

FORM SUMMARY

Name of Form: Order for Temporary Physical Custody--Secure/Nonsecure

Form Number: JD-1711

Statutory Reference: §§48.195(1), 48.21, 48.415(1m), 938.21, Wisconsin Statutes

Benchbook Reference: JV 4-40

Purpose of Form: The formal order signed by the court directing the custody ordered by the court for a juvenile.

Who Completes It: Judge or juvenile court clerk, district attorney or corporation counsel.

Distribution of Form: Original to court, copies to placement facility, attorneys, child, parents.

Accompanying Forms: Generally none.

New Form/Modification: Modification, last revision 01/01.

Modifications: Added finding #6 stating “parent has relinquished custody of the child”. This complies with §48.195, created by 2001 Wisconsin Act 2.

Previous modification: Modified to comply with provisions of the Adoption and Safe Families Act of 1997 and Final Administrative Rules 45 CFR Parts 1355, 1356, 1357.

Comments: This form is intended to be used in both chapter 48 and chapter 938 proceedings. There is no separate form number for chapter 48.

Pursuant to ASFA Final Rules, judicial determinations must be explicitly documented and made on a case by case basis. The order must contain the child-specific reasons for the court’s decision. Reference simply to state statute to substantiate judicial determinations are not sufficient. Affidavits and *nunc pro tunc* orders are not acceptable to support determinations related to out -of-home placements.

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.