



Firearms Restrictions in Juvenile Cases

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OVERVIEW OF PRESENTATION

- Injunctions
 - Juvenile injunctions
 - Firearm surrender hearings
- Firearm Restrictions
 - Reporting requirements
 - Removing firearms restrictions



INJUNCTIONS

Injunction-Based Firearm Restrictions

OVERVIEW OF RESTRAINING ORDERS

Four types of restraining orders in Wisconsin

- Domestic abuse (Wis. Stat. 813.12)
- Child abuse (Wis. Stat. 813.122)
- Individual at risk (Wis. Stat. 813.123)
- Harassment (Wis. Stat. 813.125)

TEMPORARY RESTRAINING ORDER VS. INJUNCTION

Temporary Restraining Order (TRO)

- Granted *ex parte* and without a hearing
- Valid for 14 days, unless extended by the court
- Firearms surrender requirements do not apply

Injunction

- Granted after full due process hearing
- Generally valid for 2-4 years, but can be extended up to 5-10 years
- Firearm surrender requirements do apply
 - Even if respondent does not appear at the injunction hearing

FILING FEE



Domestic Abuse, Child Abuse, Individual at Risk

- No filing fee to commence action

Harassment

- No filing fee for JI case (Wis. Stat. 48.25(6))
- May be a fee for CV cases
- If petitioner alleges conduct that is the same or similar to domestic abuse, no filing fee – it is waived
- Court makes determination based on the facts in the petition

WHAT IS A JUVENILE INJUNCTION (JI) CASE?

GENERALLY:
All TRO petitions are
opened as CV cases

EXCEPTION:
Child abuse and
harassment TROs are
opened as JI cases when:

NOTE:
Domestic abuse and
individual at risk should
never be filed as JI cases

Pending CHIPS case
involving child victim
(Wis. Stat. 48.25(6))

OR

Respondent is a minor
(Wis. Stat. 48.14(10))

WHAT FORMS ARE USED?



JI Case – Child Abuse

- Petition in Juvenile Court for TRO (Child Abuse) (JC-1690)
- Temporary Restraining Order (Child Abuse) (JC-1691)
- Injunction in Juvenile Court (Child Abuse) (JC-1692)

JI Case – Harassment

- Petition in Juvenile Court for TRO (Harassment) (JC-1693)
- Temporary Restraining Order (Harassment) (CV-406)
- Injunction (Harassment) (CV-407)

CONFIDENTIALITY OF RESTRAINING ORDER CASES



Jl Case – Child Abuse and Harassment

- Confidential
- Automatically confidential in CCAP

CV Case – Child Abuse

- Confidential for cases filed on or after April 18, 2014
- Automatically confidential in CCAP

CV Case – Harassment

- Open record
- Only confidential if sealed by the court
- Even if the case involves a minor

FIREARMS RESTRICTIONS



Mandatory Firearms Restriction

- Domestic Abuse
- Child Abuse
- “An injunction ... shall ... require the respondent to surrender any firearms that he or she owns or has in his or her possession...”

Optional Firearms Restriction

- Harassment
- Individual at Risk
- If the court determines “... that the respondent may use a firearm to cause physical harm to another or to endanger public safety, the judge or circuit court commissioner may prohibit the respondent from possessing a firearm.”

FIREARMS SURRENDER REQUIREMENTS

Court is required to hold a firearms surrender hearing when:

Court issues domestic abuse, child abuse, individual at risk (w/ firearm restriction), or harassment injunction (w/ firearm restriction)



Court finds that the respondent possesses firearm(s)

See "Firearms surrender hearing procedures for clerks" under Civil / Small Claims Model Recordkeeping Procedures

FIREARMS SURRENDER CODES

For individual at risk and *harassment* injunctions, note whether the injunction is with or without a firearms restriction:

- INJWF (Injunction with firearm restriction)
- INJU (Injunction w/out firearm restriction)

Reminder: Domestic abuse and child abuse injunctions *always* have a firearm restriction.

