

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

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In *State v. Jason J.C.*, 216 Wis. 2d 12 (Ct. App. 1997), the Court of Appeals held that the expungement statute applies only to delinquent acts committed on or after July 1, 1996. The Court of Appeals so held because that is what the catch-all initial applicability provision of 1995 Wisconsin Act 77 provided for, and that Act did not provide for a specific initial applicability provision for the expungement statute. In so holding, however, the Court of Appeals noted that “drawing an artificial line between juveniles adjudged under ch. 48 from juveniles adjudged under ch. 938 as regards the right to seek expungement makes no sense from a public policy standpoint.” *Id.* at p. 22. Accordingly, to correct this result, this draft includes an initial applicability provision that specifies that the draft does *not* preclude a court from expunging a record of a delinquency adjudication made *before* the effective date of the draft.

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