



**SENATE AMENDMENT 2,
TO 1995 SENATE BILL 501**

March 12, 1996 – Offered by COMMITTEE ON JUDICIARY.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 102, line 4: delete lines 4 to 6 and substitute:

3 “**SECTION 129m.** 767.45 (1) (i) of the statutes is amended to read:

4 767.45 (1) (i) A guardian ad litem appointed for the child under s. 48.235,
5 767.045 (1) (c) or 938.235.”

6 **2.** Page 102, line 7: delete lines 7 to 10 and substitute:

7 “**SECTION 130m.** 767.45 (5) (c) of the statutes is created to read:

8 767.45 (5) (c) If a matter is referred under s. 48.299 (6) (a) or 938.299 (6) (a) to
9 an attorney designated under sub. (6) (a), that attorney shall also include in the
10 petition notification to the court that the matter was referred under s. 48.299 (6) (a)
11 or 938.299 (6) (a).”

12 **3.** Page 102, line 13: after “(a)” insert “or 938.299 (6) (a)”.

13 **4.** Page 103, line 9: after “(a)” insert “or 938.299 (6) (a)”.

14 **5.** Page 103, line 15: after “(7)” insert “or 938.299 (7)”.

15 **6.** Page 103, line 17: after “(6) (a)” insert “or 938.299 (6) (a)”.

1 **7.** Page 104, line 1: after “(e)” insert “or 938.299 (6) (e)”.

2 **8.** Page 104, line 4: after “(8)” insert “or 938.299 (8)”.

3 **9.** Page 104, line 9: after “(a)” insert “or 938.299 (6) (a)”.

4 **10.** Page 108, line 2: before that line insert:

5 “**SECTION 147b.** 938.13 (4) of the statutes, as created by 1995 Wisconsin Act 77,
6 is amended to read:

7 938.13 (4) Whose parent or guardian signs the petition requesting jurisdiction
8 under this subsection and states that ~~he or she~~ is unable or needs assistance to
9 control the juvenile.

10 **SECTION 147c.** 938.205 (1) (b) of the statutes, as created by 1995 Wisconsin Act
11 77, is amended to read:

12 938.205 (1) (b) That the parent, guardian or legal custodian of the juvenile or
13 other responsible adult is neglecting, refusing, unable or unavailable, ~~unwilling or~~
14 ~~unable~~ to provide adequate supervision and care and that services to ensure the
15 juvenile’s safety and well-being are not available or would be inadequate.

16 **SECTION 147d.** 938.21 (1) (b) of the statutes, as created by 1995 Wisconsin Act
17 77, is amended to read:

18 938.21 (1) (b) If no petition has been filed by the time of the hearing, a juvenile
19 may be held in custody with the approval of the judge or juvenile court commissioner
20 for an additional 48 hours from the time of the hearing only if, as a result of the facts
21 brought forth at the hearing, the judge or juvenile court commissioner determines
22 that probable cause exists to believe that the juvenile is an imminent danger to
23 himself or herself or to others, or that probable cause exists to believe that the parent,
24 guardian or legal custodian of the juvenile or other responsible adult is ~~unwilling~~

1 neglecting, refusing, unable or unavailable to provide adequate supervision and
2 care. The extension may be granted only once for any petition. In the event of failure
3 to file a petition within the 48-hour extension period provided for in this paragraph,
4 the judge or juvenile court commissioner shall order the juvenile's immediate release
5 from custody.

6 **SECTION 147e.** 938.235 (3) (title) of the statutes, as created by 1995 Wisconsin
7 Act 77, is amended to read:

8 938.235 (3) (title) DUTIES AND RESPONSIBILITIES.

9 **SECTION 147f.** 938.235 (3) of the statutes, as created by 1995 Wisconsin Act 77,
10 is renumbered 938.235 (3) (a).