FORMS FOR INJUNCTION-RELATED FIREARM RESTRICTIONS



Required Forms for All Injunction Types

1. Information for Respondents Regarding the Surrender and Return of Firearms (CV-804)
2. Respondent's Statement of Possession of Firearms (CV-800)
3. Notice of Firearms Possession Penalties (CV-432)

Optional Form – Petitioner's Statement of Respondent's Possession of Firearms (CV-801)

- Petitioners are not required to fill out this form – it is optional
- Petitioners may not feel comfortable submitting this form to the court because of safety concerns

If Court Grants a Domestic Abuse, Child Abuse, Individual at Risk (With Firearms Restriction), or Harassment (With Firearms Restriction) Injunction AND



Respondent is Present at the Injunction Hearing

- File/date stamp **(a)** Respondent's Statement of Possession of Firearms (CV-800) and enter RSPF court record event and **(b)** Petitioner's Statement of Respondent's Possession of Firearms (CV-801), *if provided*, and enter PSPF court record event
- **Reminder:** IG court record event

If court finds respondent does NOT possess firearms...

Proceed as usual when injunction is granted but no firearms are present

If court finds respondent does possess a firearm...

- File/date stamp Order to Surrender Firearms and Notice of Firearm Surrender Hearing (CV-803) and enter OSFNH court record event
- Enter firearm surrender hearing date (within 1 week of injunction) and FSH scheduled activity code
- If surrendered to 3rd party who was present at injunction hearing, file/date stamp Notice of Firearms Possession Penalties (CV-432) and enter NFPP court record event – copy to 3rd party

If Court Grants a Domestic Abuse, Child Abuse, Individual at Risk (With Firearms Restriction), or Harassment (With Firearms Restriction) Injunction AND



Respondent is NOT Present at the Injunction Hearing

- File/date stamp Petitioner's Statement of Respondent's Possession of Firearms (CV-801), *if provided*, and enter PSPE court record event
- **Reminder:** IG court record event

If court finds respondent does NOT possess firearms...

Proceed as usual when injunction is granted but no firearms are present

If court does not find that respondent possesses firearms but orders a firearm surrender hearing

Complete Notice of Firearm Surrender Hearing – Respondent Not Present at Injunction Hearing (CV-802) and schedule firearm surrender hearing (within 1 week of injunction); NFSNP court record event

- CV-802 must be served with Injunction

If court finds respondent does possess a firearm...

- File/date stamp Order to Surrender Firearms and Notice of Firearm Surrender Hearing (CV-803) and enter OSFNH court record event
 - CV-803 must be served with Injunction
- Enter firearm surrender hearing date (within 1 week of injunction) and FSH scheduled activity code

FIREARM SURRENDER HEARINGS

Court finds respondent does NOT possess a firearm: No further action.

Respondent surrendered to a 3rd party who was present at hearing: File/date stamp Notice of Firearms Possession Penalties (CV-432) and enter NFPF court record event. 3rd party should receive copy.

Respondent surrendered to sheriff and brought a surrender receipt: File/date stamp the receipt and enter RSF court record event.

Court schedules another firearm surrender hearing and issues Order to Surrender Firearms and Notice of Firearm Surrender Hearing (CV-803): File/date stamp and enter OSFNH court record event. Send copy to sheriff. Enter hearing date with FSH scheduled activity code.

Respondent does not appear: An arrest warrant may be issued following your local arrest warrant procedure.

RESTRAINING ORDER TRAINING ON COURTNET

- <http://courtnet.wicourts.gov/education/courttops/restord.htm>
- "Effectively Processing Restraining Order Cases"
- **6 Self-Guided Modules**
 - Introduction (20 minutes)
 - Domestic Abuse (20 minutes)
 - Child Abuse (20 minutes)
 - Harassment (20 minutes)
 - Individual at Risk (15 minutes)
 - Processing Restraining Order Cases (15 minutes)

FIREARM RESTRICTIONS

And Processes

WHO IS PROHIBITED FROM POSSESSING A FIREARM?

Juvenile Injunction Cases (JI)

- Any person who is subject to a *child abuse* injunction (Wis. Stat. 941.29(1m)(f))
- Any person subject to a *harassment* injunction **and** the court ordered not to possess a firearm (Wis. Stat. 941.29(1m)(g))

Juvenile Cases (JV)

Any juvenile "adjudicated delinquent for an act committed on or after April 21, 1994, that if committed by an adult would be a *felony*" (Wis. Stat. 941.29(1m)(bm))

CLERK'S RESPONSIBILITY TO REPORT FIREARMS RESTRICTIONS TO DOJ

Juvenile Injunction Cases (JI)

- The court shall notify DOJ of any individual who is subject to a domestic abuse or child abuse injunction or ordered not to possess under a harassment or individual at risk injunction. (Wis. Stat. 175.60(11)(a)2.f.)
- Cases are sent to DOJ when IG (Injunction granted) and INJWF (Injunction with firearm restriction) are added

