

FORM SUMMARY

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| Name of Form: | Acknowledgment of Dispositional Conditions and Sanction (Delinquency/JIPS) |
| Form Number: | JD-1749 |
| Statutory Reference: | §938.355(6) & (6d), Wisconsin Statutes |
| Benchbook Reference: | JV 8& 11 |
| Purpose of Form: | To be signed by a juvenile indicating an understanding of the sanctions available to the court for a violation of a dispositional order pertaining to delinquency or JIPS, and the authority of the social worker to order a 72 hour hold on the juvenile while an alleged violation of a dispositional order is being investigated. |
| Who Completes It: | Caseworker who reviews form with juvenile |
| Distribution of Form: | Court, Juvenile's Guardian ad Litem/Adversary Counsel, Parents, Parents' Attorney(s), District Attorney/Corporation Counsel, and Caseworker. |
| Accompanying Forms: | Generally none. |
| New Form/Modification: | Modified; last update 11/19. |
| Modifications: | Updated distribution list. |
| Comments: | <p>Under old chapters 48 the court could impose sanctions against an adjudicated delinquent for a violation of a dispositional order if the judge explained the conditions of the dispositional order and the various sanctions that could be imposed to the juvenile. Ch. 938 allows sanctions to be imposed if the judge follows the old procedure or the juvenile acknowledges in writing an understanding of the conditions and the possible sanctions. This form allows the case worker to meet with the juvenile and review the dispositional order and sanctions without taking up court time.</p> <p>If a provision does not apply to JIPS, the term "delinquency only" has been added at the end of the section.</p> <p>Ch. 938 also allows a caseworker to take a juvenile into custody and hold the juvenile for 72 hours without a hearing while investigating an alleged violation of the dispositional order. As with sanctions, this fact must be explained to the juvenile in court or the juvenile must acknowledge an understanding of that authority in writing. This form accomplishes that objective, as well.</p> <p>It should be noted that the caseworker-hold provisions are subject to "policies adopted by the county board relating to the taking into custody and placement of juveniles under this subsection [§938.355(6d)]. Each county which wishes to utilize the 72-hour custody hold should immediately seek the appropriate county board resolution. A county board may limit the use of this section by case workers, presumably for fiscal or other reasons.</p> |
| About this Form: | <p>This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.</p> <p>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</p> |