



**ASSEMBLY AMENDMENT 25,
TO 1995 ASSEMBLY BILL 130**

March 23, 1995 – Offered by COMMITTEE ON CHILDREN AND FAMILIES.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 49, line 20: delete the material beginning with that line and ending
with page 52, line 16.

3 **2.** Page 55, line 5: delete lines 5 to 7 and substitute:

4 “SECTION 112m. 48.14 (4) of the statutes is repealed.”.

5 **3.** Page 60, line 5: delete “938.13” and substitute “938.14”.

6 **4.** Page 61, line 5: after that line insert:

7 “SECTION 150d. 48.23 (4) of the statutes is amended to read:

8 48.23 (4) PROVIDING COUNSEL. In any situation under this section in which a
9 person has a right to be represented by counsel or is provided counsel at the
10 discretion of the court and counsel is not knowingly and voluntarily waived, the court
11 shall refer the person to the state public defender and counsel shall be appointed by
12 the state public defender under s. 977.08 without a determination of indigency. If the
13 referral is of a person who has filed a petition under s. 48.375 (7), the state public
14 defender shall appoint counsel within 24 hours after that referral. Any counsel

1 appointed in a petition filed under s. 48.375 (7) shall continue to represent the child
2 in any appeal brought under s. 809.105 unless the child requests substitution of
3 counsel or extenuating circumstances make it impossible for counsel to continue to
4 represent the child. In any situation under sub. (2) in which a parent 18 years of age
5 or older is entitled to representation by counsel; counsel is not knowingly and
6 voluntarily waived; and it appears that the parent is unable to afford counsel in full,
7 or the parent so indicates; the court shall refer the parent to the authority for
8 indigency determinations specified under s. 977.07 (1). In any other situation under
9 this section in which a person has a right to be represented by counsel or is provided
10 counsel at the discretion of the court, competent and independent counsel shall be
11 provided and reimbursed in any manner suitable to the court regardless of the
12 person's ability to pay, except that the court may not order a person who files a
13 petition under s. 813.122 or 813.125 to reimburse counsel for the child who is named
14 as the respondent in that petition.”.

15 **5.** Page 70, line 17: delete “peace” and substitute “peace law enforcement”.

16 **6.** Page 89, line 5: delete “Peace” and substitute: “Peace Law enforcement”.

17 **7.** Page 89, line 7: delete “older over. Peace” and substitute “older. Peace over.
18 Law enforcement”.

18 **8.** Page 89, line 10: delete “sub. (1m) or” and substitute “sub. (1g) or (1m) or”.

19 **9.** Page 89, line 15: delete “15” and substitute “10”.

20 **10.** Page 89, line 16: delete lines 16 and 17 and substitute: “over who are
21 transferred to the criminal courts subject to the jurisdiction of the court of criminal
jurisdiction.”.

21 **SECTION 312m.** 48.396 (1g) of the statutes is created to read:

1 48.396 (1g) If requested by the parent, guardian or legal custodian of a child
2 who is the subject of a law enforcement officer's report, or if requested by the child,
3 if 14 years of age or over, a law enforcement agency may, subject to official agency
4 policy, provide to the parent, guardian, legal custodian or child a copy of that report.

5 **SECTION 313m.** 48.396 (1m) of the statutes is repealed and recreated to read:

6 48.396 (1m) Upon the written permission of the parent, guardian or legal
7 custodian of a child who is the subject of a law enforcement officer's report or upon
8 the written permission of the child, if 14 years of age or over, a law enforcement
9 agency may, subject to official agency policy, make available to the person named in
10 the permission any reports specifically identified by the parent, guardian, legal
11 custodian or child in the written permission.”.

12 **11.** [Page 89, line 24](#): after that line insert:

13 “**SECTION 314g.** 48.396 (2) (ag) of the statutes is created to read:

14 48.396 (2) (ag) Upon request of the parent, guardian or legal custodian of a
15 child who is the subject of a record of a court specified in par. (a), or upon request of
16 the child, if 14 years of age or over, the court shall open for inspection by the parent,
17 guardian, legal custodian or child the records of the court relating to that child.

18 **Section 314m.** 48.396 (2) (am) of the statutes is created to read:

19 48.396 (2) (am) Upon the written permission of the parent, guardian or legal
20 custodian of a child who is the subject of a record of a court specified in par. (a), the
21 court shall open for inspection by the person named in the permission any records
22 specifically identified by the parent, guardian, legal custodian or child in the written
23 permission.”.

