

**UNDERSTANDING THE
JUVENILE COURT PROCESS IN
CHIPS AND JIPS CASES**

A GUIDE FOR PARENTS



**Oneida County
Department of
Social Services**

Your family is now involved in the Juvenile Court System due to a referral to Juvenile Court Intake or the filing of a CHIPS or JIPS petition. The Court system expects and mandates that parents be actively involved in the Court process and with the services recommended to resolve the issues which initiated Court involvement.

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The Juvenile Court System attempts to strengthen, unite, and rehabilitate families with the use of various services.

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A Social Worker has been assigned to work with your family. This worker will assist you in understanding the issues and obtaining services for your family.

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Parents may be held responsible for a portion of costs incurred, including out of home placement, should this occur.

Are You Eligible for Free Legal Representation?

To find out, call the State Public Defenders office in Rhinelander at (715) 369-1655.

Juvenile Court Process

Temporary Physical Custody (TPC) Hearing:

Hearing held within 48 hours after child has been taken into custody by the Department of Social Services to decide if continued placement is necessary. Not all petitions will start with a TPC Hearing.

Advisement Hearing:

Hearing scheduled when a CHIPS or JIPS petition has been filed with the Court. This hearing advises the child and his or her parents, guardians, or legal custodians of their rights under the Children's Code Wisconsin Statutes.

Plea Hearing:

Scheduled after Advisement for the child and the parents/guardians either admit or plea no contest to the **allegations** that have been set forth in the CHIPS or JIPS petition. If admitted and agreed to, the matter is either scheduled for a Dispositional Hearing or all parties enter into a Consent Decree. If the plea to the allegations is a no contest, the matter would be set for a Fact-Finding Trial.

Consent Decree:

Formal Court agreement consisting of conditions the family/child must follow. A Consent Decree postpones Court proceeding for up to 12 months. If all conditions of the Consent Decree are successfully met, the matter would be closed without a CHIPS or JIPS finding. If the family/child does not successfully meet all conditions, the Consent Decree may be extended or a formal CHIPS or JIPS Petition may be filed to the Court.

Fact-Finding Hearing/Adjudication:

The same as an adult trial before a judge. The county and family/child may call and **subpoena** witnesses, and the judge will then decide whether the allegations are true or not and whether the child or juvenile is in need of protection or services. If the child is **adjudicated** CHIPS or JIPS, the matter would be scheduled for a Dispositional Hearing.

Dispositional Hearing:

The Judge will make a decision on what is in the best interest of the child, what happens to the child and what the family must do. The Judge will enter a **Dispositional Order**. This can include, but is not limited to, out of home placement, services, and treatment.

Terms Used in the Juvenile Court Process

Adjudication: The judgement given based on the facts of the case.

Allegations: An unsubstantiated (not yet proven to be true) charge.

CHIPS: Stands for Child In Need of Protection or Services. This would be for physical abuse, sexual abuse, neglect, inadequate care, or in need of special care and treatment.

JIPS: Stands for Juvenile In Need of Protection or Services. This can include a delinquent juvenile under the age of 10.

Petition: A document filed with the court containing allegations as to why a child or juvenile would be in need of protection or services.

Subpoena: Document requiring a witness to appear to testify in court.

TPC: Stands for Temporary Physical Custody. This is the decision of the Court or Department of Social Services concerning the physical placement of a child.

Dispositional Order: An order made by the Judge. It includes the conditions that the family/child must follow and successfully complete.

Terms You May Hear in Court

Adversary Counsel: The attorney representing the wishes of the child.

Burden of Proof: The duty to prove the allegations.

Guardian ad Litem: An attorney appointed to represent the best interests of a child.

Statute: The written law.

Stipulation: An agreement by the County and the family/child or their attorney.

Summons: Document issued by the court stating that the case has been filed, and usually orders a person to appear in court.

Under Advisement: A Judge's decision to delay the Dispositional Hearing until the Judge has considered all the facts.