



## 2015 ASSEMBLY BILL 574

1     **AN ACT to amend** 48.396 (3) (b) 1., 48.396 (3) (c) 1r., 938.396 (2m) (b) 1. and  
2             938.396 (2m) (c) 1r. of the statutes; **relating to:** the disclosure of electronic  
3             juvenile court records to a county department of human services or social  
4             services for purposes of providing intake and dispositional services.

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*Analysis by the Legislative Reference Bureau*

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

5             **SECTION 1.** 48.396 (3) (b) 1. of the statutes is amended to read:  
6             48.396 (3) (b) 1. The court shall make information relating to proceedings  
7             under this chapter that is contained in the electronic records of the court available  
8             to any other court assigned to exercise jurisdiction under this chapter and ch. 938,  
9             a municipal court exercising jurisdiction under s. 938.17 (2), a court of criminal  
10            jurisdiction, a person representing the interests of the public under s. 48.09 or

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1 938.09, an attorney or guardian ad litem for a parent or child who is a party to a  
2 proceeding in a court assigned to exercise jurisdiction under this chapter or ch. 938  
3 or a municipal court, a district attorney prosecuting a criminal case, ~~or the~~  
4 department, or a county department under s. 46.215, 46.22, or 46.23, regardless of  
5 whether the person to whom the information is transferred is a party to or is  
6 otherwise involved in the proceedings in which the electronic records containing that  
7 information were created. The director of state courts may use the circuit court  
8 automated information systems established under s. 758.19 (4) to make information  
9 contained in the electronic records of the court available as provided in this  
10 subdivision.

11 **SECTION 2.** 48.396 (3) (c) 1r. of the statutes is amended to read:

12 48.396 (3) (c) 1r. The department or a county department under s. 46.215,  
13 46.22, or 46.23 shall keep any information made available to the department or that  
14 county department under par. (b) 1. confidential and may use or allow access to that  
15 information only for the purpose of providing services under s. 48.06, 48.067, 48.069,  
16 938.06, 938.067, or 938.069. The department or that county department may allow  
17 that access regardless of whether the person who is allowed that access is a party to  
18 or is otherwise involved in the proceedings in which the electronic records containing  
19 that information were created.

20 **SECTION 3.** 938.396 (2m) (b) 1. of the statutes, as affected by 2015 Wisconsin  
21 Act 55, is amended to read:

22 938.396 (2m) (b) 1. The court shall make information relating to a proceeding  
23 under this chapter that is contained in the electronic records of the court available  
24 to any other court assigned to exercise jurisdiction under this chapter and ch. 48, a  
25 municipal court exercising jurisdiction under s. 938.17 (2), a court of criminal

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1 jurisdiction, a person representing the interests of the public under s. 48.09 or  
2 938.09, an attorney or guardian ad litem for a parent or child who is a party to a  
3 proceeding in a court assigned to exercise jurisdiction under this chapter or ch. 48  
4 or a municipal court, a district attorney prosecuting a criminal case, a law  
5 enforcement agency, the department of children and families, ~~or~~ the department of  
6 corrections, or a county department, regardless of whether the person to whom the  
7 information is disclosed is a party to or is otherwise involved in the proceedings in  
8 which the electronic records containing that information were created. The director  
9 of state courts may use the circuit court automated information systems established  
10 under s. 758.19 (4) to make information contained in the electronic records of the  
11 court available as provided in this subdivision.

12 **SECTION 4.** 938.396 (2m) (c) 1r. of the statutes, as affected by 2015 Wisconsin  
13 Act 55, is amended to read:

14 938.396 (2m) (c) 1r. The department of children and families ~~or~~ the department  
15 of corrections, or a county department shall keep any information made available to  
16 that department or county department under par. (b) 1. confidential and may use or  
17 allow access to that information only for the purpose of providing services under s.  
18 48.06, 48.067, 48.069, 938.06, 938.067, or 938.069. That department or county  
19 department may allow that access regardless of whether the person who is allowed  
20 that access is a party to or is otherwise involved in the proceedings in which the  
21 electronic records containing that information were created.

22 **SECTION 5. Effective date.**