See pgs. 23-24 of Civil Model Recordkeeping Procedures

Juvenile Cases (JV)

If a juvenile is adjudged delinquent for an act that would be a felony if committed by an adult, the court clerk shall notify DOJ of this fact. No other information from the juvenile's court records may be disclosed to DOJ except by order of the court. (Wis. Stat. 938.396(2g)(n))

See pgs. 23-24 of Ch. 938 Juvenile Model Recordkeeping Procedures

CH. 938 JUVENILE MODEL RECORDKEEPING

Following the dispositional order, the clerk will:

- Within 5 days of a dispositional order adjudicating the juvenile for a delinquent act that would either be a misdemeanor or a felony if committed by an adult, send the school board the *Notice to School (JD-1725)* and a copy of the dispositional order [Wis. Stat. 938.396(2g)(m)(2)].
- If the juvenile was adjudged delinquent for an act that would have been a felony if committed by an adult, generate the *Adjudication and Prohibited Possession of Firearms and Caregiver License Restriction Report (GF-220)* and send it to Department of Justice through the CCAP interface. [Wis. Stat. 938.341] The *PPFR (Prohibit Possession Firearms/Day Care License Rep)* court record event will be automatically added to the case.
 - This is mandatory and does not require the judge to specifically order it. [Wis. Stat. 938.396(2g)(n)].

Juvenile Model Recordkeeping Procedures Chapter 938 Procedures November 2021

- No other information or document from the juvenile's court record can be disclosed to the Department of Justice, except by court order.
- GF-220 would not be used for a Consent Decree, as there is no delinquency adjudication unless the juvenile is later adjudicated after the consent decree is vacated. It would also not apply when the judge orders the juvenile to not possess firearms or weapons as part of the conditions/rules of supervision in a misdemeanor case.
- Place the dispositional order(s) and minutes, notices or other documents in the case file.
- Place court reports and other sensitive information into an envelope that can be sealed and marked "For Sensitive Personal Information."
- Place the envelope in the case IV file.

HOW TO REPORT JV RESTRICTIONS TO DOJ?

- Complete Adjudication and Prohibited Possession of Firearms and Caregiver License Restriction Report (GF-220)
- Regardless of whether it was condition of supervision
- Generate and send via CCAP
- Used in JV, JM, JG

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY			
Name: _____ LAST _____ FIRST _____ MIDDLE NAME _____ INITIAL _____		Adjudication and Prohibited Possession of Firearms and Caregiver License Restriction Report	
Date of Birth: _____		Arrest Tracking No. _____	
Case No. _____ WI SID No. _____			
<p>This report is used to provide the Wisconsin Crime Information Bureau with information required by §§48.685, 51.20(13)(v)(4), 51.45(13)(j)(4), 54.10(3)(f)(4), 55.12(10)(d), and 938.396(2g)(n) of the Wisconsin Statutes. Submit one copy to the Crime Information Bureau, Attn: Handgun Hotline, P.O. Box 2718, Madison, WI 53701-2718 or email to: wh hotline@doj.state.wi.us or fax to (608) 264-6200. If you have questions or require assistance, call (608) 267-2776.</p> <p>Note: The following data elements are:</p>			
MANDATORY DATA <ul style="list-style-type: none"> • Name (Last, First, Middle Initial) • Sex and Race • Date of Birth • Court Case Number • Name and Title of the person submitting the report • Date of Report • County • Court ORI • Statute number(s) if the person is prohibited from caregiver employment/licensure 		OPTIONAL DATA <ul style="list-style-type: none"> • Hair, Eyes, Height, Weight, Arrest Tracking Number and Wisconsin State Identification Number. <p>Furnishing this information, when known, will assist in the identification of the person prohibited from possession of a firearm and from caregiver employment/licensure.</p>	
DESCRIPTOR INFORMATION			
Sex _____	Race _____	Height _____	Weight _____
		Eye color _____	Hair color _____
COURT INFORMATION			
<p>Juvenile Adjudication: (Check all boxes that apply.)</p> <p><input type="checkbox"/> The above person is prohibited from possessing a firearm as a juvenile adjudicated delinquent for an act that would be a felony if committed by an adult. [§§ 938.396(2g)(n) and 941.29(1)(b)m, Wis. Stats.]</p> <p><input type="checkbox"/> The above person is prohibited from caregiver employment/licensure as a juvenile adjudicated delinquent of a serious crime, WI Statute number(s) _____ [§§48.651(3) and 48.685(4m), Wis. Stats.]</p> <p>Date of Adjudication: _____ / _____ / _____ Month Day Year</p>			
<p>Commitment, Guardianship or Protective Placement:</p> <p><input type="checkbox"/> The above individual was committed under §51.20(13)(a)3.-5., Wis. Stats., and ordered not to possess a firearm. [§§51.20(13)(v)(1) and 941.29(1)(e), Wis. Stats.]</p> <p><input type="checkbox"/> The above individual was committed under §51.45(13)(g)1, WI Stats., and ordered not to possess a firearm. [§§51.45(13)(j)1, Wis. Stats.]</p> <p><input type="checkbox"/> A guardian of the person was appointed for the above individual under §54.10(3), Wis. Stats., and the individual was ordered not to possess a firearm. [§54.10(3)(f), Wis. Stats.]</p> <p><input type="checkbox"/> The court ordered protective services or protective placement for the above individual under §§55.08 and 55.12, Wis. Stats., and the individual was ordered not to possess a firearm. [§55.12(10)(a), Wis. Stats.]</p> <p>Effective Date of Order: _____ / _____ / _____ Month Day Year</p>			