11 **SECTION 147g.** 938.235 (3) (b) of the statutes is created to read:

12 938.235 (3) (b) In addition to any other duties and responsibilities required of
13 a guardian ad litem, a guardian ad litem appointed for a juvenile who is the subject
14 of a proceeding under s. 938.13 shall do all of the following:

15 1. Unless granted leave by the court not to do so, personally, or through a
16 trained designee, meet with the child and, if the child is old enough to communicate,
17 interview the child, determine the child's goals and concerns regarding his or her
18 placement and assess the appropriateness and safety of the child's environment.

19 2. Make clear and specific recommendations to the court concerning the best
20 interest of the child at every stage of the proceeding.

21 **SECTION 147h.** 938.235 (4) (a) 7g. of the statutes is created to read:

22 938.235 (4) (a) 7g. Petition for the appointment of a guardian under s. 48.977
23 (2), the revision of a guardianship order under s. 48.977 (6) or the removal of a
24 guardian under s. 48.977 (7).

25 **SECTION 147i.** 938.235 (4) (a) 7m. of the statutes is created to read:

1 938.235 (4) (a) 7m. Bring an action or motion for the determination of the
2 juvenile's paternity under s. 767.45.

3 **SECTION 147im.** 938.24 (5) of the statutes, as created by 1995 Wisconsin Act
4 77, is amended to read:

5 938.24 (5) The intake worker shall ~~recommend~~ request that a petition be filed,
6 enter into a deferred prosecution agreement or close the case within 40 days or sooner
7 of receipt of referral information. If the case is closed or a deferred prosecution
8 agreement is entered into, the district attorney, corporation counsel or other official
9 under s. 938.09 shall receive written notice of such action. In addition, if a deferred
10 prosecution agreement is entered into placing a juvenile in a youth village program
11 as described in s. 118.42, the judge or juvenile court commissioner shall receive
12 written notice of such action and, on receipt of that notice, shall enter an order
13 requiring compliance with that agreement. A notice of deferred prosecution of an
14 alleged delinquency case shall include a summary of the facts surrounding the
15 allegation and a list of prior intake referrals and dispositions. If a law enforcement
16 officer has made a recommendation concerning the juvenile, the intake worker shall
17 forward this recommendation to the district attorney under s. 938.09.
18 Notwithstanding the requirements of this section, the district attorney may initiate
19 a delinquency petition under s. 938.25 within 20 days after notice that the case has
20 been closed or that a deferred prosecution agreement has been entered into. The
21 judge shall grant appropriate relief as provided in s. 938.315 (3) with respect to any
22 such petition which is not referred or filed within the time limits specified within this
23 subsection.

24 **SECTION 147j.** 938.27 (3) (a) of the statutes, as created by 1995 Wisconsin Act
25 77, is renumbered 938.27 (3) (a) 1. and amended to read:

1 938.27 (3) (a) 1. The court shall also notify, under s. 938.273, the juvenile and,
2 any parent, guardian and legal custodian of the juvenile, any foster parent,
3 treatment foster parent or other physical custodian described in s. 48.62 (2) of the
4 juvenile and any person specified in par. (b), if applicable, of all hearings involving
5 the juvenile under this subchapter, except hearings on motions for which notice need
6 only be provided to the juvenile and his or her counsel. Where parents entitled to
7 notice have the same place of residence, notice to one shall constitute notice to the
8 other. The first notice to any interested party, foster parent, treatment foster parent
9 or other physical custodian described in s. 48.62 (2) shall be written and may have
10 a copy of the petition attached to it. Thereafter, notice of hearings may be given by
11 telephone at least 72 hours before the time of the hearing. The person giving
12 telephone notice shall place in the case file a signed statement of the time notice was
13 given and the person to whom he or she spoke.