24 **12.** [Page 101, line 5](#): after that line insert:

1 **“SECTION 368g.** 48.78 (2) (ag) of the statutes is created to read:

2 48.78 (2) (ag) Paragraph (a) does not prohibit an agency from making available
3 for inspection or disclosing the contents of a record, upon the request of the parent,
4 guardian or legal custodian of the child who is the subject of the record or upon the
5 request of the child, if 14 years of age or over, to the parent, guardian, legal custodian
6 or child.

7 **SECTION 368m.** 48.78 (2) (am) of the statutes is created to read:

8 48.78 (2) (am) Paragraph (a) does not prohibit an agency from making
9 available for inspection or disclosing the contents of a record, upon the written
10 permission of the parent, guardian or legal custodian of the child who is the subject
11 of the record or upon the written permission of the child, if 14 years of age or over,
12 to the person named in the permission if the parent, guardian, legal custodian or
13 child specifically identifies the record in the written permission.”.

14 **13.** Page 122, line 9: delete “, educational”; and after “welfare” insert “or school
attendance”.

15 **14.** Page 124, line 24: delete “may” and substitute “may shall”.

16 **15.** Page 125, line 3: delete “938.396 (1m) (a)”.

17 **16.** Page 125, line 4: delete “may” and substitute “may 938.396 (1m) (a) shall”;
and delete “only” and substitute “only”.

18 **17.** Page 125, line 5: delete “and only” and substitute “and only”.

19 **18.** Page 127, line 19: delete “may” and substitute “shall”.

20 **19.** Page 128, line 2: delete “may” and substitute “may shall”.

1 **20.** Page 128, line 3: delete “938.396 (1m) (a) only” and substitute “only
2 938.396 (1m) (a)”.

2 **21.** Page 128, line 5: delete “may” and substitute “shall”.

3 **22.** Page 128, line 8: delete “may” and substitute “shall”.

4 **23.** Page 128, line 9: delete “only”.

5 **24.** Page 128, line 11: delete “may not use information from” and substitute
6 “shall not use”.

6 **25.** Page 133, line 12: before the period insert: “, except that reimbursement
7 under this subsection for each full-time equivalent pupil of a school district who is
8 provided educational programming by a county may not exceed 110% of the school
9 district’s average per pupil cost or the actual cost of that programming, whichever
10 is less”.

7 **26.** Page 157, line 20: after that line insert:

8 “**SECTION 535r.** 757.69 (1) (intro.) of the statutes is amended to read:

9 757.69 (1) (intro.) On authority delegated by a judge, which may be by a
10 standard order, and with the approval of the chief judge of the judicial administrative
11 district, a court commissioner appointed under s. 48.065, 757.68, 757.72 ~~or~~, 767.13
12 or 938.065 may:”.

13 **27.** Page 158, line 12: after that line insert:

14 “**SECTION 536d.** 757.69 (1) (k) of the statutes is amended to read:

15 757.69 (1) (k) Exercise the power of a juvenile court commissioner appointed
16 under s. 48.065 or 938.065, a probate court commissioner appointed under s. 757.72
17 or a family court commissioner appointed under s. 767.13.

1 **SECTION 536g.** 757.69 (2) (intro.) of the statutes is amended to read:

2 757.69 (2) (intro.) A judge may refer to a court commissioner appointed under
3 s. 48.065, 757.68, 757.72 ~~or~~, 767.13 or 938.065 cases in which:

4 **SECTION 536m.** 757.69 (3) (intro.) of the statutes is amended to read:

5 757.69 (3) (intro.) Court commissioners appointed under s. 48.065, 757.68,
6 757.72 ~~or~~, 767.13 or 938.065 may under their own authority:

7 **SECTION 536p.** 757.81 (2) of the statutes is amended to read:

8 757.81 (2) “Court commissioner” means a court commissioner under s. 757.68,
9 a family court commissioner under s. 767.13, a juvenile court commissioner under
10 s. 48.065 or 938.065 and a probate court commissioner under s. 757.72.”.

