

MARY E. TRIGGIANO
Chief Judge
Telephone: (414) 278-5116

CARL ASHLEY
Deputy Chief Judge
Telephone: (414) 278-5316

WILLIAM S. POCAN
Deputy Chief Judge
Telephone: (414) 278-4512

HOLLY SZABLEWSKI
District Court Administrator
Telephone: (414) 278-5115

STATE OF WISCONSIN

FIRST JUDICIAL DISTRICT

MILWAUKEE COUNTY COURTHOUSE
901 NORTH NINTH STREET, ROOM 609
MILWAUKEE, WISCONSIN 53233-1425

TELEPHONE (414) 278-5112
FAX (414) 223-1264
WEBSITE: www.wicourts.gov



**CHIEF JUDGE
DIRECTIVE
22-18**

DATE: October 20, 2022

TO: All Judges, All Court Commissioners, District Court Administrator, County Executive, Clerk of Circuit Court, Corporation Counsel, Sheriff, District Attorney, City Attorney, State Public Defender, DAS, Fiscal Affairs, Court Coordinators, Children, Youth and Family Services, Division of Milwaukee Child Protective Services, Legal Aid Society, JusticePoint, WCS, Court Reporting Services, IMSD, Legal Resource Center, CCAP, Facilities Management, Press

FROM: Chief Judge Mary E. Triggiano

SUBJECT: RELEASE OF ADR FROM CHILDREN, YOUTH AND FAMILY SERVICES TO THE STATE PUBLIC DEFENDER

EFFECTIVE October 20, 2022:

“**Agency**” for the purposes of this directive means Milwaukee County Department of Health and Human Services, Children, Youth, and Family Services (“CYFS”).

IT IS HEREBY DIRECTED THAT, pursuant to Wis. Stat. § 938.78(2)(a), Agency Records are confidential and may only be disclosed pursuant to statutorily enumerated exceptions or by order of the court; and,

IT IS HEREBY DIRECTED THAT, pursuant to Wis. Stat. § 977.05(4)(i)5, 977.08(2)(e), and 938.23, the Office of the State Public Defender (SPD) is to provide legal services to juveniles who are entitled to counsel; and,

IT IS HEREBY DIRECTED THAT, in order to provide proper counsel services, SPD should have access to the information regarding the juvenile’s identity that are the subject of proceedings under Chapter 938 and cannot represent juveniles

when a conflict is present, and to preserve judicial economy by providing the identifying information promptly; and,

IT IS HEREBY DIRECTED THAT, that CYFS shall provide daily arrest and detention reports (ADRs) to SPD; and,

IT IS HEREBY FURTHER DIRECTED THAT, in order to maintain the confidentiality of the ADRs, as not every juvenile that has an ADR is ultimately the subject of a Ch. 938 proceeding and therefore SPD's representation would be improper, SPD shall destroy its copy of the ADR after the conflict check is completed that day. If the juvenile ultimately becomes the subject of a Ch. 938 proceeding, SPD would receive a new copy of the ADR with its discovery.

For the purposes of Wis. Stat. § 938.78(2)(a), this is a standing court order.

Dated Milwaukee, Wisconsin, this 20th day of October, 2022.



Hon. Mary E. Triggiano
Chief Judge