

FORM SUMMARY

Name of Form:	Order on the Request and Authorization to Open Juvenile Court Records for Inspection
Form Number:	JD-1739B
Statutory Reference:	§§48.396(2)(a) - (2)(ap) and 938.396(2g)(ag) - (2g)(am), Wisconsin Statutes
Benchbook Reference:	JV 12
Purpose of Form:	Order to open juvenile court records for inspection.
Who Completes It:	The juvenile court clerk.
Who Signs It:	BY THE COURT: Circuit Court Judge/Municipal Judge. THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.
Distribution of Form:	Original is filed with the court when presented.
Accompanying Forms:	Generally none.
New Form/Modification:	Modified; last update 03/20.
Modifications:	Updated Wambolt language.
Comments:	<p>Although child/juvenile court records are generally considered not open for inspection, certain specific exceptions are allowed.</p> <ul style="list-style-type: none">• The child/juvenile, parents, guardians, or legal custodian can request access to a child/juvenile's court records; The expectant mother, 14 years of age or older, whose unborn child is the subject of a chapter 48 proceeding and the guardian ad litem for the unborn child can request access to a child/juvenile's court records;• The parents, guardians, or legal custodian may authorize a third party to have access to court records of the child/juvenile; <p>If the request is made for access, the court having custody of the records must open the records unless the court finds, <i>after due notice and hearing</i>, that inspection of those records by the person named in the petition would result in imminent danger to anyone.</p> <p>Presumably the court is required to review the record before making the disclosure to determine if there is such a danger. If so, the court-- apparently on its own motion--must schedule a hearing on the request for disclosure. Notice must be provided to the interested persons.</p>

Any person who receives information under this request may further redisclose the information to anyone without restriction.

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.