11 **28.** Page 167, line 8: delete lines 8 to 25 and substitute:

12 **“SECTION 564m.** 895.035 (2m) of the statutes is created to read:

13 895.035 (2m) (a) If a child fails to pay restitution under s. 938.245, 938.32,
14 938.34 (5) or 938.343 (4) as ordered by a court assigned to exercise jurisdiction under
15 chs. 48 and 938 or a municipal court or as agreed to in a deferred prosecution
16 agreement or if it appears likely that the child will not pay restitution as ordered or
17 agreed to, the victim, the victim’s insurer, the representative of the public interest
18 under s. 938.09 or the agency, as defined in s. 938.38 (1) (a), supervising the child may
19 petition the court assigned to exercise jurisdiction under chs. 48 and 938 to order that
20 the amount of restitution unpaid by the child be entered and docketed as a judgment
21 against the child and the parent with custody of the child. A petition under this
22 paragraph may be filed after the expiration of the deferred prosecution agreement,
23 consent decree, dispositional order or sentence under which the restitution is
24 payable, but no later than one year after the expiration of the deferred prosecution

1 agreement, consent decree, dispositional order or sentence or any extension of the
2 consent decree, dispositional order or sentence.

3 (b) If a child fails to pay a forfeiture as ordered by a court assigned to exercise
4 jurisdiction under chs. 48 and 938 or a municipal court or if it appears likely that the
5 child will not pay the forfeiture as ordered, the representative of the public interest
6 under s. 938.09, the agency, as defined in s. 938.38 (1) (a), supervising the child or
7 the law enforcement agency that issued the citation to the child may petition the
8 court assigned to exercise jurisdiction under chs. 48 and 938 to order that the amount
9 of the forfeiture unpaid by the child be entered and docketed as a judgment against
10 the child and the parent with custody of the child. A petition under this paragraph
11 may be filed after the expiration of the dispositional order or sentence under which
12 the forfeiture is payable, but no later than one year after the expiration of the
13 dispositional order or sentence or any extension of the dispositional order or
14 sentence.

15 (bm) 1. Before issuing an order under par. (a) or (b), the court assigned to
16 exercise jurisdiction under chs. 48 and 938 shall give the child and the parent notice
17 of the intent to issue the order and an opportunity to be heard regarding the order.
18 The court shall give the child and the parent an opportunity to present evidence as
19 to the amount of the restitution or forfeiture unpaid, but not as to the amount of the
20 restitution or forfeiture originally ordered. The court shall also give the child and
21 the parent an opportunity to present evidence as to the reason for the failure to pay
22 the restitution or forfeiture and the ability of the child or the parent to pay the
23 restitution or forfeiture. In considering the ability of the child or the parent to pay
24 the restitution or forfeiture, the court may consider the assets, as well as the income,

1 of the child or the parent and may consider the future ability of the child or parent
2 to pay the restitution or forfeiture within the time specified in s. 893.40.

3 2. In proceedings under this subsection, the court assigned to exercise
4 jurisdiction under chs. 48 and 938 may take judicial notice of any deferred
5 prosecution agreement, consent decree, dispositional order, sentence, extension of a
6 consent decree, dispositional order or sentence or any other finding or order in the
7 records of the child maintained by that court or the municipal court.

8 3. In proceedings under this subsection, the child and the parent may retain
9 counsel of their own choosing at their own expense, but a child or a parent has no
10 right to be represented by appointed counsel in a proceeding under this subsection.”.

11 **29.** Page 168, line 1: after “court” insert: “assigned to exercise jurisdiction
under chs. 48 and 938”.

12 **30.** Page 175, line 2: after that line insert:

13 “(9m) “Habitual truant” has the meaning given in s. 118.16 (1) (a).”.

14 **31.** Page 177, line 10: after that line insert:

15 “(18m) “Truancy” has the meaning given in s. 118.16 (1) (c).”.

16 **32.** Page 177, line 19: before the period insert: “or a person employed or
contracted by the department of justice to provide the services specified in s. 950.08”.

