____

THE COURT FINDS:

1. The parties are subject to
☐ A. a pending action for ☐ Divorce ☐ Annulment ☐ Legal Separation ☐ Paternity
☐ Independent action to determine legal custody of the child or visitation rights.
OR
☐ B. an order that has been granted in an action affecting the family determining: (Check all that apply)
☐ Legal Custody ☐ Periods of Physical Placement ☐ Visitation Rights
☐ Child Support ☐ Coverage of Health Care Expenses
2. A hearing was conducted in this matter on [Date] _____.

THE COURT ORDERS:

1. The order be ☐ entered ☐ modified with respect to
☐ A. Paternity. ☐ See attached
Specifically: _____
2. Legal Custody for the following children: _____
☐ 1. Joint legal custody with both parents.
☐ 2. Sole legal custody with [Name of Parent] _____
☐ 3. Other: _____ ☐ See attached
3. Physical Placement for the following children: _____
☐ 1. Primary physical placement with [Name of Parent] _____
☐ 2. Shared placement.
☐ 3. The new placement schedule for the changes above is as follows: _____ ☐ See attached
4. Placement with [Name of Parent] _____ is required to be ☐ supervised. ☐ unsupervised.
☐ 5. Other: _____

FA-614, 11/18 Order Relating To Paternity/Custody/Placement/Visitation/Health Care Expenses
This form shall not be modified. It may be supplemented with additional material.
Page 1 of 1

Orders in Family Court Case

- ▶ Provide both orders to the family court in the county where the family court case is pending/pre-existing.
- ▶ Family court clerk
 - ▶ File the Case Closure Order (JD-1815)
 - ▶ This order should be sealed unless the family court judge orders that the *Case Closure Order (JD-1815)* not be sealed
 - ▶ Enter code: **OSD - Order Sealing Document**
 - ▶ Also, check the "Sealed" option under the "Restrictions" tab when scanning this order into CCAP.
 - ▶ File the Order Affecting the Family Court Action (FA-614)
 - ▶ Enter code: **OAFCA - Order affecting family court action**
 - ▶ Distribute the *Order affecting the family court action (FA-614)* to all of the parties in the family court case, including the child support agency.

Confidential Foster Parent Information

- ▶ If the court finds that disclosure of the identity of the foster parent would result in imminent danger to the child/juvenile or foster parent and orders the name and/or address of the foster parent to be withheld from the parent or guardian, this form documents the finding and provides the court with the foster parent's name and/or address for notice purposes.
- ▶ §§ 48.33 (5) and 48.355 (2)(b)2.

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY		
IN THE INTEREST OF _____		
Name _____		<input type="checkbox"/> Amended
Confidential Foster Parent Information		
Date of Birth _____	Case No. _____	
After notifying the child's/juvenile's parent or guardian, a hearing was held on _____.		
The court found that disclosure of the identity of the foster parent would result in imminent danger to the child/juvenile or foster parent.		
<input type="checkbox"/> The name(s) of the foster parent(s) is/are withheld from (Name of Parent or Guardian) _____ <input type="checkbox"/> The address of the foster parent(s) is withheld from (Name of Parent or Guardian) _____		
Foster Parent Name(s)	Complete Address	Phone Number
This address information is being provided as part of a <input type="checkbox"/> new case filing; OR <input type="checkbox"/> change of address.		
_____ Signature _____ Name Printed or Typed _____ Title _____ Address _____ Email Address _____ Telephone Number _____ Date _____ State Bar No. (if any) _____		

The clerk shall maintain this form in a confidential manner. It will not be made available to any other parties in this action, their attorney or representatives.

§48.9795 Minor Guardianship Petitions

- ▶ Each petition requires a separate filing and own case number.
 - ▶ JN-1501 – Petition for Appointment of Guardian - Full/Limited/Temporary Guardianship
 - ▶ IW-1501 - Petition for Appointment of Guardian - Full/Limited/Temporary Guardianship-Indian Child Welfare Act
 - ▶ JN-1504 - Petition for Appointment of Emergency Guardian
- ▶ If two petitions are filed, they can be numbered either: 22 JG 1 & 22 JG 2 or 22 JG 1 & 22 JG 1A

When is a §48.9795 guardianship case stayed?

- ▶ The §48.9795 Full, Limited, or Temporary guardianship case must be stayed until the pending Chapter 48 or 938 case reaches Disposition.
- ▶ It is possible to schedule the CHIPS/JIPS/Delinquency Dispositional Hearing at the same time as the Guardianship Hearing.
- ▶ When the history event code / court record event *MGS - Minor Guardianship Stay* is added, the case will be stayed and will stop aging.
 - ▶ The maintenance code stops the case from aging - *Stay 48.9795 Juv Grdnshp (SG)*.
- ▶ The history event code / court record event *MGRS - Minor Guardianship Remove Stay* - removes the case from *Stay 48.9795 Juv Grdnshp (SG)* maintenance.

