

## FORM SUMMARY

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<b>Name of Form:</b>	<b>Petition for Judgment Against Juvenile/Parent for Unpaid Restitution</b>
<b>Form Number:</b>	<b>JD-1759</b>
<b>Statutory Reference:</b>	§895.035(2m), Wisconsin Statutes
<b>Benchbook Reference:</b>	JV 6, 8 & 10
<b>Purpose of Form:</b>	To request that unpaid restitution be converted into a money judgment. Used by a victim, insurer, or representative of the public interest.
<b>Who Completes It:</b>	The party seeking to convert the restitution into a money judgment.
<b>Distribution of Form:</b>	Court, Juvenile, and Parents.
<b>Accompanying Forms:</b>	Generally none.
<b>New Form/Modification:</b>	Modified; last update 05/20.
<b>Modifications:</b>	Updated distribution list.
<b>Comments:</b>	<p>Unpaid restitution can be converted into a money judgment against the juvenile or the juvenile's custodial parent.</p> <p>The petition can be filed by the victim, the victim's insurer, a representative of the public interest, or the agency supervising the juvenile.</p> <p>The court is required to hold a hearing on the matter.</p> <p>The petition can be filed if:</p> <ul style="list-style-type: none"><li>• the juvenile fails to pay restitution; or</li><li>• it appears likely that the juvenile will not pay restitution as ordered or agreed to.</li></ul> <p>Presumably a petition could be filed immediately after disposition if the petitioner believes there is proof that it appears likely that the juvenile will not pay the restitution.</p> <p>A judgment is in favor of the victim or the victim's insurer, or both, and entry of such a judgment does not foreclose the victim or insurer from commencing another action seeking additional compensation if the total actual restitution is greater than the amount ordered by the court.</p> <p>There is no restitution disposition against a child in chapter 48 CHIPS matters. Therefore, even though §895.035(2m) refers to "child" (which usually denotes a ch. 48 matter), RMC determined that the proper term for use in the form is "juvenile."</p>
<b>About this Form:</b>	<p>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.</p> <p><b>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.</b></p>