17 **33.** Page 178, line 6: delete lines 6 to 13 and substitute:

18 “**938.06 Services for court.** (1) COUNTIES WITH A POPULATION OF 500,000 OR
19 MORE. (a) 1. In counties with a population of 500,000 or more, the county board of
20 supervisors shall provide the court with the services necessary for investigating and
21 supervising cases by operating a children’s court center under the supervision of a
22 director who is appointed as provided in s. 46.21 (1m) (a). The director is the chief

1 administrative officer of the center and of the intake and probation sections and
2 secure detention facilities of the center except as otherwise provided in this
3 subsection. The director is charged with administration of the personnel and
4 services of the sections and of the secure detention facilities, and is responsible for
5 supervising both the operation of the physical plant and the maintenance and
6 improvement of the buildings and grounds of the center. The center shall include
7 investigative services for all juveniles alleged to be in need of protection or services
8 to be provided by the county department, and the services of an assistant district
9 attorney or assistant corporation counsel or both, who shall be assigned to the center
10 to provide investigative as well as legal work in the cases.

11 2. The chief judge of the judicial administrative district shall formulate written
12 judicial policy governing intake and court services for juvenile matters and the
13 director shall be charged with executing the judicial policy. The chief judge shall
14 direct and supervise the work of all personnel of the court, except the work of the
15 district attorney or corporation counsel assigned to the court. The chief judge may
16 delegate his or her supervisory functions under s. 938.065 (1).

17 3. The county board of supervisors shall develop policies and establish
18 necessary rules for the management and administration of the nonjudicial
19 operations of the children's court center. The director of the center shall report and
20 is responsible to the director of the county department for the execution of all
21 nonjudicial operational policies and rules governing the center, including activities
22 of probation officers whenever they are not performing services for the court. The
23 director of the center is also responsible for the preparation and submission to the
24 county board of supervisors of the annual budget for the center except for the judicial
25 functions or responsibilities which are delegated by law to the judge or judges and

1 clerk of circuit court. The county board of supervisors shall make provision in the
2 organization of the office of director for the devolution of the director's authority in
3 the case of temporary absence, illness, disability to act or a vacancy in position and
4 shall establish the general qualifications for the position. The county board of
5 supervisors also has the authority to investigate, arbitrate and resolve any conflict
6 in the administration of the center as between judicial and nonjudicial operational
7 policy and rules. The county board of supervisors does not have authority and may
8 not assert jurisdiction over the disposition of any case or juvenile after a written
9 order is made under s. 938.21 or if a petition is filed under s. 938.25. All personnel
10 of the intake and probation sections and of the secure detention facilities shall be
11 appointed under civil service by the director except that existing court service
12 personnel having permanent civil service status may be reassigned to any of the
13 respective sections within the center specified in this paragraph.

14 (am) 1. All intake workers beginning employment after May 15, 1980, shall
15 have the qualifications required to perform entry level social work in a county
16 department and shall have successfully completed 30 hours of intake training
17 approved or provided by the department prior to the completion of the first 6 months
18 of employment in the position. The department shall monitor compliance with this
19 subdivision according to rules promulgated by the department.

20 2. The department shall make training programs available annually that
21 permit intake workers to satisfy the requirements specified under subd. 1.

22 (b) Notwithstanding par. (a), the county board of supervisors may institute
23 changes in the administration of services to the children's court center in order to
24 qualify for the maximum amount of federal and state aid as provided in sub. (4) and
25 s. 49.52.

1 **(2) COUNTIES WITH A POPULATION UNDER 500,000.** (a) In counties having less than
2 500,000 population, the county board of supervisors shall authorize the county
3 department or court or both to provide intake services required by s. 938.067 and the
4 staff needed to carry out the objectives and provisions of this chapter under s.
5 938.069. Intake services shall be provided by employes of the court or county
6 department and may not be subcontracted to other individuals or agencies, except
7 as provided in par. (am). Intake workers shall be governed in their intake work,
8 including their responsibilities for recommending the filing of a petition and entering
9 into a deferred prosecution agreement, by general written policies which shall be
10 formulated by the circuit judges for the county, subject to the approval of the chief
11 judge of the judicial administrative district.

12 (am) 1. Notwithstanding par. (a), any county which had intake services
13 subcontracted from the county sheriff's department on April 1, 1980, may continue
14 to subcontract intake services from the county sheriff's department.

15 2. Notwithstanding par. (a), any county in which the county sheriff's
16 department operates a secure detention facility may subcontract intake services
17 from the county sheriff's department as provided in this subdivision. If a county
18 subcontracts intake services from the county sheriff's department, employes of the
19 county sheriff's department who staff the secure detention facility may make secure
20 custody determinations under s. 938.208 between the hours of 6 p.m. and 6 a.m. and
21 any determination under s. 938.208 made by an employe of the county sheriff's
22 department shall be reviewed by an intake worker employed by the court or county
23 department within 24 hours after that determination is made.