REMOVAL OF FIREARMS RESTRICTION

Juvenile Injunction Cases (JI)

- Prohibition continues until injunction is vacated or expires (Wis. Stat. 813.1285(7))
- If respondent surrendered firearms, s/he must petition the court to have them returned
 - Petition to Return Firearm(s)* (CV-433)
 - No filing fee; file in JI case
- Court must determine if injunction has been vacated or expired and whether respondent is prohibited from possessing under any state or federal law
 - Use *Order to Sheriff for Firearms Record Check/Response of Sheriff* (CV-434)
 - Court completes *Order Concerning Return of Firearms* (CV-435)

See pgs. 28-29 of Civil Model Recordkeeping Procedures

CV-433

Petition to Return Firearm(s)

This form is also available in Spanish.
<https://www.wicourts.gov/forms/13ccv433/index.htm>
 Este formulario está disponible en español.

STATE OF WISCONSIN, CIRCUIT COURT, COUNTY

IN RE: THE RETURN OF FIREARMS TO ☐ Amended

Petition to Return Firearm(s)

A person requested to surrender firearms in an injunction action.

Case No.

Requesting person's

Name of Petitioner	Age	Sex	Race	Height	Weight	Build	Eye color	Hair color
Address	City		State	Zip	County			
Phone Number	Email Address							

UNDER OATH I STATE:

- The Court issued an injunction against me on (Date) . The injunction was based on a(n) ☐ domestic abuse petition, ☐ child abuse petition, ☐ individual at risk petition, ☐ harassment petition.
- The Court ordered me to surrender any firearms I owned or had in my possession to ☐ the sheriff of this county, ☐ the sheriff of the county in which I resided: (Name of County) the following person: (Name) (Address) .
- I surrendered the following firearms to that person. (Attach a copy of the receipt provided by the sheriff when the firearm(s) were surrendered. If the firearm(s) were surrendered to a third person, attach a copy of the receipt from that person or a complete description of the firearm(s).) ☐ See attached receipt or list.
- The injunction has ☐ been vacated, ☐ expired and has not been extended.
- I ☐ have ☐ have not been convicted of a misdemeanor crime of domestic violence.
- I ☐ have ☐ have not been convicted of a felony.
- I am not prohibited from possessing a firearm under any state or federal law or by the order of any federal court or state court, other than an Order from which a judge or family court commissioner is competent to grant relief.

I REQUEST THE COURT:

Enter an Order directing that the person named in paragraph 2 (above) return to me those firearms that were surrendered pursuant to the Order of the court.

State of County of

Subscribed and sworn to before me on

Name of Petitioner (Printed or Typed)

Date

Notary Public for Wisconsin

My commission/term expires:

☐ This notarial act involved the use of communication technology.

DISTRIBUTION:

- Court
- Person or institution action
- Person to whom firearms were surrendered

CV-433, 2020 Petition to Return Firearm(s) 3/13/2021
 This form shall not be modified. It may be supplemented with additional material.

CV-434

Order to Sheriff for Firearms Record
Check/Response of Sheriff

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE MATTER OF THE POSSESSION OF FIREARMS BY _____ ☐ Amended

Name of person subject to firearm restriction _____

Date of Birth _____ Case No. _____

**Order to Sheriff for Firearms Record Check/
Response of Sheriff**

The above-named person has petitioned the court to return firearms which were ordered surrendered in an injunction dated _____. A copy of the Petition is attached.

