

JUVENILE UPDATES

Event &
Maintenance Codes

Juvenile Forms
Updates

CCIP Projects and
Upcoming Events

Legislative Update

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Juvenile Court Clerk CCAP Email Group

Please make sure all staff that process juvenile cases are in this email group!

CCIP uses this email group to communicate with the Juvenile Clerks regarding any juvenile related programming updates, forms releases, or Juvenile Clerk Meet Ups.

EVENT CODES!

There is now a code for each form

New ICWA codes

Event descriptions match form titles

Proposed Order codes created

Juvenile Codes Guide

Codes for Juvenile Forms - JC, JV, TP, JI, JA/AD

Form Number	Form Title	History Event Code	History Event Code Description
FA-614*	<i>Proposed Order:</i> Order Affecting Family Court Action	POFCA	Proposed Order Affecting Family Court Action
FA-614	Order Affecting Family Court Action	OAFCA	Order affecting family court action (FA-614)
GF-150	Uniform Child Custody Jurisdiction and Enforcement Act Affidavit	UCCA	Uniform child custody affidavit
GF-222*	<i>Proposed Order:</i> Order Approving Delegation of Powers	POADP	Prop. order approving delegation
GF-222	Order Approving Delegation of Powers	OADP	Order Approving Delegation of Powers
JC-1608	TPC Request (Chapter 48)	TPCR	Temporary physical custody request
IW-1608	TPC Request (Chapter 48) - ICWA	TPCRI	Temporary Physical Custody Request - ICWA
JC-1609	TPC Supplement (Chapter 48)	TPCS	Temporary Physical Custody Request Supplement
IW-1609	Statement of Active Efforts - ICWA	SAE	Statement of Active Efforts

*It is posted on CourtNet at the bottom of the Model Record Keeping page.

A CODE FOR EACH FORM

JUVENILE CIRCUIT COURT FORMS

- All JC, JD, and IW forms have a code.
- **RPH** - Request for Permanency Hearing
- **MFSA** - Motion for Sanctions
- **OIJCR** - Order on Request to Inspect Juvenile Court Records
- **OOJCR** - Order Open Juvenile Court Records for Inspection

DCF DOCUMENTS

- Deactivated electronic court report, electronic permanency plan, supplemental court report, and addendum to court report codes
- Activated family history questionnaire codes in JG for §48.831 guardianships
- Deactivated home study codes so only HS - Home study remains.

MISC. DOCUMENTS

- **CASAR** - CASA Report
 - New code now active in JC and JV
- **JSC** - Jury Selection Chart
 - Now active in JC and TP

Event descriptions match form titles

Order concerning termination parental rights - vol	OCTPV	Order concerning TPR - voluntary
Order concerning termination parental rights - inv	OCTPI	Order concerning TPR - involuntary
Request to review juvenile records	RRJR	Request to Inspect Juvenile Court Records
Authorization to open records for inspection	AORI	Request Authorization to Open Juvenile Ct Records
Order to Change Placement-Out of Home to In Home	OCPOI	Order for Change in Placement (Out to In)

New ICWA codes

TPCRI	Temporary Physical Custody Request - ICWA
CHIPI	Petition for Protection or Services (Chapter 48) - ICWA
DOI	Dispositional Order - ICWA
PTRI	Petition for termination of parental rights - ICWA
OTPVI	Order concerning TPR - voluntary - ICWA

**Proposed Order Codes are
Listed Above Order Code on Codes Guide**

JC-1638*	<i>Prop Order: Order Concerning Termination of Parental Rights (Voluntary)</i>	POTPV	Prop Order concerning TPR - voluntary
JC-1638	Order Concerning Termination of Parental Rights (Voluntary)	OCTPV	Order concerning TPR - voluntary

The same code will be used if TPR warnings are included - "T" version

JD-1791* JD-1791T*	Proposed Order: Permanency Hearing Order Proposed Order: Permanency Hearing Order with TPR warnings	PPHO	Prop Permanency Hearing Order
JD-1791 JD-1791T	Permanency Hearing Order Permanency Hearing Order with TPR warnings	PHO	Permanency Hearing Order