14 **SECTION 147k.** 938.27 (3) (a) 2. of the statutes is created to read:

15 938.27 (3) (a) 2. Failure to give notice under subd. 1. to a foster parent,
16 treatment foster parent or other physical custodian described in s. 48.62 (2) does not
17 deprive the court of jurisdiction in the action or proceeding. If a foster parent,
18 treatment foster parent or other physical custodian described in s. 48.62 (2) is not
19 given notice of a hearing under subd. 1. and if the court is required under this chapter
20 to permit that person to make a written or oral statement at the hearing or to submit
21 a written statement prior to the hearing and that person does not make or submit
22 such statement, that person may request a rehearing on the matter during the
23 pendency of an order resulting from the hearing. If the request is made, the court
24 shall order a rehearing.

25 **SECTION 147L.** 938.299 (1) (ag) of the statutes is created to read:

1 938.299 (1) (ag) If a public hearing is not held, in addition to persons permitted
2 to attend under par. (a), the juvenile's foster parent, treatment foster parent or other
3 physical custodian described in s. 48.62 (2) may be present, except that the court may
4 exclude a foster parent, treatment foster parent or other physical custodian
5 described in s. 48.62 (2) from any portion of the hearing if that portion of the hearing
6 deals with sensitive personal information of the juvenile or the juvenile's family or
7 if the court determines that excluding the foster parent, treatment foster parent or
8 other physical custodian would be in the best interests of the juvenile.

9 **SECTION 147m.** 938.299 (6) of the statutes, as created by 1995 Wisconsin Act
10 77, is renumbered 938.299 (6) (intro.) and amended to read:

11 938.299 (6) (intro.) If a man who has been given notice under s. 938.27 (3) (b)
12 1. appears at any hearing for which he received the notice, alleges that he is the
13 father of the juvenile and states that he wishes to establish the paternity of the
14 juvenile, the all of the following apply:

15 (a) The court shall refer the matter to the state or to the attorney responsible
16 for support enforcement under s. 59.458 (1) for a determination, under s. 767.45, of
17 whether an action should be brought for the purpose of determining the paternity of
18 the juvenile.

19 (d) The court may stay the proceedings under this chapter pending the outcome
20 of the paternity proceedings under ss. 767.45 to 767.60 if the court determines that
21 the paternity proceedings will not unduly delay the proceedings under this chapter
22 and the determination of paternity is necessary to the court's disposition of the
23 juvenile if the juvenile is found to be in need of protection or services. ~~As part of the~~
24 ~~proceedings under this chapter, the court may order that a record be made of any~~
25 ~~testimony of the juvenile's mother relating to the juvenile's paternity. A record made~~

1 ~~under this subsection is admissible in a proceeding to determine the juvenile's~~
2 ~~paternity under ss. 767.45 to 767.60.~~

3 **SECTION 147n.** 938.299 (6) (b), (c) and (e) of the statutes are created to read:

4 938.299 (6) (b) The state or the attorney responsible for support enforcement
5 who receives a referral under par. (a) shall perform the duties specified under s.
6 767.45 (5) (c) and (6r).

7 (c) The court having jurisdiction over actions affecting the family shall give
8 priority under 767.475 (7m) to an action brought under s. 767.45 whenever the
9 petition filed under s. 767.45 indicates that the matter was referred by the court
10 under par. (a).

11 (e) 1. In this paragraph, "genetic test" means a test that examines genetic
12 markers present on blood cells, skin cells, tissue cells, bodily fluid cells or cells of
13 another body material for the purpose of determining the statistical probability that
14 a man who is alleged to be a juvenile's father is the juvenile's biological father.

15 2. The court shall, at the hearing, orally inform any man specified in sub. (6)
16 (intro.) that he may be required to pay for any testing ordered by the court under this
17 paragraph or under s. 885.23.