THE COURT ORDERS:

The sheriff of this county complete the bottom portion of this order within 5 business days of receipt indicating whether or not this person

- has been convicted of a felony in a state or federal court;
- has been convicted of a misdemeanor crime of domestic violence;
- is prohibited by an order of any federal or state court from possessing a firearm, other than the order in this case;

OR

- is for any other reason known to the sheriff to be prohibited from possession of a firearm.

RESPONSE OF SHERIFF

As ordered, I conducted the following records check:

☐ An NCIC records check, as of [date] _____

☐ A CIB records check, as of [date] _____

☐ A firearms restriction records check, as of [date] _____

This records check indicated that this person

☐ has not ☐ has been convicted of a felony in a state or federal court.

☐ has not ☐ has been convicted of a misdemeanor crime of domestic violence.

☐ is not ☐ is prohibited by an order of a federal or state court from possessing a firearm other than the order in this case.

☐ is not ☐ is prohibited from possession of a firearm for other reasons known to me.

(Attach further information for any affirmative answer.)

Signature _____

Title _____

Date _____

DISTRIBUTION:
1. Court
2. Sheriff

CV-434, 5/2/17 Order to Sheriff for Firearms Record Check/Response of Sheriff §813.126(7), Wis. Stats., 18 USC §921.222
This form shall not be modified. It may be supplemented with additional material.

CV-435

Order Concerning Return of Firearms

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE MATTER OF THE POSSESSION OF FIREARMS BY _____ ☐ Amended

Name of person subject to firearm restriction _____

Date of Birth _____ Case No. _____

Order Concerning Return of Firearms

This form is also available in Spanish. <https://www.wicourts.gov/forms/circuit/index.htm>.
Este formulario está disponible en español.

Based on the response of the sheriff,

IT IS ORDERED:

The Petition is

☐ 1. **granted** because this person is not prohibited from possessing a firearm under any state or federal law or by the order of any federal court or state court, other than an order from which a judge or court commissioner is competent to grant relief, and the holder of the surrendered firearms shall return those firearms.

☐ 2. **denied** because this person is prohibited from possessing a firearm under a state or federal law or by the order of a federal court or state court, other than an order from which a judge or court commissioner is competent to grant relief, and the holder of the surrendered firearms shall not return those firearms.

DISTRIBUTION:
1. Court
2. Person who is seeking return of firearms
3. Person to whom firearms were surrendered
4. Petitioner in injunction action

CV-435, 5/2/17 Order Concerning Return of Firearms §813.126(7), Wisconsin Statutes
This form shall not be modified. It may be supplemented with additional material.

REMOVAL OF FIREARMS RESTRICTION

Juvenile Cases (JV)

- Prohibition continues to adulthood *unless* judge removes restriction (Wis. Stat. 941.29(8))
- Juvenile must petition the court
 - *Petition for Removal of Firearms Restriction* (JD-1771)
 - No filing fee; use GV or GJ file
- Court must determine person is not likely to act in a manner dangerous to public safety
 - *Order Concerning Removal of Firearm Restriction* (JD-1772)
 - Send copy to original county, if necessary
 - If granted, send Firearms Cancellation Report (GF-221) to DOJ

See pgs. 34-35 of Ch. 938 Juvenile Model Recordkeeping Procedures

JD-1771

Petition for Removal of Firearms Restriction

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN RE THE PETITION OF _____

Petition for Removal of Firearms Restriction (Juvenile)

Name _____

Date of Birth _____ Case No. _____

UNDER OATH I STATE:

1. I was found delinquent in _____ County on (Date) _____ for the following felonies: _____

Attached is a copy of the dispositional order from case number _____ prohibiting me from possessing a firearm.

2. I am asking to remove the prohibition against possessing firearms because: _____

3. I am not likely to act in a manner dangerous to public safety because: _____

4. Since the adjudication listed in #1, I ☐ have ☐ have not been prohibited from possessing firearms in another court case.

State of _____
County of _____
Subscribed and sworn to before me on _____
Notary Public/Court Official _____
Name Printed or Typed _____

My commission/term expires: _____
☐ This notarial act involved the use of communication technology.