Optional Minor Guardianship Maintenance Codes

GF	48.9795 Full Guardianship
GL	48.9795 Limited Guardianship
GTG	48.9795 Temporary Guardianship
GE	48.9795 Emergency Guardianship
GV	48.9795 Grandparent Visitation
GC	48.977 CHIPS Guardianship
GAG	48.831 Guardianship

48.9795 Full

48.9795 Limited

48.9795 Temporary

48.9795 Emergency

Grandparent Visitation

48.977 CHIPS

48.831 Adoptability

These were created to easily identify the type of guardianship for each case.

These maintenance codes will not have any additional functionality.

Guardianship Maintenance Code Guide

History Event Code	History Event Description		Maintenance Code	Maintenance Code Description
GAG	48.831 Guardianship	>	GA	48.831 Adoptability
GAR	48.831 Guardianship Maintenance Removed	>	GA	48.831 Adoptability
GC	48.977 CHIPS Guardianship	>	GC	48.977 CHIPS
GCR	48.977 CHIPS Guardianship Maintenance Removed	>	GC	48.977 CHIPS
GF	48.9795 Full Guardianship	>	GF	48.9795 Full
GFR	48.9795 Full Guardianship Maintenance Removed	>	GF	48.9795 Full
GL	48.9795 Limited Guardianship	>	GL	48.9795 Limited
GLR	48.9795 Limited Guardianship Maintenance Removed	>	GL	48.9795 Limited
GTG	48.9795 Temporary Guardianship	>	GT	48.9795 Temporary
GTR	48.9795 Temporary Guardianship Maintenance Removed	>	GT	48.9795 Temporary
GE	48.9795 Emergency Guardianship	>	GE	48.9795 Emergency
GER	48.9795 Emergency Guardianship Maintenance Removed	>	GE	48.9795 Emergency
GV	48.9795 Grandparent Visitation	>	GV	Grandparent Visitation
GVR	48.9795 Grandparent Visitation Maintenance Removed	>	GV	Grandparent Visitation

*It is posted on CourtNet at the bottom of the Model Record Keeping page.

ADDITIONAL CCAP UPDATES

CHILD/JUVENILE'S AGE

- The child/juvenile's age will be calculated and displayed in case management and the judicial dashboard.
- This is to help to notify clerks and judges when adversary counsel is needed once the child turns 12 years old in CHIPS cases.

PLEA DROPDOWN

- Petitioner was removed from the party's available in the plea dropdown in JC cases.

ONE CHILD PARTY

- eFiling will limit eFilers to only one child party in all juvenile cases - JC, JV, JG, GN, AD/JA, JI, TP, and JO.

MOVING A PARTY

- The ability to move a party to a notice recipient is now available in all case types.

CCAP PROGRAMMING UPDATES COMING SOON...

PUBLIC/PRIVATE DROPDOWN

- Public and private dropdown fields will be created in TP and JG case types.
- This field will be a required field on newly filed cases.
- An informational icon will include definitions.

PUBLIC/PRIVATE DEFINITIONS

- Public – filed by the District Attorney, Corporation Counsel, county child welfare agency, or an attorney contracted by District Attorney, Corporation Counsel, or county child welfare agency.
- Private – filed by an individual, attorney, or agency other than the District Attorney, Corporation Counsel, or county child welfare agency.

CCAP PROGRAMMING UPDATES COMING SOON...

ACTIVITY CODES

Deactivate:

- Alcohol Court (NC)
- Arraignments (NC)
- CM/CT Trials (NC)
- Permanency plan hearing - JO
- Permanency hearing - JO
- TAD Court (NC)
- Watts Reviews (NC)

ACTIVITY CODES

Deactivate in AD, JA, and JV

- Jury selection
- Jury status hearing
- Jury trial
- Jury trial - 12 person
- Jury Trial - 6 person
- Jury

Creating *APDH* - Adjourned
Plea/Disposition Hearing for JC and JV

CCAP PROGRAMMING UPDATES COMING SOON...