24 (b) 1. All intake workers beginning employment after May 15, 1980, excluding
25 county sheriff's department employes who provide intake services under par. (am)

1 2., shall have the qualifications required to perform entry level social work in a
2 county department. All intake workers beginning employment after May 15, 1980,
3 including county sheriff's department employes who provide intake services under
4 par. (am) 2., shall have successfully completed 30 hours of intake training approved
5 or provided by the department prior to the completion of the first 6 months of
6 employment in the position. The department shall monitor compliance with this
7 subdivision according to rules promulgated by the department.

8 2. The department shall make training programs available annually that
9 permit intake workers to satisfy the requirements specified under subd. 1.”.

10 **34.** Page 179, line 4: delete that line and substitute: “(3) (f) or to use
commitment to a county department under s. 51.42 or 51.437 for special treatment
or care in an inpatient facility, as defined in s. 51.01 (10), as a disposition under s.
938.34 (6) (am). The use by the court of those dispositions is subject to any reso-”.

11 **35.** Page 179, line 6: after the last period insert: “(1) The board of supervisors
of any county may authorize the chief judge of the judicial administrative district to
appoint one or more part-time or full-time juvenile court commissioners who shall
serve at the discretion of the chief judge. A juvenile court commissioner shall be
licensed to practice law in this state and shall have been so licensed for at least 2
years immediately prior to appointment and shall have a demonstrated interest in
the welfare of juveniles. The chief judge may assign law clerks, bailiffs and deputies
to the court commissioner. The chief judge shall supervise juvenile court
commissioners, law clerks, bailiffs and deputies, except that the chief judge may
delegate any of those duties.”.

12 **36.** Page 181, line 5: on lines 5 and 11, delete “48.06” and substitute “938.06”.

1 **37.** Page 182, line 21: delete “48.06” and substitute “938.06”.

2 **38.** Page 185, line 23: after that line insert:

3 “(6) By any appropriate person designated by the county board of supervisors
4 in any matter arising under s. 938.14.”.

5 **39.** Page 187, line 23: after that line insert:

6 “**938.14 Jurisdiction over interstate compact proceedings.** The court
7 has exclusive jurisdiction over proceedings under the interstate compact for
8 juveniles under s. 938.991.”.

9 **40.** Page 187, line 25: delete “or 938.13” and substitute “, 938.13 or 938.14”.

10 **41.** Page 191, line 11: after that line insert:

11 “(cm) A city, village or town may adopt an ordinance or bylaw specifying which
12 of the dispositions under ss. 938.343 and 938.344 and sanctions under s. 938.355 (6)
13 (d) 2. to 4. the municipal court of that city, village or town is authorized to impose.
14 The use by the court of those dispositions and sanctions is subject to any ordinance
15 or bylaw adopted under this paragraph.”.

16 **42.** Page 191, line 15: before the last period insert: “that are authorized under
par. (cm)”.

17 **43.** Page 192, line 3: before the last period insert: “that is authorized under
par. (cm)”.

18 **44.** Page 192, line 12: delete “one” and substitute “any”.

19 **45.** Page 192, line 13: on lines 13 and 15, after “4.” insert: “that are authorized
under par. (cm)”.

20 **46.** Page 194, line 18: delete that line and substitute:

1 “(b) If a petition for waiver of jurisdiction initiated by the district attorney or
2 a judge is contested, the court, after taking”.

3 **47.** Page 194, line 22: delete that line and substitute:

4 “(c) If a petition for waiver of jurisdiction initiated by the district attorney or
5 a judge is uncontested, the court shall in-”.

6 **48.** Page 195, line 3: after that line insert:

7 “(d) If the petition for waiver of jurisdiction is initiated by the juvenile, the court
8 shall inquire into the capacity of the juvenile to knowingly, intelligently and
9 voluntarily petition for waiver of jurisdiction. If the court is satisfied that the
10 decision to petition for waiver of jurisdiction is knowingly, intelligently and
11 voluntarily made and that waiver of jurisdiction would be in the best interest of the
12 juvenile, no testimony need be taken and the court shall enter an order waiving
13 jurisdiction and referring the matter to the district attorney for appropriate
14 proceedings in the court of criminal jurisdiction, and the court of criminal
15 jurisdiction thereafter has exclusive jurisdiction.”.

