

FORM SUMMARY

Name of Form:	Temporary Physical Custody Request and Supplement (Chapter 48) - Indian Child Welfare Act
Form Number:	IW-1608
Statutory Reference:	Chapter 48, Wisconsin Statutes
Benchbook Reference:	
Purpose of Form:	To request that a child be taken into temporary physical custody in a Chapter 48 proceeding and to record the decision of the juvenile intake worker concerning the custody decision.
Who Completes It:	Intake Worker
Distribution of Form:	Court, Child's Guardian ad Litem/Adversary Counsel, Parents, Parents' Attorney(s), Child's Guardian/ Legal Custodian, District Attorney/Corporation Counsel, Caseworker, Tribe, and Indian Custodian.
New Form/Modification:	Modified; last update 06/2023
Modifications:	<p>Added JC-1609 – Temporary Physical Custody Request Supplement (Chapter 48) information to the bottom of this form under Supplemental Information.</p> <p>The form title was modified to Temporary Physical Custody Request and Supplement (Chapter 48).</p> <p>The font size was increased so some of the formatting was also adjusted.</p> <p>Added amended checkbox to the top.</p> <p>Added deceased checkbox to each parent's date of birth.</p> <p>Combined parent's home phone and work phone to parent's phone number(s).</p> <p>Added like-kin as a non-secure custody placement option in 2a pursuant to 2023 WI Act 119</p>
Comments:	<p>If the caseworker does not have the supplemental information ready or available, an amended IW-1608 can be filed.</p> <p>For use in taking into custody under Chapter 48 CHIPS, a child for whom there exists a reasonable belief that the child is an Indian child. Provides ICWA-required information to the court.</p> <p>The legal status categories are defined as follows:</p> <p>Birth – Parent who physically delivered the child.</p> <p>Adoptive – Parent who adopted the child by court order.</p> <p>Adjudicated - Parent based on a court order establishing paternity</p>

or parentage or who is the administratively adjudicated parent due to the filing of a paternity acknowledgement form with the Office of Vital Records.

Marital – Parent who is presumed to be the biological parent because the child was conceived or born during marriage, or is presumed to be the biological parent because the marriage occurred after the child's birth but the parties had a relationship at the time of conception.

NOTE: The marital presumption does not apply if a court has found another person to be the parent instead of this parent. It also doesn't apply if the marriage followed the birth but the child was conceived or born during a marriage to another.

For temporary physical custody requests in a Chapter 938 Delinquency proceeding, use circuit court form JD-1710.

About this Form:

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.

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.