18 3. In addition to ordering testing as provided under s. 885.23, if the court
19 determines that it would be in the best interests of the juvenile, the court may order
20 any man specified in sub. (6) (intro.) to submit to one or more genetic tests which shall
21 be performed by an expert qualified as an examiner of genetic markers present on
22 the cells and of the specific body material to be used for the tests, as appointed by the
23 court. A report completed and certified by the court-appointed expert stating genetic
24 test results and the statistical probability that the man alleged to be the juvenile's
25 father is the juvenile's biological father based upon the genetic tests is admissible as

1 evidence without expert testimony and may be entered into the record at any
2 hearing. The court, upon request by a party, may order that independent tests be
3 performed by other experts qualified as examiners of genetic markers present on the
4 cells of the specific body materials to be used for the tests.

5 4. If the genetic tests show that an alleged father is not excluded and that the
6 statistical probability that the alleged father is the child's biological father is 99.0%
7 or higher, the court may determine that for purposes of a proceeding under this
8 chapter or ch. 48, other than a proceeding under subch. VIII of ch. 48, the man is the
9 juvenile's biological parent.

10 5. A determination by the court under subd. 4. is not a judgment of paternity
11 under ch. 767 or an adjudication of paternity under subch. VIII of ch. 48.

12 **SECTION 147ng.** 938.299 (7) of the statutes is created to read:

13 938.299 (7) If a man who has been given notice under s. 938.27 (3) (b) 1. appears
14 at any hearing for which he received the notice but does not allege that he is the
15 father of the juvenile and state that he wishes to establish the paternity of the
16 juvenile or if no man to whom such notice was given appears at a hearing, the court
17 may refer the matter to the state or to the attorney responsible for support
18 enforcement under s. 59.458 (1) for a determination, under s. 767.45, of whether an
19 action should be brought for the purpose of determining the paternity of the juvenile.

20 **SECTION 147p.** 938.299 (8) of the statutes is created to read:

21 938.299 (8) As part of the proceedings under this chapter, the court may order
22 that a record be made of any testimony of the juvenile's mother relating to the
23 juvenile's paternity. A record made under this subsection is admissible in a
24 proceeding to determine the juvenile's paternity under ss. 767.45 to 767.60.

1 **SECTION 147q.** 938.356 (1) and (2) of the statutes, as created by 1995 Wisconsin
2 Act 77, are amended to read:

3 938.356 (1) Whenever the court orders a juvenile to be placed outside his or her
4 home or denies a parent visitation because the juvenile has been adjudged to be in
5 need of protection or services under s. 938.345, 938.357, 938.363 or 938.365, the court
6 shall orally inform the parent or parents who appear in court of any grounds for
7 termination of parental rights under s. 48.415 which may be applicable and of the
8 conditions necessary for the juvenile to be returned to the home or for the parent to
9 be granted visitation.

10 **(2)** In addition to the notice required under sub. (1), any written order which
11 places a juvenile outside the home or denies visitation under sub. (1) shall notify the
12 parent or parents of the information specified under sub. (1).

13 **SECTION 147r.** 938.357 (1) and (2m) of the statutes, as created by 1995
14 Wisconsin Act 77, are amended to read:

15 938.357 (1) The person or agency primarily responsible for implementing the
16 dispositional order or the district attorney may request a change in the placement
17 of the juvenile, whether or not the change requested is authorized in the dispositional
18 order and shall cause written notice to be sent to the juvenile or the juvenile's counsel
19 or guardian ad litem, parent, foster parent, treatment foster parent or other physical
20 custodian described in s. 48.62 (2), guardian and legal custodian. The notice shall
21 contain the name and address of the new placement, the reasons for the change in
22 placement, a statement describing why the new placement is preferable to the
23 present placement and a statement of how the new placement satisfies objectives of
24 the treatment plan ordered by the court. Any person receiving the notice under this
25 subsection or notice of the specific foster or treatment foster placement under s.

