

Senate Bill 476

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CHAPTER 345, LAWS OF 1967

AN ACT to amend 46.21 (2) (a), 48.06 (1) and 48.08 (3) (a) of the statutes, relating to children's court center in populous counties.

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

SECTION 1. 46.21 (2) (a) of the statutes is amended to read:

46.21 (2) (a) Such board shall be charged with supervising the operation, maintenance and improvement in each county by the director of institutions and departments, of the county hospital, dispensary-emergency unit of said hospital, guidance clinic, infirmary, home for children, *the detention home, and the probation section of the children's court center, and the provision and maintenance of the physical facilities for such court and its intake section under the supervision and operation of the children's court judges* as provided in s. 48.06 (1), mental health center, north division and south division, tuberculosis hospital, department of public welfare created by s. 49.51 (2) (a), county agent's department, farm, service departments and such other institutions and departments as are placed under the jurisdiction of the board of public welfare by the county board of supervisors, and all buildings and land used in connection with any or all such institutions. A diagnostic and treatment center may be designated as part of the county mental health center, north division, and all personnel fully attached to said facility shall be under the jurisdiction of the superintendent or medical director of the county mental health center, north division. The powers and duties of the board shall be advisory and policy forming only, and not administrative or executive. Such board shall be without authority to adopt policy changes that would increase expenditures beyond budget limitations for the fiscal year, as fixed by the county board of supervisors. Proposed

policy changes shall, in all instances, be presented to the director and the finance committee of the county board at the time the department's budget for the ensuing year is being considered.

SECTION 2. 48.06 (1) of the statutes is amended to read:

48.06 (1) In counties having a population of 500,000 or more, the county board of supervisors shall provide the court with the services necessary for investigating and supervising cases by operating a children's court center under the supervision of a director who shall be appointed as provided in s. 46.21 (4) under the laws governing civil service in the county. The director shall be the chief administrative officer of said center and of the ~~intake~~, probation and detention sections thereof except as herein otherwise provided, and as such officer he shall be charged with administration of the ~~children's court personnel, services and personnel and services of such sections and of the~~ detention home, and be responsible for supervising both the operation of the physical plant and the maintenance and improvement of the buildings and grounds of said center. *The center shall include investigative services for all children alleged to be dependent or neglected to be provided by the county department of public welfare, and the services of an assistant district attorney or assistant corporation counsel or both, who shall be assigned to the center to provide investigative as well as legal work in such cases.* The children's court judge, or if there is more than one judge, then such judges acting jointly, shall formulate and promulgate written judicial policy governing children's court services and the director shall be charged with executing such judicial policy. *The work of the intake section shall be under the supervision of the chief intake officer under the joint direction of the children's court judge. All intake section personnel shall be appointed by the senior judge of the children's court according to rules of this county civil service commission. The chief intake officer shall be responsible for the immediate administration of the intake section and for the initial processing of juveniles brought to the children's court center.* Each children's court judge shall direct and supervise the work of all personnel of his court branch, except the work of the district attorney or corporation counsel assigned thereto. The county board of public welfare shall develop policies and establish necessary rules and regulations for the management and administration of the nonjudicial operations of the children's court center, but any such policy, rule or regulation shall be subject to adoption of a different policy, rule or regulation by the county board of supervisors by a majority of the members thereof present and voting; and the director thereof shall report and be responsible to the director of institutions and departments for the execution of all nonjudicial operational policies, rules and regulations governing the center, including activities of probation officers whenever they are not performing services for the court. The director of said center shall also be responsible for the preparation and submission to the county board of public welfare of the annual budget for the center except for such judicial functions or responsibilities which are delegated by law to the judge or judges and clerk of circuit court. Such board shall make provision in the organization of the office of director for the devolution of his authority in the case of his temporary absence, illness, disability to act or a vacancy in position and shall establish the general qualifications for the position. Such board shall have the further authority to investigate, arbitrate and resolve any conflict in the administration of the center as between judicial and nonjudicial operational policy, rules and regulations, except that the final disposition thereof shall be subject to the approval of the county board of supervisors by a majority of the members thereof present and voting, but shall not have authority or assert jurisdiction over the disposition of any case or child after a written order

for detention is made under s. 48.29 (2) or if a petition is filed pursuant to s. 48.20. All ~~sectional~~ personnel of the detention and probation sections, including employes of the detention home, shall be appointed under civil service by the director except that existing court service personnel having permanent civil service status may be reassigned to any of the respective sections within the center specified herein.

SECTION 3. 48.08 (3) (a) of the statutes is amended to read:

48.08 (3) (a) The ~~director of the children's court center~~ chief intake officer appointed under s. 48.06 (1), or any person designated thereunder to exercise his authority during his absence, has the power to perform all the duties of a judge of the children's court prior to the filing of a petition, but such power shall not be exercised if such judge or a temporary judge is available at the center to perform the duty.

Approved January 22, 1968.