

JUVENILE COURT
POLICY/PROCEDURE

AUTHORITY OF JUVENILE COURT COMMISSIONER

POLICY

Unless otherwise specified by statute or ordered by the Court or indicated in Court Policy the Juvenile Court Commissioner(s) may make the necessary findings and conduct any uncontested proceedings under §48.12, §48.13, §938.12, 938.13, or 938.18 except the Commissioner may not place a child out of home pursuant to a petition under §48.13, §938.12, or §938.13 when there are potential Termination of Parental Rights issues to be addressed through notification of the parent(s) and/or setting conditions for return.

The Court Commissioner may, unless otherwise specified by statute, conduct, make necessary findings, and enter orders related to temporary physical custody decisions under §48.21 or §938.21 and conduct any hearings or enter findings and orders related to §48.125, §938.125, §48.17, and §938.17. The Commissioner may, on behalf of the Court, sign a Capias under §48/938.27.

The Court Commissioner may, in order to expedite cases in which a child is placed under a temporary physical custody order or in other cases where no party objects, order examinations or evaluations under §48.295(1) or §938.295, such order/decision subject to review by the assigned judge at the request of any party in the manner consistent with the review of temporary physical custody determinations.

The Court Commissioner has the same authority as Judges to appoint and/or remove Guardian Ad Litem for juvenile cases. The Court Commissioner also is authorized to make decisions related to disclosure of information to victims, to hear matters related to establishing a restitution amount if/when contested, issue orders requiring compliance with deferred prosecution agreements, conduct hearings/enter orders related to docketing unpaid restitution, and responding to other records requests related to disclosure of information related to criminal and other case matters.

EXCEPTIONS/COMMENTS

Refer to Policy on "Review of Commissioner's Orders" related to any reviews requested by parties of actions taken by the Court Commissioner.