

JUVENILE COURT  
POLICY/PROCEDURE

**COURT REPORTS**

POLICY

Unless otherwise directed by the Court, the Dane County Human Services Department is responsible for the completion of Court Reports in a manner consistent with §48/938.069(1)(d), §48/938.293(2), §48/938.33, and §938.331 of Wisconsin Statutes.

Workers assigned by the department shall prepare a written report for use at all Dispositional and Extension hearings and shall file the report with the Judge's office no later than five (5) business days prior to the time of the hearing.

Waiver of the requirement for filing a written report may be granted by the Court if authorized by statute.

PROCEDURE

Court reports should be provided to the Judge's office and should be "time-stamped" upon receipt.

Additionally, procedures and requirements governing the filing and content of court reports include the following:

1. In Delinquency cases, workers are encouraged to submit completed Delinquency Assessment/Court Reports at or before the time of the Plea Hearing. This encouragement is given in an effort to expedite the court process toward meeting the needs of those juveniles and their families who have completed the assessment process.
2. For Plea/Disposition or Disposition hearings on pending Delinquency or CHIPS petitions, workers are required to file the court report with the Judge's office no later than five business days prior to the time of the hearing. Copies shall also be provided directly to the other court parties no later than five business days prior to the hearing.
3. Updates that occur after the filing of the report should be sent through a memo to all court parties. Last minute updates just prior to the hearing should be verbally communicated.
4. In cases of multiple-child families, a single report addressing the individual needs of each child may be prepared, but in such cases additional copies shall be filed so that each child's court file will have a copy.

5. Workers shall make a diligent effort to discuss the content of and recommendations in the report with parents, children over 10 years of age, and others directly affected by the recommendations and shall allow the recommendations portion of the report to be read by such persons.
6. Attorneys shall have the right to receive and retain a copy of the report, but they may not allow any report to leave their presence. They may discuss the substance of the report with their client. CASA Volunteers may be provided a copy of the report by the Social Worker or Court without additional approval.
7. Upon request parties not represented by counsel may be given copies of the report by the Court. No party receiving the report in this manner may disclose to any other person any report or part thereof.
8. In all reports recommending that a child be placed outside his/her home, the worker shall propose specific findings to be made on all matters necessary to support such out-of-home placement as may be required in Chapters 48 or 938.
9. For services for which payment may be required as recommended by the social worker, the worker will recommend who is to be responsible for payment. For payment of services requested by another party, the requesting party is to clarify payment issues prior to the court entering an order.
10. Reports for Revisions or Change of Placements are not required unless the proposed change of placement is from home to out-of-home. Workers are reminded that the petition(s) or proposal(s) for such changes must follow the requirements of Chapters 48 or 938.
11. Reports are required for Extension hearings, and the report should follow the requirements of §48.365(2g)(a) or §938.365(2g)(a). The report need not duplicate information in the petition or prior court reports.

## EXCEPTIONS/COMMENTS

### Electronic Submission of Court Reports

The submission of electronic copies of reports is not a substitute for nor does it eliminate the expectation that hard copies of court reports be submitted to the court at least 5 business days ahead of any hearing scheduled as a disposition. The submission of court reports electronically is only to be done when extenuating and unforeseen circumstances prevent the submission of the report ahead of time as required.

If a worker is sending the report electronically:

1. The e-mail that includes the attached report should be sent to all of the following

- simultaneously: The Judge (if so authorized), Branch Clerk, Branch Secretary, DA's/designees, Corporation Counsel, assigned defense counsel and/or guardian ad litem. It is the Social Worker's responsibility to get e-mail addresses and the address line must show all recipients. If one recipient cannot receive the document by e-mail, then e-mail may not be used to transmit the report.
2. The e-mail should include a brief statement about what the circumstances were or what change occurred that resulted in the written report not getting to the court 5 business days ahead of time as required.

Court staff and/or the Judge will print one copy of the report for review by the Judge. If the report was electronically submitted to the court, a hard copy, properly signed, must still be filed before the scheduling hearing. Reports brought by the Worker should always be delivered personally to the branch staff so they can be "stamped in"/documented appropriately.