16 **49.** Page 195, line 4: before the comma insert: “on a petition for waiver of
jurisdiction initiated by the district attorney or a judge”.

17 **50.** Page 196, line 1: before the comma insert: “on a petition for waiver of
jurisdiction initiated by the district attorney or a judge”.

18 **51.** Page 196, line 21: after “who” insert “has been adjudicated delinquent
and”.

19 **52.** Page 196, line 22: before the period insert: “, a secure detention facility
or a secured child caring institution”.

1 **53.** Page 197, line 22: delete lines 22 to 24 and substitute: “except that the
court of criminal jurisdiction shall impose a disposition specified in s. 938.34 if any
of the following conditions applies:

2 1. The court of criminal jurisdiction convicts the juvenile of a lesser offense that
3 is not an offense for which the court assigned to exercise jurisdiction under this
4 chapter and ch. 48 may waive its jurisdiction over the juvenile under s. 938.18.

5 2. The court of criminal jurisdiction convicts the juvenile of a lesser offense that
6 is an offense for which the court assigned to exercise jurisdiction under this chapter
7 and ch. 48 may waive its jurisdiction over the juvenile under s. 938.18 and the court
8 of criminal jurisdiction, after considering the criteria specified in s. 938.18 (5),
9 determines by clear and convincing evidence that it would be in the best interests of
10 the juvenile and of the public to impose a disposition specified in s. 938.34.

11 **54.** Page 219, line 22: before the period insert: “, except that the court may
not order a person who files a petition under s. 813.122 or 813.125 to reimburse
counsel for the juvenile who is named as the respondent in that petition”.

12 **55.** Page 221, line 8: after “48.14” insert “or 938.14”.

13 **56.** Page 227, line 23: delete “or” and substitute a comma.

14 **57.** Page 227, line 24: after “938.13” insert “or 938.14”.

15 **58.** Page 229, line 22: delete “(a)”.

16 **59.** Page 232, line 21: delete “or 938.13” and substitute “, 938.13 or 938.14”.

17 **60.** Page 233, line 8: delete that line and substitute: “der s. 938.13 or 938.14.

The district attorney, corporation counsel or other appropriate person designated by

the court may initiate proceedings under s. 938.14 in a manner specified by the court.”.

1 **61.** Page 235, line 23: after “(14)” insert “or 938.14”.

2 **62.** Page 238, line 20: after that line insert:

3 “(6) When a proceeding is initiated under s. 938.14, all interested parties shall
4 receive notice and appropriate summons shall be issued in a manner specified by the
5 court, consistent with applicable governing statutes.”.

6 **63.** Page 240, line 4: delete “or 938.13” and substitute “, 938.13 or 938.14”.

7 **64.** Page 277, line 6: after “department” insert: “, unless the department, after
an examination under s. 938.50, determines that placement in a secured correctional
facility is more appropriate”.

8 **65.** Page 281, line 5: after that line insert:

9 “(ap) An order under par. (am) is subject to all of the following:

10 1. The commitment may total not more than 30 days.

11 2. The use of commitment to a county department under s. 51.42 or 51.437 as
12 a disposition under par. (am) is subject to the adoption of a resolution by the county
13 board of supervisors under s. 938.06 (5) authorizing the use of that disposition.”.

14 **66.** Page 282, line 22: delete “evaluation under s. 938.295 and the”.

15 **67.** Page 294, line 24: delete that line and substitute “**tions.**”.

16 **68.** Page 295, line 1: delete lines 1 and 2.

17 **69.** Page 304, line 7: after the last period insert: “If the disposition places a
juvenile who has been adjudicated delinquent outside the home under s. 938.34 (3)
(c) or (d), the order shall include a finding that the juvenile’s current residence will

not safeguard the welfare of the juvenile or the community due to the serious nature of the act for which the juvenile was adjudicated delinquent.”.