PARTY TYPES

- **Deactivating**
 - Agent
 - Custodial Agency
 - Grandparent
 - Guardian ad Litem
 - Intake/Dispositional Worker
 - Residential Treatment Center
 - Special Advocate
 - Supervising Agency

PARTY TYPES

- **Activating**
 - Facility
 - Physical Custodian
 - * as a Notice Recipient
 - Special Prosecutor

These programming updates will be specific to each case type - AD, JA, JC, JG, JI, JM, JO, JV, and TP.

CCAP PROGRAMMING UPDATES COMING SOON...

EFILING DOCUMENTS

- Updating the eFiling document list to include frequently filed forms.
- Document title will not include ICWA or TPR Notice
 - For example, Dispositional Order - Protection or Services (Chapter 48) will apply to - JC-1611, JC-1611T, IW-1611, and IW-1611T
- There will only be one Order for Change in Placement eFiling title.

MARKED AS CONFIDENTIAL

- Certain history event codes and Circuit Court forms will be automatically marked as confidential if mentioned in statute. Some examples are:
 - Court Reports
 - Permanency Plans
 - CANS Assessment
 - CASA Report
 - Competency Reports

MODEL RECORD KEEPING

PROCEDURAL UPDATES

- Chapter 48 (CHIPS and TPR) and Adoption Model Record Keeping Procedures are currently being updated by the Juvenile Clerks Workgroup.
- The new codes that were just released will be included in these Model Record Keeping updates.

NEW PROCEDURES

- Chapter 48 Minor Guardianships will have its own Model Record Keeping Procedures document.
- Model Record Keeping Procedures are being created for §48.831 Minor Guardianships.
- **Please let us know if there are any additional procedures that are not currently included.**

Juvenile Forms

When updated forms are posted to www.wicourts.gov, an email summarizing the juvenile form updates is sent to the CCAP Juvenile Court Clerks email group.

These emails have also been shared with the DCF Regional Offices to forward to county agency supervisors.

RMC – Meets Quarterly

RMC Meeting	Release Date to www.wicourts.gov
September 8th	November 11th
December 16th	January 30th
February 23rd	April 10th
May 18th	June 30th

CCAP generated forms are never updated on the same day.

Juvenile Forms Updates

- Distribution lists were updated
- All petitions and TPC Requests now include a question asking if an interpreter is needed, for which party, and which language.
- There is a new Notice of Change of Address (Chapter 48 and 938) (JD-1830) form to trigger the clerk to update the party's address in CCAP.
 - Code: NCAJ - JC, JV, and TP

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE INTEREST OF _____ Amended

Notice of Change of Address
(Chapters 48 and 938)

Name _____ Case No. _____

Date of Birth _____

I am notifying the court of the following change of address for

Name: _____
 parent guardian child/juvenile placement provider

Previous Address: _____
 Current Address: _____

Name: _____
 parent guardian child/juvenile placement provider

Previous Address: _____
 Current Address: _____

The effective date of the change is _____.

This form cannot be used to change the child/juvenile's placement.

