

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

WASHINGTON COUNTY, WISCONSIN

Date of enactment: 3-10-2021

Date of publication: 3-17-2021

2020 RESOLUTION 59

Advisory Resolution Supporting Pending Legislation to Amend Hearing Timeframes for Certain Juvenile Cases

WHEREAS, Children in Need of Protection or Services (CHIPS) proceedings under Chapter 48 of the Wisconsin Statutes require that when a child is taken into custody and not immediately released to a parent, guardian or legal custodian, a judge or circuit court commissioner must hold a hearing within 48 hours of the detention excluding Saturdays, Sundays and legal holidays; and

WHEREAS, when a juvenile is taken into custody under Chapter 938 of the Wisconsin Statutes, more commonly known as the Juvenile Justice Code, the court must hold a hearing within 24 hours after the end of the day on which the decision is made to detain excluding Saturdays, Sundays and legal holidays; and

WHEREAS, as a result of these requirements circuit court judges, commissioners, juvenile intake workers, and other courthouse staff are required to conduct hearings in circumstances in which the county courthouse may otherwise be closed, such as the Friday after Thanksgiving and other dates that are not considered "legal holidays" under state law; and

WHEREAS, the failure to meet the statutory deadlines could result in the dismissal of a case, thus placing the child, juvenile, and community at risk; and

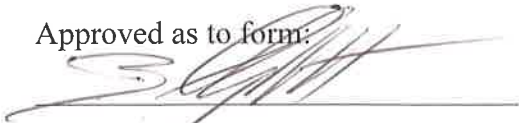
NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this Board hereby supports legislation that would align the statutes that compute detention hearing timelines for children in need of protection or services proceedings under Chapter 48 and juvenile delinquency proceedings under Chapter 938 by specifying that a day in which the Clerk of Circuit Courts Office is closed does not count toward the computation of the detention hearing timeline under Chapter 938. This will ensure county governments are in better position to save limited resources and protect the safety of their employees and the public.

BE IT FURTHER RESOLVED that this Board hereby directs the Washington County Clerk to forward a copy of this Resolution to all Wisconsin Counties, the Wisconsin Counties Association, and all state senators and assembly members representing Washington County constituents.

VOTE REQUIREMENT FOR PASSAGE: Majority

RESOLUTION SUMMARY: Advisory resolution supporting pending legislation to amend hearing timeframes for juveniles taken into custody under Wisconsin Statutes Chapter 938 to coincide with hearing timelines for children taken into custody under Wisconsin Statutes Chapter 48.

1 Approved as to form:



2
3 Bradley S. Stern, County Attorney

4 Dated 3/11/2021

5
6 Approved:

7 

8 Josh Schoemann, County Executive

9 Dated 16 Mar 21

10 Veto

11 Partial Veto

12
13 (There is no direct fiscal impact resulting from this advisory resolution.)

Introduced by members of the HUMAN SERVICES
COMMITTEE, as filed with the County Clerk.



Kristine M. Deiss, Chairperson

Considered 3-10-2021

Adopted 3-10-2021

Ayes 26 Noes 0 Absent 0

Voice Vote _____