

LANGLADE COUNTY



VOTE
20 AYES
1 ABSENT

RESOLUTION: #58-2020

INTRODUCED BY: SOCIAL SERVICES COMMITTEE

INTENT: Support Legislation to Amend Hearing Timelines for Juveniles Taken into Custody (Chapter 938, Wis. Stats.)

TO THE LANGLADE COUNTY BOARD OF SUPERVISORS:

WHEREAS, in Children in Need of Protection or Services (CHIPS) proceedings pursuant to Chapter 48, Wis. Stats. (The Children's Code), when a child is taken into custody and not immediately released to a parent, guardian, or legal custodian, the judge or circuit court commissioner in the county where the child is being held must hold a detention hearing within 48 hours of the time in which the decision to hold the child was made (excluding Saturdays, Sundays, and legal holidays); and

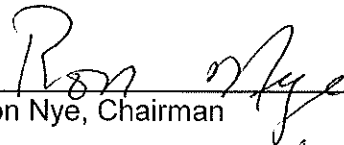
WHEREAS, in similar actions involving Juvenile Justice proceedings pursuant to Chapter 938, Wis. Stats. (The Juvenile Justice Code), when a juvenile is taken into custody and held by a county, the circuit court must hold a detention hearing within 24 hours after the end of the day on which the decision to hold the juvenile was made (excluding Saturdays, Sundays, and legal holidays); and

WHEREAS, as a result of the discrepancy in the timelines between the Chapter 48 and Chapter 938 proceedings, in Chapter 938 cases county circuit court judges, commissioners, juvenile intake workers, and other courthouse staff need to be prepared to conduct hearings in circumstances in which the county courthouse may otherwise be closed, such as the Friday after Thanksgiving, extreme weather days, etc. Failing to meet the statutory deadlines places the county at risk of losing jurisdiction over the pending matter. Additionally, concerns may arise regarding transportation of juveniles and children on non-work days in order to accommodate hearings.

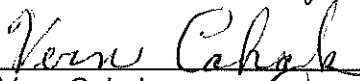
NOW, THEREFORE, BE IT RESOLVED by the Langlade County Board of Supervisors that it hereby supports legislation that would align the statutes that compute the detention hearing timelines for Children in Need of Protection or Services (CHIPS) proceedings under Chapter 48 and juvenile delinquency proceedings under Chapter 938 by specifying that a day in which County offices are closed (i.e., County holiday or closing operations due to inclement weather conditions) does not count toward the computation of the detention hearing timeline under Chapter 938. This will ensure county governments are in a better position to save limited resources and protect the safety of their employees and the public.

BE IT FURTHER RESOLVED by the Langlade County Board of Supervisors that it hereby directs the Langlade County Clerk to forward a copy of this Resolution to the Wisconsin Counties Association, and the State Legislators representing Langlade County constituents.


SOCIAL SERVICES COMMITTEE:



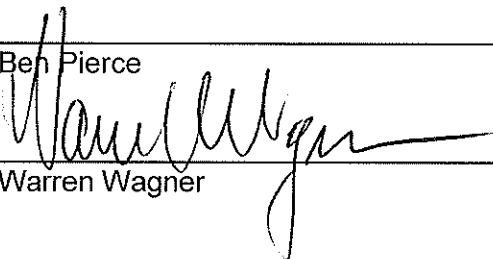
Ron Nye, Chairman



Vern Cahak



Bob Curran



Ben Pierce
Warren Wagner

FISCAL NOTE: No fiscal impact at this time.

Adopted by the County Board of Langlade County this 17th day of November, 2020.



Judy Nagel, Langlade County Clerk

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