Signature

Name Printed or Typed

Address

Email Address _____ Telephone Number _____

Date _____ State Bar No. (if any) _____

Juvenile Forms Updates

DCF Public Adoption Offices & County Assignments

County	Agency	Mailing Address
Adams	Children's Wisconsin	1716 Fordem Avenue, Madison, WI 53704
Ashland	Lutheran Social Services	120 S. Barstow Street Eau Claire, WI, 54701
Barron	Lutheran Social Services	120 S. Barstow Street Eau Claire, WI, 54701
Bayfield	Lutheran Social Services	120 S. Barstow Street Eau Claire, WI, 54701
Brown	Lutheran Social Services	3003A N. Richmond St. Appleton, WI 54911
Buffalo	Lutheran Social Services	2307 South Ave La Crosse, WI 54601
Burnett	Lutheran Social Services	120 S. Barstow Street Eau Claire, WI, 54701
Calumet	Lutheran Social Services	3003A N. Richmond St. Appleton, WI 54911
Chippewa	Lutheran Social Services	120 S. Barstow Street Eau Claire, WI, 54701
Clark	Lutheran Social Services	120 S. Barstow Street Eau Claire, WI, 54701
Columbia	Children's Wisconsin	1716 Fordem Avenue, Madison, WI 53704
Crawford	Children's Wisconsin	1716 Fordem Avenue, Madison, WI 53704
Dane	Children's Wisconsin	1716 Fordem Avenue, Madison, WI 53704
Dodge	Children's Wisconsin	1716 Fordem Avenue, Madison, WI 53704
Door	Lutheran Social Services	3003A N. Richmond St. Appleton, WI 54911
Douglas	Lutheran Social Services	120 S. Barstow Street Eau Claire, WI, 54701
Dunn	Lutheran Social Services	120 S. Barstow Street Eau Claire, WI, 54701
Eau Claire	Lutheran Social Services	120 S. Barstow Street Eau Claire, WI, 54701
Florence	Lutheran Social Services	115 6 th Street, Wausau, WI 54403
Fond du Lac	Lutheran Social Services	3003A N. Richmond St. Appleton, WI 54911
Forest	Lutheran Social Services	115 6 th Street, Wausau, WI 54403
Grant	Children's Wisconsin	1716 Fordem Avenue, Madison, WI 53704
Green	Children's Wisconsin	1716 Fordem Avenue, Madison, WI 53704
Green Lake	Lutheran Social Services	3003A N. Richmond St. Appleton, WI 54911
Iowa	Children's Wisconsin	1716 Fordem Avenue, Madison, WI 53704

- For public TPRs, a certified copy of the TPR order must be sent to the DCF Public Adoption Agency.
 - Addresses are on relevant form summaries.
- DCF Public Adoption Agency also receives 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.

Juvenile Forms Updates

- There are 2 new adoption records forms - Request to Disclose Adoption Court Records (*JD-1740*) and Order on Request to Disclose Adoption Court Records (*JD-1741*).
 - Code: RDAR and ORDAR - GJ, AD, and JA.
- **New Form:** Annotation of Birth Facts Abstracted from Certified Copy of the Birth Certificate (*GF-158*).
 - This form will be filed in the court record in lieu of a birth certificate.
 - Code: **ABF** - AD/JA, TP, CV, PR, IN

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY			
Name _____		Annotation of Birth Facts Abstracted from Certified Copy of the Birth Certificate	
Date of Birth _____		Case No. _____	
<p>It is illegal in the State of Wisconsin to photocopy a vital record and use it as legal proof of birth. This form will be filed in the case in lieu of the certified copy of the birth certificate.</p> <p>The abstractor should verify the following features of the legal certified copy of the birth certificate. The certified copy of the birth certificate contains all of the following:</p> <p><input type="checkbox"/> Raised Seal of Registrar (not a notary seal on a photocopy) <input type="checkbox"/> Signature of Official that Issued Certificate and Date of Issuance <input type="checkbox"/> Watermark (chain link which can be seen when held up to the light, issue date 2000 and after)</p> <p>I abstracted the following information from the certified copy of the birth certificate:</p>			
1. (First Name)	(Full Middle Name)	(Last Name)	(Title, e.g. Jr.)
2. Date of Birth (Month, Day, Year)		3. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	
4. Name of Mother Listed (First Name)	(Middle Name)	(Last Name)	
5. Name of Father Listed (First Name)	(Middle Name)	(Last Name)	
6. Place of Birth Country <input type="checkbox"/> USA or Specify:	State	City, Village, Town	County
7. Certified Copy of Birth Certificate Issued by <input type="checkbox"/> State Registrar Office <input type="checkbox"/> Local Registrar Office: <input type="checkbox"/> U.S. Dept. Of State (FS 240 or DS 1350):			8. Date of Issuance (Month, Day, Year)

Juvenile Forms Updates

- The Petition for Removal of Firearm Restriction (Juvenile) (*JD-1771*) removed #s 4-7 that did not have statutory or case law authority for those questions/statements.
- Order for Temporary Physical Custody (*JD-1711*) was updated to add #2 under secure custody to match the Chapter 938 TPC Request.