Can a §48.9795 Emergency Guardianship move forward when there is a pending Chapter 48 or 938 case?

- ▶ Yes, an Emergency guardianship can move forward when there is a Chapter 48 or 938 case pending.
- ▶ An Order Appointing an Emergency Guardian may not change the placement of a child under the supervision of a court pursuant to s. 48.13, 48.133, or 48.14 (1) to (10) or (12) or ch. 938.

TPR – GAL or Adversary Counsel?

- ▶ **Guardian ad Litem** - the court shall appoint a guardian ad litem for any child who is subject to a voluntary or involuntary TPR. § 48.235 (1)(c)
- ▶ **Adversary Counsel through SPD** - will appoint if court makes a referral. § 48.23 (3)
- ▶ *Children 12 or older must be summoned in TPR case.

TPR – Certified Copies of TPR Order

- ▶ When there is a public TPR (filed by Corporation Counsel, the DA's Office, or the county agency), a certified copy of the TPR order must be sent to the DCF Public Adoption Agency. § 48.43(4).
- ▶ Certified TPR orders should be sent to the DCF Public Adoption Agency.
 - ▶ Addresses can be found in the TPR orders form summaries.
 - ▶ Milwaukee - TPR order is provided to the worker that stays on for the adoption case.
- ▶ The DCF Public Adoption Agency should also receive notice of any post-TPR change in placement, post-TPR permanency plan hearing, or Notice of TPR appeal when DCF is the guardian of the child.

TPR – Withdrawing Parents from Case

- ▶ Unless there is a local court rules, we recommend withdrawing parents 30 days post-TPR. This will allow the TPR orders to be filed, for attorneys to submit any bills, and for the parent/parent's attorney to e-file any Notice of Intent to Pursue Postdisposition or Appellate Relief.
- ▶ A terminated parent should not receive notice of any post-TPR permanency hearings or post-TPR changes in placement.
- ▶ If an attorney needs to opt in to review the TPR case before filing the appeal, the attorney should be added as "other" and only be given access for a short time.
- ▶ Post-TPR permanency plans and changes in placement should be restricted from "other" parties.

Adoption – GAL or Adversary Counsel?

- ▶ **Guardian ad Litem** - the court shall appoint a guardian ad litem for any child who is subject to a contested adoption proceeding. § 48.235 (1)(c)
- ▶ **Adversary Counsel through SPD** - will appoint if court makes a referral. § 48.23 (3)

Report of Adoption

- ▶ This is a DHS form. It is completed by the parties and the court mails it to Vital Records.
 - ▶ It is not filed in the case.
- ▶ **Code: ROA - Report of adoption**
 - ▶ Simply enter that the report was sent to Vital Statistics.

DEPARTMENT OF HEALTH SERVICES
Division of Public Health
F-00022 (Rev. 09/2021)

STATE OF WISCONSIN
Wis. Stat. § 49.15(2)
Page 1 of 2

REPORT OF ADOPTION

- This is a two page form and must be printed back-to-back.
- Type or print in black ink. Do not cross-out, write-over, erase, use correction fluid, or correction tape. If a mistake is made, prepare a new form.
- The clerk of court or deputy shall require the agency or attorney to complete Parts I - IV before the final decree of adoption is entered.
- The clerk of court or deputy completes Part V - VII and insures that the completed, signed and sealed report is sent to the State Registrar.
- If you have questions regarding this form, call 608-266-1373.

PART I BIRTH INFORMATION NEEDED TO LOCATE THE CURRENT BIRTH RECORD ON FILE				
CHILD'S PERSONAL DATA	Child's Full Birth Name - First	Middle Name	Birth Last Name (as on birth certificate)	Suffix (e.g., Jr., I, II)
	Date of Birth (MM/DD/YYYY)	Sex (check one) <input type="checkbox"/> Male <input type="checkbox"/> Female	Birthplace - City, Village, or Town	County
BIRTH PARENTS' DATA	BIRTH PARENT'S FULL BIRTH NAME			
	First Name	Middle Name	Birth Last Name	Suffix (e.g., Jr., I, II)
BIRTH PARENTS' DATA	BIRTH PARENT'S FULL BIRTH NAME			
	First Name	Middle Name	Birth Last Name	Suffix (e.g., Jr., I, II)
PART II TYPE OF ADOPTION (Check one.) <input type="checkbox"/> Stepparent <input type="checkbox"/> Single Parent <input type="checkbox"/> Two Parent				
PART III CHILD'S NAME AS ORDERED BY THE COURT <input type="checkbox"/> Check this box if the name should not be changed.				
PARENT	First Name	Middle Name	Last Name	Suffix (e.g., Jr., I, II)
PART IV INFORMATION ABOUT PARENTS AFTER THE CHILD'S ADOPTION (If Stepparent adoption, both parents need to be listed.)				
PARENT	FULL CURRENT NAME			
	First Name	Middle Name	Current Last Name	Suffix (e.g., Jr., I, II)
	FULL BIRTH NAME (As it Appears On Birth Record)			
	First Name	Middle Name	Birth Last Name	Suffix (e.g., Jr., I, II)
PARENT	FULL CURRENT NAME			
	First Name	Middle Name	Current Last Name	Suffix (e.g., Jr., I, II)
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Report of Adoption

