

# NEW JUVENILE CLERK TIPS

## WJCCA NEW CLERK ORIENTATION - 2023

### PARTIES & 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.

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.

### 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.

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, if:
  - 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.

## 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).



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## WISCONSIN INDIAN CHILD WELFARE ACT

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.