For secure custody, the court further finds that probable cause exists to believe:

- 1. The child/juvenile has committed a delinquent act and there is a substantial risk of
 - physical harm to another. running away.
- 2. Juvenile has:
 - committed a felony delinquent act listed under §938.208(1)(a), Wis. Stats.
 - committed a felony delinquent act while in possession of a firearm.
 - possessed a short-barreled rifle, short-barreled shotgun, or handgun.
- 3. The child/juvenile is a fugitive from another state runaway from a juvenile correctional facility, and there was no reasonable opportunity to return the child/juvenile.

Juvenile Forms Updates

- Guardian's date of birth was added to all Chapter 48 Minor Guardianship petitions.
- Guardian's name was added to the JIPS Dispositional Orders.
- Order to Change Placement (Out-of-Home to Out-of-Home) (*JD-1790*) was reinstated without TPR warnings.
- Added the word "business" to any 10 day period on forms.

- The 5 requests on *JD-1766* and *IW-1766* were split up into 4 forms:
 - *JD-1766 and IW-1766* - Request to Change Placement / Revise Dispositional Order
 - *JD-1764* - Request to Extend Dispositional Order
 - *JD-1769* - Request for Permanency Hearing
 - *JD-1776* - Request to Terminate Consent Decree / Dispositional Order
- Codes are also now updated!

Juvenile Forms Updates

5. The following grounds for termination of the parental rights of _____ were found to exist:

Parent #1	Parent #2	
<input type="checkbox"/>	<input type="checkbox"/>	abandonment
<input type="checkbox"/>	<input type="checkbox"/>	relinquishment
<input type="checkbox"/>	<input type="checkbox"/>	continuing need of protection or services
<input type="checkbox"/>	<input type="checkbox"/>	continuing parental disability
<input type="checkbox"/>	<input type="checkbox"/>	continuing denial of periods of physical placement or visitation
<input type="checkbox"/>	<input type="checkbox"/>	child abuse
<input type="checkbox"/>	<input type="checkbox"/>	failure to assume parental responsibility
<input type="checkbox"/>	<input type="checkbox"/>	incestuous parenthood
<input type="checkbox"/>	<input type="checkbox"/>	homicide or solicitation to commit homicide of parent
<input type="checkbox"/>	<input type="checkbox"/>	parenthood as a result of sexual assault
<input type="checkbox"/>	<input type="checkbox"/>	commission of a felony against a child
<input type="checkbox"/>	<input type="checkbox"/>	prior involuntary termination of parental rights to another child

A. Parent #1 Parent #2 was found in default. An evidentiary hearing was conducted establishing grounds for termination of parental rights.

9, 05/23 Order Concerning Termination of Parental Rights (Involuntary) §§48.426, 48.427 and 48.43, Wisconsin Statutes
This form shall not be modified. It may be supplemented with additional material.
Page 1 of 2

B. The court granted partial summary judgment on the grounds for termination of parental rights for
 Parent #1 Parent #2.

C. Parent #1 Parent #2 had this matter tried to a jury, the court.

D. Parent #1 Parent #2 entered a no contest plea to the involuntary grounds for termination of parental rights. The plea was made knowingly, intelligently, and voluntarily. Testimony supporting the allegations in the petition was presented to the court and there is a factual basis for the admission of the alleged facts.

TPR Orders

- No contest language was removed from the Voluntary TPR Order (*JC-1638 and IW-1638*).
- 5A, 5B, 5C, and 5D were added to the Involuntary TPR Order (*JC-1639 and IW-1639*) to clarify what occurred at the Involuntary TPR hearing for each parent.
 - 5B - Partial summary judgment was just added with the most recent release.