1 938.355 (2) (b) 2. may obtain a hearing on the matter by filing an objection with the
2 court within 10 days after receipt of the notice. Placements shall not be changed until
3 10 days after such notice is sent to the court unless the parent, guardian or legal
4 custodian and the juvenile, if 12 or more years of age, sign written waivers of
5 objection, except that placement changes which were authorized in the dispositional
6 order may be made immediately if notice is given as required in this subsection. In
7 addition, a hearing is not required for placement changes authorized in the
8 dispositional order except where an objection filed by a person who received notice
9 alleges that new information is available which affects the advisability of the court's
10 dispositional order. If a hearing is held under this subsection and the change in
11 placement would remove a juvenile from a foster home, treatment foster home or
12 other placement with a physical custodian described in s. 48.62 (2), the court shall
13 permit the foster parent ~~may,~~ treatment foster parent or other physical custodian
14 described in s. 48.62 (2) to make a written or oral statement during the hearing or
15 to submit a written statement prior to the hearing relating to the juvenile and the
16 requested change in placement.

17 **(2m)** The juvenile, the parent, guardian, or legal custodian of the juvenile or
18 any person or agency primarily bound by the dispositional order, other than the
19 person or agency responsible for implementing the order, may request a change in
20 placement under this subsection. The request shall contain the name and address
21 of the place of the new placement requested and shall state what new information
22 is available which affects the advisability of the current placement. This request
23 shall be submitted to the court. In addition, the court may propose a change in
24 placement on its own motion. The court shall hold a hearing on the matter prior to
25 ordering any change in placement under this subsection if the request states that

1 new information is available which affects the advisability of the current placement,
2 unless written waivers of objection to the proposed change in placement are signed
3 by all parties entitled to receive notice under sub. (1) and the court approves. If a
4 hearing is scheduled, the court shall notify the juvenile, the parent, foster parent,
5 guardian, and legal custodian of the juvenile, any foster parent, treatment foster
6 parent or other physical custodian described in s. 48.62 (2) of the juvenile and all
7 parties who are bound by the dispositional order at least 3 days prior to the hearing.
8 A copy of the request or proposal for the change in placement shall be attached to the
9 notice. If all the parties consent, the court may proceed immediately with the
10 hearing. If a hearing is held under this subsection and the change in placement
11 would remove a juvenile from a foster home, treatment foster home or other
12 placement with a physical custodian described in s. 48.62 (2), the court shall permit
13 the foster parent may, treatment foster parent or other physical custodian described
14 in s. 48.62 (2) to make a written or oral statement during the hearing or to submit
15 a written statement prior to the hearing, relating to the juvenile and the requested
16 change in placement.

17 **SECTION 147s.** 938.361 (2) (a) 1. of the statutes, as created by 1995 Wisconsin
18 Act 77, is amended to read:

19 938.361 (2) (a) 1. If a juvenile's parent neglects, refuses or is unable to provide
20 ~~or refuses to provide~~ court-ordered alcohol and other drug abuse services for the
21 juvenile through his or her health insurance or other 3rd-party payments,
22 notwithstanding s. 938.36 (3) the court assigned to exercise jurisdiction under this
23 chapter and ch. 48 or municipal court may order the parent to pay for the alcohol and
24 drug abuse services. If the parent consents to provide alcohol and other drug abuse
25 services for a juvenile through his or her health insurance or other 3rd-party

1 payments but the health insurance provider or other 3rd-party payer refuses to
2 provide the alcohol and other drug abuse services the court assigned to exercise
3 jurisdiction under this chapter and ch. 48 or municipal court may order the health
4 insurance provider or 3rd-party payer to pay for the alcohol and other drug abuse
5 services in accordance with the terms of the parent's health insurance policy or other
6 3rd-party payment plan.

