

IN THE INTEREST OF

**Temporary Physical Custody Request  
(Chapter 938)**

Name \_\_\_\_\_

Case No. \_\_\_\_\_

Date of Birth \_\_\_\_\_

Referring Agency Case Number	Intake Case Number																																																			
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**Jurisdictional Basis:**

- 1. No Jurisdiction.
- 2. Delinquency: § \_\_\_\_\_
- 3. JIPS (§938.13):  uncontrollable.  habitually truant from school.  school dropout.  habitually truant from home.  
 delinquent act before age 10.  not responsible or not competent.

**Custody Criteria:** (§938.205, Wis. Stats.)

- 1. Juvenile will commit injury to person or property of others.
- 2. Juvenile will:  cause injury to self.  be subject to injury by others.  run away or be taken away so as to be unavailable for further court proceedings.
- 3. Parent, guardian, legal custodian or other responsible adult is:  neglecting  refusing  unable  unavailable to provide adequate supervision and care.

**Placement Decision:**

- 1. Juvenile released.
- 2. Nonsecure custody: (§938.207, Wis. Stats.)
  - a. At the home of a  parent.  relative.  guardian.  person not a relative.
  - b. At licensed foster home, treatment foster home, or group home.
  - c. At non-secure facility operated by a licensed child welfare agency.
  - d. At licensed private or public shelter care facility (including holdover room).
  - e. At hospital or physician's office if the juvenile is believed to be suffering from a serious physical condition which requires either prompt diagnosis or prompt treatment.
  - f. At licensed treatment facility approved by the county as the juvenile is believed to have a mental illness or developmental disability or to be drug dependent and exhibits conduct that constitutes a substantial probability of physical harm to the juvenile or to others, or a very substantial probability of physical impairment or injury to the juvenile exists due to the impaired judgment of the juvenile.
  - g. At approved public treatment facility for emergency treatment as the juvenile is believed to be an intoxicated person who has threatened, attempted or inflicted physical harm on himself or herself or on another and is likely to inflict such physical harm unless committed, or is incapacitated by alcohol.
  - h. At the county children's home.
- 3. Secure custody because: (§938.208, Wis. Stats.)
  - a. Juvenile has committed a delinquent act and there is a substantial risk of:  physical harm to another.  runaway.
  - b. Juvenile has:  committed a felony delinquent act listed under §938.208(1)(a), Wis. Stats.  committed a felony delinquent act while in possession of a firearm.  possessed a short-barreled rifle, short-barreled shotgun, or handgun.
  - c. Juvenile is a:  fugitive from another state  runaway from a juvenile correctional facility and there has been no reasonable opportunity to return the juvenile.
  - d. A protective order has been issued and the juvenile consents in writing to the placement.
  - e. Juvenile has run away or committed a delinquent act while in nonsecure custody.
  - f. Juvenile is alleged/adjudicated delinquent and is a runaway from another county and would run away from nonsecure placement.
  - g. Juvenile is subject to the jurisdiction of the adult criminal court and is under 15 years of age.
- 4. This is a secure custody placement in a jail because: (§938.209, Wis. Stats.)
  - a. No other approved juvenile detention facility is available.
  - b. Juvenile is a substantial risk of physical harm to others in a juvenile detention facility.

Placement in the home is contrary to the welfare of the juvenile, due to:

Efforts made to prevent removal and return the child safely to the home include:

Intake Worker Complete

Name of Placement <input type="checkbox"/> Not disclosed to parent due to imminent danger	Address		Telephone Number
Special precautions/information concerning juvenile/family			
Signature of Intake Worker	Date and Time Custody Authorized	Date and Time of Custody Hearing	Date and Time of Release