Juvenile Forms Updates

- Order Appointing Guardian ad Litem or Attorney (*JD-1798A*) includes a specific checkbox under #2 for §48.9795 guardianships.
- Several forms contain a question asking if a party's address has changed and whether a Notice of Change of Address (*JD-1830*) was previously filed with the court or is attached. This new form should be used by workers to notify the Juvenile Clerk to update a party's address in CCAP.

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE INTEREST OF _____ **Order Appointing Guardian ad Litem or Attorney (Chapters 48 and 938)**

Name _____ Case No. _____

Date of Birth _____

2. The guardian ad litem shall be provided access to
 all records in possession of juvenile intake, the county or state department, child welfare agencies, schools, or law enforcement agencies pertaining to the above captioned case, regardless of the originating source, including but not limited to, medical, mental health, psychological, counseling, drug or alcohol records from a non-federally assisted program as defined in 42 CFR Part 2, financial, educational, employment, probation, and law enforcement records.

9A, 05/23 Order Appointing Guardian ad Litem or Attorney (Ch. 48 and 938) §§48.23, 48.235, 48.293, 48.9795, 48.981, 938.23, 938.235 and 938.293, Wisconsin Statutes
This form shall not be modified. It may be supplemented with additional material.
Page 1 of 2

for §48.9795 guardianship proceedings
 law enforcement reports and records under §§48.396 (1) and 938.396 (1)(a), court records under §§48.396 (2)(a) and 938.396 (2), social welfare agency records under §§48.78 (2)(a) and 938.78 (2)(a), abuse and neglect reports and records under §48.981 (7)(a)11v, pupil records under §118.125 (2)(L), mental health records under §51.30 (4)(b)4, and health care records under §146.82 (2)(a)4. The guardian ad litem is permitted to inspect and copy the report or record on presentation of this order.

the following records: _____

Juvenile Forms Updates

- Notice to School Board (*JD-1725*) clarifies that #3 applies to both felony and misdemeanor charges.

3. the juvenile was adjudicated delinquent of a misdemeanor or felony offense. Attached is a copy of the dispositional order that includes the nature of the violation committed by the juvenile and the disposition imposed on the juvenile as a result of the violation.

- Notice of Postdisposition Emergency Change in Placement (*JD-1767*) now includes #11 that a Request for Revision may be filed to order/modify Conditions for Return for the parents.

10. A Request for Change in Placement (*JD-1766/IW-1766*) will be filed by the time of the Emergency Change in Placement hearing.

11. A Request for Revision (*JD-1766/IW-1766*) may be filed to order/modify Conditions for Return for the parents.

Upcoming September RMC Requests

1. Creating §48.977 guardianship forms:
 - a. Petition for Successor Guardian and
 - b. Order to Appoint Successor Guardian
2. Creating a §48.9795 guardianship form for Notice of Overdue Annual Report Filing
3. Updating WICWA forms to consistently include mother/father instead of Parent 1/Parent 2
4. Updating *JD-1769* - Request for Permanency Hearing
 - a. Not allowing the permanency plan to be attached but instead stating "the permanency plan must be filed at least 5 business days prior to the hearing."

CCIP Upcoming Events

**Understanding and
Assessing Child
Maltreatment Related
Statements of Children**

Zoom Webinar

**August 16th ~
12pm-1:30pm**

**Juvenile Clerks
Meet Ups**

**Held quarterly
Recorded for any court staff**

September 13th ~ 12pm-1pm
Case expiration, termination &
case closure procedures followed
by a virtual CCAP demonstration
on juvenile related procedures.

