

**Resolution Number: 2020-03-08**

**Support of Legislation to change Children in Need of Protection Detention Hearing Timelines**

Motion to Adopt By: Jeanne Nutter				
Seconded By: Chuck Walek				
Dist.	Supervisor	Y	N	A
1	Frey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Winters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	S. Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Sacia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Schultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Brandt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Killian	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Tollefson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Haines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Aasen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Walek	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Zeglin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	Fimreite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	Nelson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Nutter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16	Skoyen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>TOTALS</b>	#	#.	#

WHEREAS, Children in Need of Protection (CHIPs) Proceedings under state statutes Chapter 48 requires that when a child is taken into custody and immediately released to a parent, guardian or legal custodian, the court must hold a detention hearing within 48 hours excluding weekends and legal holidays; and

WHEREAS, The Juvenile Justice state statute Chapter 938 requires that when a juvenile is taken into custody the court must hold a detention hearing within 24 hours excluding weekends and legal holidays; and

WHEREAS, the hours discrepancy between these two statutory provisions has raised concerns about needing to hold detention hearings when the courthouse is normally closed; and

WHEREAS, if a detention hearing is not held prior to the statutory deadline, the county risks losing jurisdiction over the pending matter; and

WHEREAS, Wisconsin Assembly Bill 724 specifies that a day in which the Clerk of Courts office is closed does not count toward the computation of the detention hearing timeline under Chapter 938 to allow counties to save limited resources and protect the safety of employees and the public.

NOW, BE IT RESOLVED that the Trempealeau County Board of Supervisors supports the pending legislation in Assembly bill 724 to correct a discrepancy between parallel statutes that compute the detention hearing timelines for Children in Need of Protection cases and Juvenile Justice cases by specifying that a day in which the Clerk of Courts office is closed does not count toward the computation of the detention hearing timelines and

NOW, BE IT FURTHER RESOLVED that the Trempealeau County Board of Supervisors forward a copy of this resolution to the Wisconsin Counties Association, the Governor and local state Legislators.

First Reading: 3/16/2020

Vote Required: Passed by Voice Vote  
 Adopted   
 Defeated

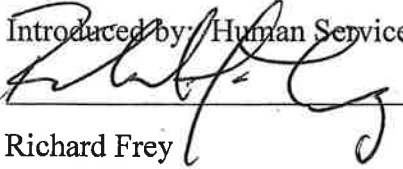
STATE OF WISCONSIN )  
 )s.s.  
 CO. OF TREMPLEALEU )

I hereby certify that this resolution /ordinance is a true and correct copy of a resolution/ordinance adopted by the Trempealeau County Board of Supervisors on: 3/16/2020



Paul Syverson, County Clerk

Introduced by: Human Services Board


  
Richard Frey

  
Jeanne Nutter

\_\_\_\_\_  
John Aasen

\_\_\_\_\_  
Michelle Haines

\_\_\_\_\_  
Sally Miller

  
Karen Sepich

  
Dora Jean Blaha

  
Diane Schroder

Committee Approval Date: March 9, 2020

Committee Vote: 5-0

Resolution Drafted by: Debra Suchla

Reviewed by Corporation Counsel: No

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) N/A