7 **SECTION 147t.** 938.362 (3) of the statutes, as created by 1995 Wisconsin Act 77,
8 is amended to read:

9 938.362 (3) If a juvenile's parent neglects, refuses or is unable to provide or
10 ~~refuses to provide~~ court-ordered special treatment or care for the juvenile through
11 his or her health insurance or other 3rd-party payments, notwithstanding s. 938.36
12 (3), the court may order the parent to pay for the court-ordered special treatment or
13 care. If the parent consents to provide court-ordered special treatment or care for
14 a juvenile through his or her health insurance or other 3rd-party payments but the
15 health insurance provider or other 3rd-party payer refuses to provide the
16 court-ordered special treatment or care, the court may order the health insurance
17 provider or 3rd-party payer to pay for the court-ordered special treatment or care
18 in accordance with the terms of the parent's health insurance policy or other
19 3rd-party payment plan.

20 **SECTION 147u.** 938.363 (1) of the statutes, as created by 1995 Wisconsin Act
21 77, is amended to read:

22 938.363 (1) A juvenile, the juvenile's parent, guardian or legal custodian, any
23 person or agency bound by a dispositional order or the district attorney or
24 corporation counsel in the county in which the dispositional order was entered may
25 request a revision in the order that does not involve a change in placement, including

1 a revision with respect to the amount of child support to be paid by a parent, or the
2 court may on its own motion propose such a revision. The request or court proposal
3 shall set forth in detail the nature of the proposed revision and what new information
4 is available that affects the advisability of the court's disposition. The request or
5 court proposal shall be submitted to the court. The court shall hold a hearing on the
6 matter if the request or court proposal indicates that new information is available
7 which affects the advisability of the court's dispositional order and prior to any
8 revision of the dispositional order, unless written waivers of objections to the revision
9 are signed by all parties entitled to receive notice and the court approves. If a hearing
10 is held, the court shall notify the ~~parent, juvenile, the juvenile's parent,~~ guardian and
11 legal custodian, all parties bound by the dispositional order, the juvenile's foster
12 parent, treatment foster parent or other physical custodian described in s. 48.62 (2),
13 and the district attorney or corporation counsel in the county in which the
14 dispositional order was entered at least 3 days prior to the hearing. A copy of the
15 request or proposal shall be attached to the notice. If the proposed revision is for a
16 change in the amount of child support to be paid by a parent, the court shall order
17 the juvenile's parent to provide a statement of income, assets, debts and living
18 expenses to the court and the person or agency primarily responsible for
19 implementing the dispositional order by a date specified by the court. The clerk of
20 court shall provide, without charge, to any parent ordered to provide a statement of
21 income, assets, debts and living expenses a document setting forth the percentage
22 standard established by the department of health and social services under s. 46.25
23 (9) and listing the factors that a court may consider under s. 46.10 (14) (c). If all
24 parties consent, the court may proceed immediately with the hearing. No revision
25 may extend the effective period of the original order, or revise an original order under

1 s. 938.34 (3) (f) or (6) (am) to impose more than 30 days of detention, nonsecure
2 custody or inpatient treatment on a child.

3 **SECTION 147v.** 938.363 (1m) of the statutes is created to read:

4 938.363 (1m) If a hearing is held under sub. (1), any party may present
5 evidence relevant to the issue of revision of the dispositional order. In addition, the
6 court shall permit a foster parent, treatment foster parent or other physical
7 custodian described in s. 48.62 (2) of the child to make a written or oral statement
8 during the hearing, or to submit a written statement prior to the hearing, relevant
9 to the issue of revision.

10 **SECTION 147w.** 938.365 (2) of the statutes, as created by 1995 Wisconsin Act
11 77, is amended to read:

12 938.365 (2) No order may be extended without a hearing. The court shall notify
13 the juvenile or the juvenile's guardian ad litem or counsel, the juvenile's parent,
14 guardian, legal custodian, all of the parties present at the original hearing, the
15 juvenile's foster parent, treatment foster parent or other physical custodian
16 described in s. 48.62 (2), and the district attorney or corporation counsel in the county
17 in which the dispositional order was entered of the time and place of the hearing.