Conference on Child Welfare and the Courts

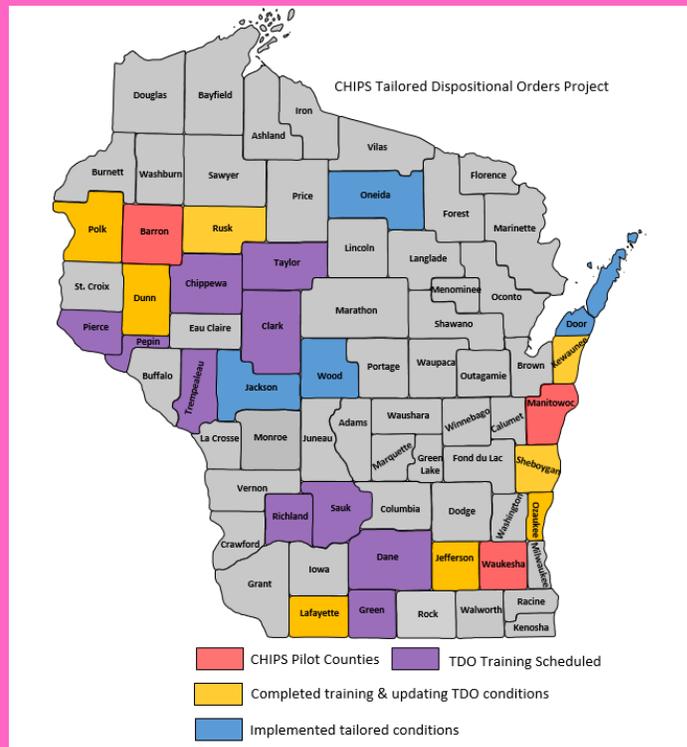
**2023 CONFERENCE
ON CHILD WELFARE
AND THE COURTS:
STRONGER TOGETHER,
UNITING FOR CHILDREN**



**September 27-29, 2023
Wilderness Resort, Wisconsin Dells
and via Zoom**

For more information and to register: <https://go.wisc.edu/c1xh03>

Tailored Dispositional Orders Project with DCF



WICWA Continuous Quality Improvement Project with DCF

Third round of full reviews (file reviews and focus groups) being conducted in 2022-2023 in the eight counties with the most WICWA-applicable cases:

- Ashland* - Completed 2022
- Brown - In Process
- Forest - Pending
- Jackson - Pending
- Milwaukee - Pending
- Outagamie* - In Process
- Sawyer* - Completed 2022
- Shawano - Completed 2022

*First review period; replacing Bayfield, Burnett, and Vilas Counties

TPR Timeliness Project with DCF

- Data-driven project to analyze and improve times in TPR cases
- Began in August 2017 and concluded in July 2022
- Project included surveys and court and agency case file reviews in 16 counties.

Project Materials	-
Tailored Dispositional Orders Pilot Project	+
TPR Timeliness Project	-
TPR Timeliness Project Report	
TPR Flow Chart & Types of Default	
TPR Hearing on the Petition Judicial Checklist	
TPR Voluntary Consent Judicial Checklist	
TPR Dispositional Hearing Judicial Checklist	
TPR Readiness Checklist	
Sample TPR Scheduling Orders	
Sample TPR Order to Appear	
Sample Summary Judgment Motions	

Comprehensive report

- Separate analysis for Milwaukee County and 15 other project counties
- Recommendations for practice and policy changes ~ emphasis on communication and reducing unnecessary adjournments
- Report and resources are available on www.wiccuptraining.com and on DCF's website.
- Report provided to counties who were included in the review process
- Any county may request technical assistance to improve TPR practices and timeliness.

Spanish Minor Guardianship Filing Guide

PRESENTACIÓN DE UN CASO DE TUTELA DE PERSONAS PARA UN MENOR

Este documento proporciona información general sobre las tutelas de personas para un menor y no constituye asesoramiento jurídico.

1 ¿Qué tipo de tutela está solicitando?