- 1 **70.** Page 310, line 5: after “sanction” insert: “of placement in a place of
nonsecure custody”.
- 2 **71.** Page 310, line 10: delete “one” and substitute “any”.
- 3 **72.** Page 311, line 1: after “and” insert “the provision of”.
- 4 **73.** Page 311, line 17: on lines 17 and 25, after “938.21,” insert: “but subject
to any general written policies adopted by the court under s. 938.06 (1) or (2) and to
any policies adopted by the county board relating to the taking into custody and
placement of a juvenile under this subsection,”.
- 5 **74.** Page 311, line 22: delete that line and substitute: “for not more than 72
hours as a sanction, if at the”.
- 6 **75.** Page 311, line 24: delete “placement” and substitute “sanction”.
- 7 **76.** Page 312, line 3: delete “while”.
- 8 **77.** Page 312, line 4: delete that line and substitute: “as a sanction, if at the
dispositional hearing the court”.
- 9 **78.** Page 312, line 6: delete “placement” and substitute “sanction”.
- 10 **79.** Page 330, line 13: after “person” insert: “has been adjudicated delinquent
and has”.
- 11 **80.** Page 330, line 14: after “facility” insert “, a secure detention facility”.
- 12 **81.** Page 342, line 11: after “sub.” insert “(1b), (1d),”.
- 13 **82.** Page 342, line 20: after that line insert:

1 “(1b) If requested by the parent, guardian or legal custodian of a juvenile who
2 is the subject of a law enforcement officer’s report, or if requested by the juvenile, if
3 14 years of age or over, a law enforcement agency may, subject to official agency
4 policy, provide to the parent, guardian, legal custodian or juvenile a copy of that
5 report.

6 (1d) Upon the written permission of the parent, guardian or legal custodian
7 of a juvenile who is the subject of a law enforcement officer’s report or upon the
8 written permission of the juvenile, if 14 years of age or over, a law enforcement
9 agency may, subject to official agency policy, make available to the person named in
10 the permission any reports specifically identified by the parent, guardian, legal
11 custodian or juvenile in the written permission.”.

12 **83.** Page 343, line 8: delete “may” and substitute “shall”; and delete “only”.

13 **84.** Page 343, line 12: delete “may” and substitute “shall”.

14 **85.** Page 343, line 13: delete “only”.

15 **86.** Page 344, line 10: after that line insert:

16 “(ag) Upon request of the parent, guardian or legal custodian of a juvenile who
17 is the subject of a record of a court specified in par. (a), or upon request of the juvenile,
18 if 14 years of age or over, the court shall open for inspection by the parent, guardian,
19 legal custodian or juvenile the records of the court relating to that juvenile.

20 (am) Upon the written permission of the parent, guardian or legal custodian
21 of a juvenile who is the subject of a record of a court specified in par. (a), or upon
22 request of the juvenile if 14 years of age or over, the court shall open for inspection
23 by the person named in the permission any records specifically identified by the
24 parent, guardian, legal custodian or juvenile in the written permission.”.

1 **87. Page 347, line 21:** after that line insert:

2 “(bm) Notwithstanding sub. (2) (a), in addition to the disclosure made under
3 par. (a) or (b), if a juvenile is adjudicated delinquent and as a result of the
4 dispositional order is enrolled in a different school district from the school district in
5 which the juvenile is enrolled at the time of the dispositional order, the court clerk,
6 within 5 days after the date on which the dispositional order is entered, shall provide
7 the school board of the juvenile’s new school district or the school board’s designee
8 with the information specified in par. (a) or (b), whichever is applicable, and, in
9 addition, shall notify that school board or designee of whether the juvenile has been
10 adjudicated delinquent previously by that court, the nature of any previous
11 violations committed by the juvenile and the dispositions imposed on the juvenile
12 under s. 938.34 as a result of those previous violations.”.

13 **88. Page 347, line 23:** delete “or (b)” and substitute: “, (b) or (bm)”; and delete
“principal of the”.

14 **89. Page 348, line 6:** delete “may” and substitute “shall”, in both places.

15 **90. Page 355, line 24:** after “medication” insert: “, for not more than 10 days
after the date of the request,”.

16 **91. Page 355, line 25:** before the period insert: “, which shall be held within
those 10 days”.

17 **92. Page 356, line 1:** after “**release**” insert “**or escape**”.