DISTRIBUTION:
1. Court
2. Juvenile
3. District Attorney of county where this petition is filed
4. Court where delinquency adjudication occurred
5. District Attorney of county where delinquency adjudication occurred

Petitioner _____
Name Typed or Printed _____
Address _____
Email Address _____ Telephone Number _____
Date _____ State Bar No. (if any) _____

Note: JD-1771 can be filed in the county where the case occurred OR in another county

JD-1772

Order Concerning Removal of Firearm Restriction

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN RE THE PETITION OF _____

Order Concerning Removal of Firearm Restriction (Juvenile)

Name _____

Date of Birth _____ Case No. _____

THE COURT FINDS:

1. The petitioner was adjudicated delinquent in _____ County on (Date) _____ for the following felonies: _____

The case number of that case was _____

2. The petitioner has requested removal of the prohibition against firearms possession.

3. The petitioner ☐ has ☐ has not met the burden of proving by a preponderance of the evidence that he or she is not likely to act in a manner dangerous to public safety.

THE COURT ORDERS:

The Petition to remove the firearms restriction is ☐ **GRANTED** ☐ **DENIED**

THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.

DISTRIBUTION:
1. Court
2. Juvenile
3. District Attorney of county where this petition is filed
4. Court where delinquency adjudication occurred
5. District Attorney of county where delinquency adjudication occurred

JD-1772, 06/22 Order Concerning Removal of Firearms Restriction (Juvenile) §941.29(1)(b), Wisconsin Statutes
This form shall not be modified. It may be supplemented with additional material.

GF-221

Firearms Cancellation Report

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

Name: _____ Last _____ First _____ Middle Name Initial _____

Date of Birth _____

Adjudication and Prohibited Possession of Firearms Cancellation Report

Check all boxes that apply:

Juvenile Adjudication:

☐ A court determined that the person is not likely to act in a manner dangerous to public safety and the right to possess firearms is restored. (§941.29(8), Wis. Stats.)

Effective Date: _____ Month / _____ Day / _____ Year

Commitment, Guardianship or Protective Placement:

A court determined that the circumstances regarding the:

☐ Mental commitment (§51.23, Wis. Stats.)
☐ Alcohol commitment (§51.45, Wis. Stats.)
☐ Guardianship of the Person (§54.10, Wis. Stats.)
☐ Protective services or protective placement order (§55.12, Wis. Stats.)

and the individual's record and reputation indicate that the individual is not likely to act in a manner dangerous to public safety and that the granting of the petition would not be contrary to public interest. (§51.20(13)(c)(i)m.b., 51.45(13)(i)2.b., 54.10(3)(i)2.b. and 55.12(10)(b)2., WI Stats.)

Effective Date of Order: _____ Month / _____ Day / _____ Year

Submitted By - Name & Title _____ County _____

Date of Report (Month/Day/Year) _____ Court OR _____

Provide this information to the Crime Information Bureau via the CCAP interface, or mail to:
Crime Information Bureau, Attn: Handgun Hotline
P.O. Box 2718
Madison, WI 53701-2718 or
Email to: wiibfinfo@doj.state.wi.us or
Fax to: (608) 264-4200

Retain the original copy for your records. Should you have questions or require assistance call: (608) 267-2776.

FIREARMS RECORDS CHECKS FROM DOJ

DOJ may request information related to firearms prohibitions if:

- Someone applies for a concealed carry license, or
- Someone wants to purchase a firearm through a licensed dealer, or
- Someone petitions to have firearms returned after injunction is vacated or expired, or
- Other states or federal agencies (e.g., FBI, ATF, ICE) make request for investigation

What information can you provide?

Clerk is required to notify DOJ of felony adjudications, but may not disclose any other information from the juvenile's court records except by court order. (Wis. Stat. 938.396(2g)(n))

FIREARMS RECORDS CHECKS FAQs

Can you tell DOJ whether the restriction is still active? E.g., "A person has a firearms restriction from case 99JV01. Can you confirm this is still an active restriction?"

- Yes, you can confirm whether a restriction is or is not active
- DOJ policy is to ensure that juvenile restrictions are still active when they get a request
- If Cancellation Report (GF-221) was filed, but never sent to DOJ, send a copy

Can DOJ send requests via email?

- Yes – Director of State Courts Office updated email policy in February 2019 to permit email requests for DOJ background and hotline checks, among other things
- **See Informational Bulletin 19-02 on CourtNet:**
<http://courtnet.wicourts.gov/bulletins/informational.htm>
- Follow best practice suggestions, including having group email address

CONTACT INFORMATION

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