TUTELA COMPLETA

- Una tutela completa requiere que el peticionario pruebe hechos y circunstancias que establezcan que los padres del menor no son aptos, no están dispuestos o no son capaces de proporcionar el cuidado, la custodia y el control del menor u otros hechos y circunstancias convincentes que demuestren que se necesita una tutela plena.
- Los deberes y la autoridad de un tutor completo incluyen lo siguiente:
 - Todos los deberes y la autoridad especificados en los Estatutos de Wisconsin, sección 48.023, el deber y la autoridad para tomar decisiones importantes en asuntos que tengan un efecto permanente en la vida y el desarrollo del menor, y el deber de preocuparse por el bienestar general del menor, que incluye, entre otras cosas:
 - La autoridad para consentir el matrimonio, el alistamiento en las fuerzas armadas de EE. UU., los tratamientos médicos, psiquiátricos y quirúrgicos importantes y la obtención del permiso de conducir vehículos motorizados.
 - La autoridad para representar al menor en acciones legales y tomar otras decisiones de importancia jurídica sustancial relativas al menor.
 - Visitas razonables al menor.
 - Los derechos y responsabilidades de la custodia legal, excepto cuando la custodia legal haya sido otorgada a otra persona o cuando el menoresté bajo la supervisión del departamento correccional o de un departamento del condado.
 - El derecho a cambiar la residencia del niño de Wisconsin a otro estado.
 - El tutor deberá notificar inmediatamente al tribunal cualquier cambio de domicilio del tutor o del menor.
 - El tutor deberá presentar un informe anual a dicho tribunal sobre el estado del menor.
 - El informe incluirá la ubicación del menor, su estado de salud y cualquier recomendación relativa a él.
- La tutela completa se mantiene hasta que el niño cumpla 18 años, a menos que se rescinda antes.

Legislative Updates

U.S. Supreme Court Decision - *Brackeen v. Haaland*

- Challenge to the federal Indian Child Welfare Act and regulations brought by prospective adoptive parents who were non-Indian and sought adoptive placement of Indian children
- Placements were outside of the placement preferences of the children's tribes; extended family or other tribal members available for placement
- Tribes requesting placement within order of preference
- U.S. Supreme Court issued a 7-2 opinion on June 15, 2023 upholding Congress's constitutional authority to enact ICWA
- No changes to federal ICWA or WICWA
- Did not address equal protection arguments (prospective adoptive parents lacked standing)

WI Legislation Introduced

Treatment Courts

- Giving courts statutory authority to have treatment courts:
 - adult
 - juvenile
 - operating while intoxicated
 - mental health
 - family dependency (CHIPS)
 - veterans
 - hybrid
 - tribal healing to wellness
- The bill also gives statutory authority for the commercial cases docket.

TPR Disclaimer

- Provides method for mother, father, or alleged/presumed father to consent to TPR in writing (vs. appearing in court)
 - Child under 1 year old only
 - Cannot be an Indian child
- Father, alleged father, or presumed father may consent to TPR prior to the birth of the child
- Revocable later of 72 hours after execution or 120 hours after birth

WI Legislation Introduced

Adoptee Birth Records -

an adoptee can access an uncertified copy of the impounded birth record upon request once the adoptee is 18 years of age without a court order or affidavit from birth parent.

Charging a minor with prostitution

eliminates the ability to charge an individual under the age of 18 with prostitution (a/k/a Safe Harbor). This applies to both juvenile and criminal court.

Permanency Plan -

allows agency the ability to provide a copy of the child's/juvenile's permanency plan and comments on the plan to the out-of-home care provider.

Expanding CASA -

provides \$6.8 million to expand existing program and create two new county programs in 2023 and two new county programs in 2024.

Budget Update

SPD CHIPS Pilot

- The legislature extended the 5 county CHIPS pilot until June 30th, 2025.
- Allows the State Public Defender's Office to appoint counsel for indigent parents in CHIPS cases in Brown, Kenosha, Racine, Outagamie, and Winnebago counties.
- February 2023 - Report to the Legislature
 - https://docs.legis.wisconsin.gov/misc/lfb/jfc/200_reports/2023_02_23_children_in_need_of_protection_or_services
- A second report from the State Public Defender and DCF regarding pilot implementation is due by January 1, 2025



Any Questions

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