18 **SECTION 147x.** 938.365 (2m) (ag) of the statutes is created to read:

19 938.365 (2m) (ag) In addition to any evidence presented under par. (a), the
20 court shall permit a foster parent, treatment foster parent or other physical
21 custodian described in s. 48.62 (2) of the juvenile to make a written or oral statement
22 during the hearing, or to submit a written statement prior to the hearing, relevant
23 to the issue of extension.

24 **SECTION 147y.** 938.371 (intro.) (except 938.371 (title)) of the statutes, as
25 created by 1995 Wisconsin Act 77, is repealed.

1 **SECTION 147ym.** 938.371 (1) and (2) of the statutes, as created by 1995
2 Wisconsin Act 77, are renumbered 938.371 (1) (a) and (b) and amended to read:

3 938.371 (1) (a) Results of a test or a series of tests of the juvenile to determine
4 the presence of HIV, as defined in s. 968.38 (1) (b), antigen or nonantigenic products
5 of HIV, or an antibody to HIV, ~~if the juvenile's parent or a temporary or permanent~~
6 ~~guardian appointed by the court has consented to the test under s. 252.15 (2) (a) 4.~~
7 ~~b. and release of the test results as provided under s. 252.15 (5) (a) 19. and, including~~
8 ~~results included in a court report or permanency plan. At the time that the test~~
9 ~~results are provided, the agency directed to prepare the permanency plan notifies~~
10 ~~shall notify the foster parent, treatment foster parent or operator of the group home~~
11 ~~or, child caring institution or secured correctional facility of the confidentiality~~
12 requirements under s. 252.15 (6).

13 (b) Results of any tests of the juvenile to determine the presence of viral
14 hepatitis, type B, including results included in a court report or permanency plan.
15 The foster parent, treatment foster parent or operator of a group home or, child
16 caring institution or secured correctional facility receiving information under this
17 subsection paragraph shall keep the information confidential.

18 **SECTION 147z.** 938.371 (1) (intro.) of the statutes is created to read:

19 938.371 (1) (intro.) If a juvenile is placed in a foster home, treatment foster
20 home, group home, child caring institution or secured correctional facility, including
21 a placement under s. 938.205 or 938.21, the agency, as defined in s. 938.38 (1) (a), that
22 placed the juvenile or arranged for the placement of the juvenile shall provide the
23 following information to the foster parent, treatment foster parent or operator of the
24 group home, child caring institution or secured correctional facility at the time of
25 placement or, if the information has not been provided to the agency by that time, as

1 soon as possible after the date on which the agency receives that information, but not
2 more than 2 working days after that date:

3 **SECTION 147zc.** 938.371 (3) of the statutes, as created by 1995 Wisconsin Act
4 77, is amended to read:

5 938.371 (3) Findings At the time of placement of a juvenile in a foster home,
6 treatment foster home, group home, child caring institution or secured correctional
7 facility or, if the information is not available at that time, as soon as possible after
8 the date on which the court report or permanency plan has been submitted, but no
9 later than 7 days after that date, the agency, as defined in s. 938.38 (1) (a), responsible
10 for preparing the juvenile's permanency plan shall provide to the foster parent,
11 treatment foster parent or operator of the group home, child caring institution or
12 secured correctional facility information contained in the court report submitted
13 under s. 938.33 (1) or 938.365 (2g) or permanency plan submitted under s. 938.355
14 (2e) or 938.38 relating to findings or opinions of the court or agency that prepared the
15 court report or permanency plan relating to any mental, emotional, cognitive,
16 developmental or behavioral disability of the juvenile. The foster parent, treatment
17 foster parent or operator of a group home ~~or~~, child caring institution or secured
18 correctional facility receiving information under this subsection shall keep the
19 information confidential.

20 **SECTION 147zm.** 938.38 (5) (c) 2. of the statutes, as created by 1995 Wisconsin
21 Act 77, is amended to read:

22 938.38 (5) (c) 2. The extent of compliance with the permanency plan by the
23 agency and any other service providers, the juvenile's parents ~~and~~, the juvenile and
24 the juvenile's guardian, if any."