REPORT OF ADOPTION
F-00022 (Rev. 10/2011) Page 2 of 2

PART V COURT DIRECTIVE

A new birth record for this child:

☐ is to be created
☐ should not be created and no changes to the existing record
☐ should not be created and the existing record should be amended to show the child's name change as follows:

First Name _____ Middle Name _____ Last Name _____ Suffix (e.g., Jr., I, II) _____

REGARDING ADULT ADOPTIONS WITH NAME CHANGE:
 A PERSON THAT IS REQUIRED TO REGISTER AS A SEX OFFENDER MAY NOT CHANGE HIS OR HER NAME, per Wis. Stat. § 301.47.

PART VI AMENDMENT (Complete this section if an amendment is needed to the previous Report of Adoption.)

☐ See Part _____ of this form.
☐ The following item has been amended from the previous Report of Adoption (must list the same Court Case Number).

Name of item _____ New Amended Information _____

PART VII CERTIFICATION OF CLERK OF COURT OR DEPUTY/TRIBAL CLERK OF COURT OR DEPUTY

I certify that an order has been granted for the adoption of the child identified in Part III above by the parent(s) identified in Part IV above.

Court Seat Must Be Present	Case Number	Effective Date of Order (dd/mm/yyyy)	Amendment Order	Effective Date of Amendment (dd/mm/yyyy)
	Branch Number	County/Tribal Court	City	State
SIGNATURE - Clerk of Court or Deputy/Tribal Clerk of Court or Deputy			Date Signed	
Name (typed or printed) - Clerk of Court or Deputy/Tribal Clerk of Court or Deputy				

COURT SEAL/TRIBAL COURT SEAL

PART VIII FEE AND MAILING INFORMATION (Complete this section only if this report is to be filed in Wisconsin Vital Records.)

☐ Fee to file Report of Adoption \$ 20.00
☐ Fee to file an amendment to the Report of Adoption \$ 10.00
☐ One certified copy of the new birth record \$ 20.00
☐ Each additional copy of the new birth record issued at the same time as the first copy X \$ 3.00

Make check or money order payable to: State of Wis. Vital Records
 Send this properly completed, signed, sealed form and a check or money order to:
 State Vital Records Office / ATTN: PSSU / P.O. Box 309 / Madison, WI 53701-0309

SEND CERTIFIED COPY OF NEW BIRTH RECORD TO:
 Relationship to the Subject of the Record _____

► This is sent to the State Vital Records Office with:

- A certified adoption order
- \$40 check from adoptive parents

► *It is not filed with the court.

DCF's Adoption Records Search Program

Adoption Records Search Program

The Adoption Record Search Program helps adopted persons get information about themselves and their birth relatives. Persons whose birth parents have *terminated their parental rights** in Wisconsin can also get information about themselves and their birth relatives.

This information includes:

- Non-identifying social history information
- Medical and genetic information on birth parents and members of their families This includes routine health information and any known hereditary or degenerative disease
- Most recent names and address of birth parents in Department of Children and Family files
- A copy of the impounded birth certificate (the birth certificate on record before the time of adoption)

The Adoptions Records Search Program is available to:

- Adult adoptees
- Offspring of adult adoptees
- Adoptees whose birth parent(s) terminated parental rights when they were minors
- Adoptive parents
- Birth parents

► DCF has an Adoption Records Search Program

► <https://dcf.wisconsin.gov/adopti on/search>

► \$40 fee for the program which is sent to DHS

Destruction Dates

- ▶ Destruction dates can be a second check for cases on the purge list. Destruction dates are not required to be entered by CCAP.
- ▶ **ATDD** – Age 22 file destruction date (NC) for JC and JV cases
 - ▶ 4 years after 18th birthday
 - ▶ 75 years if adjudicated for act punishable as felony, misdemeanor with firearm restriction, or sex offender registry requirement
- ▶ Requesting **ATFDD** - age 25 file destruction date (NC) for JG cases
 - ▶ 7 years after termination of guardianship or 75 years if firearm restriction was ordered

Discussion Questions

- ▶ What helpful reminders do you use in juvenile cases in CCAP?
- ▶ Any other tips anyone wants to share with new juvenile clerks?

Any Questions?

- ▶ Sandra.Rhead@wicourts.gov
- ▶ Kristen.Wetzel@wicourts.gov

WRAP-UP

- ✓ Thank you for attending the New Juvenile Clerk Orientation
- ✓ Please complete and turn in evaluations
- ✓ Please join us for a group lunch in the PLAZA WEST room (downstairs off the lobby)
- ✓ Enjoy the rest of the conference!