18 **93. Page 357, line 19:** after that line insert:

19 “(4) If a juvenile escapes in violation of s. 946.42 (3), as soon as possible after
20 the department or county department having supervision or legal custody over the
21 juvenile discovers that escape, that department or county department shall make a

1 reasonable effort to notify by telephone any known victim of the act for which the
2 juvenile was found delinquent, if the criteria under sub. (1) (b) are met; an adult
3 member of the victim’s family, if the victim died as a result of the juvenile’s delinquent
4 act and if the criteria under sub. (1) (b) are met; or the victim’s parent or guardian,
5 if the victim is younger than 18 years old and if the criteria under sub. (1) (b) are
6 met.”.

7 **94.** Page 361, line 24: after “938.21” insert: “, but subject to any general
written policies adopted by the court under s. 938.06 (1) or (2) and to any policies
adopted by the county board relating to the taking into custody and placement of a
juvenile under this subsection”.

8 **95.** Page 362, line 2: delete that line and substitute: “as a sanction, if at the
dispositional hearing the”.

9 **96.** Page 362, line 4: delete that line and substitute: “sibility of that sanction.
Notwithstanding ss. 938.19 to 938.21, but subject to any general written policies
adopted by the court under s. 938.06 (1) or (2) and to any policies adopted by the
county board relating to the taking into custody and placement of a juvenile under
this subsection, the juvenile’s case–”.

10 **97.** Page 362, line 6: delete “crisis”.

11 **98.** Page 362, line 7: delete that line and substitute: “a sanction, if at the
dispositional”.

12 **99.** Page 362, line 8: delete “placement” and substitute “sanction”.

13 **100.** Page 362, line 18: delete lines 18 to 20 and substitute: “and the use of
placement in a place of nonsecure custody for not more than 30 days as sanctions.”.

1 **101.** Page 375, line 15: after that line insert:

2 “(cm) Provide appropriate services for juveniles who are referred to the county
3 department by a municipal court, except that if the funding, staffing or other
4 resources of the county department for juvenile welfare services are insufficient to
5 meet the needs of all juveniles who are eligible to receive services from the county
6 department, the county department shall give first priority to juveniles who are
7 referred to the county department by the court assigned to exercise jurisdiction
8 under this chapter and ch. 48.”

9 **102.** Page 378, line 7: after that line insert:

10 “(ag) Paragraph (a) does not prohibit an agency from making available for
11 inspection or disclosing the contents of a record, upon the request of the parent,
12 guardian or legal custodian of the juvenile who is the subject of the record or upon
13 the request of the juvenile, if 14 years of age or over, to the parent, guardian, legal
14 custodian or juvenile.

15 (am) Paragraph (a) does not prohibit an agency from making available for
16 inspection or disclosing the contents of a record, upon the written permission of the
17 parent, guardian or legal custodian of the juvenile who is the subject of the record
18 or upon the written permission of the juvenile, if 14 years of age or over, to the person
19 named in the permission if the parent, guardian, legal custodian or juvenile
20 specifically identifies the record in the written permission.”

21 **103.** Page 380, line 24: after “person” insert: “who has been adjudicated
22 delinquent”.

22 **104.** Page 381, line 1: on lines 1 and 4, after “(15m),” insert: “a secure
detention facility, as defined in s. 938.02 (16).”

- 1 **105.** Page 381, line 3: after “person” insert: “who has been adjudicated delinquent”.
- 2 **106.** Page 381, line 9: after “persons” insert: “or other persons who have been adjudicated delinquent”.
- 3 **107.** Page 385, line 10: delete that line and substitute: “an act that would be a Class E felony if committed by an adult.
- 4 (6) A Class A misdemeanor, if the person was adjudicated delinquent for
5 committing an act that would be a misdemeanor if committed by an adult.”.
- 6 **108.** Page 390, line 25: after “**facility**” insert: “, a secure detention facility”.
- 7 **109.** Page 391, line 2: after “child” insert: “who has been adjudicated delinquent and”.
- 8 **110.** Page 391, line 3: on lines 3, 7 and 23, after “(15m),” insert: “a secure detention facility, as defined in s. 938.02 (16),”.
- 9 **111.** Page 391, line 5: after “child” insert: “has been adjudicated delinquent and”.
- 10 **112.** Page 391, line 8: delete “that finding” and substitute “that finding those findings”.
- 11 **113.** Page 391, line 21: after “children” insert “who have been adjudicated delinquent”.
- 12 **114.** Page 398, line 15 after “48.09 (6)” insert “or 938.09 (6)”.
- 13 **115.** Page 398, line 16: after “48.14” insert “or 938.14”.