

Retention & Purging: Juvenile Court Records and Exhibits

Juvenile Conference Summer 2024
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Learning Objectives

After this presentation, you will be able to:

- Assess the retention period for juvenile case types.
- Assess the retention period for juvenile exhibits.



Juvenile Court Record Retention & Purging



Record Retention Overview

- Case retention is set by Supreme Court Rule – Chapter 72.
- Cases will not appear on the purge list until the minimum retention period under SCR 72 is met.

Additional Purge Considerations

- Case cannot be in the following maintenance modes:

Annual Accounts (AA)	Extension (ES)
Awaiting Papers (AW)	Judicial Review (JR)
Appeal (AP)	Military Stay (MS)
Bankruptcy (BA)	Reopen (RO)
Consent Decree (CS)	Sentence Modification (SM)
Deferred Judgment/Prosecution (DP)	Case Suspended (SU)
Warrant (WA)	Under Advisement (UA)

Additional Purge Considerations

- If the case has receipts, case must be retained for 7 years from the date of the last receipt.
- Cases with open payables must be retained until the payable is closed with a zero balance or disbursed.

Juvenile Adoption & Termination of Parental Rights

- SCR 72.01(42)
- Retained for **150 years**

Juvenile CHIPS

- SCR 72.01(42m)
- **4 years after CH party's 18th birthday**
(DOB + 18) + 4
- Also purgeable 4 years after case closing, if no DOB exists

Juvenile Guardianship

- SCR 72.01(32)(b)
- **7 years after juvenile's 18th birthday** (DOB + 18) + 7
- Also purgeable on the date of the ATFDD (age 25 file destruction date) scheduled activity, if no DOB exists

Juvenile Guardianship: Exceptions

- Retained **75 years after termination** if **firearm restriction** was ordered
- Retained **7 years after death of juvenile** if a **firearm restriction** was ordered

Juvenile Civil Commitments

- SCR 72.01(38)
- **7 years** after case closure
- Exception: **75 years after termination if firearm restriction** is ordered

Juvenile Injunctions

- SCR 72.01(1)
- Retained **20 years** after case closure

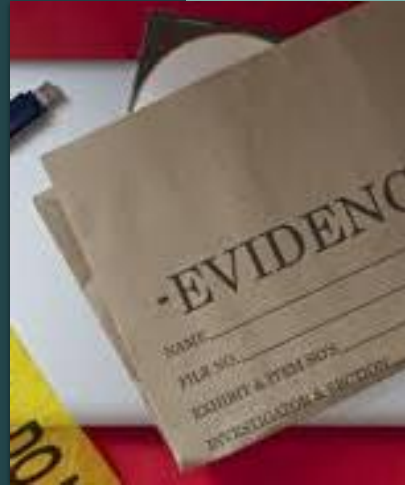
Juvenile Civil Ordinance Violations

- SCR 72.01(24)
- Retained **5 years** after case closure
- Exception: If the case has receipts, the case must be retained **7 years from the last receipt**

Juvenile JIPS and Delinquency

- SCR 72.01(42m)
- Retained:
 - **75 years** after JV adjudication if adjudicated delinquent on a **felony class severity**;
 - **75 years** after JV adjudication if adjudicated delinquent on a **misdemeanor class severity with a firearms restriction** or order to register with **WI DOC sex offender registry**;
 - **4 years after JV party's 18th birthday** (DOB + 18) + 4 for all other cases. Also purgeable 4 years after case closure if no DOB exists

Juvenile Exhibit Retention & Purging



Exhibits Overview

Any paper, document, or physical item submitted to the court during a trial or hearing and marked with an official exhibit sticker [SCR 72.01 Comment]

Exhibits Overview

- Exhibits **do not** include documents attached to pleadings or other filings.
- Exhibits **do not** include depositions or other discovery material, unless they are offered as an exhibit.


Introduction

- Exhibits have a different retention period than the underlying case file.
- Retention is governed by SCR 72.01(45), (46), (46m), (46r) and SCR 72.03(4)



3 Questions to Ask to Determine Retention



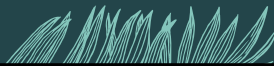
1. Is the exhibit scannable?
 2. If yes, is the physical exhibit an original or a copy?
 3. Is the exhibit not scannable?
- 



Is the Exhibit Scannable?



If an exhibit can be scanned, SCR 72.03(4) governs the retention period for all juvenile case type exhibits.



Is Exhibit an Original or Copy?

If exhibit is a copy . . .

- Paper copy can be destroyed **48 hours** after scanning. The scanned version can be retained as part of the case file.
- Paper copy does not need to be offered back to the offering party.

Is Exhibit an Original or Copy?

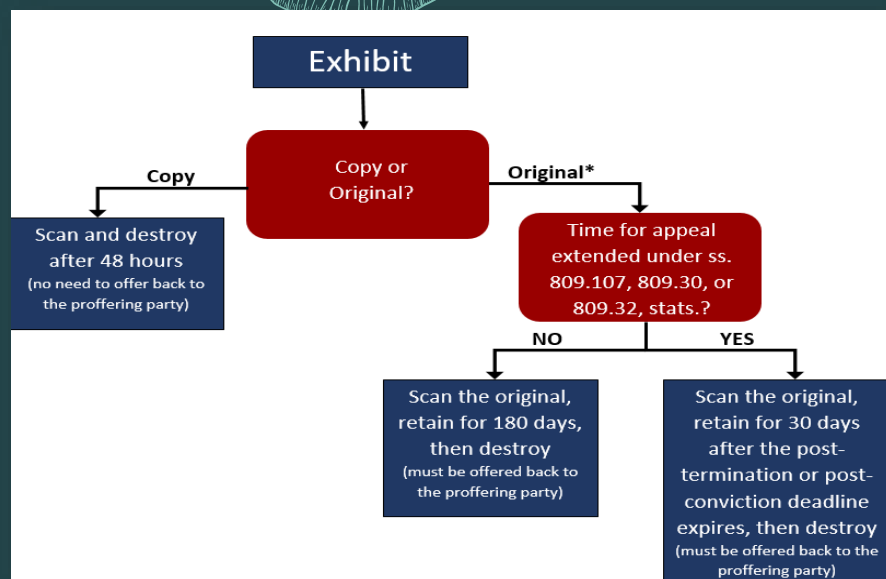
If the exhibit is a copy . . .

- Can assume all exhibits filed **after** July 1, 2016 are copies (s. 801.18(9)(h))
- **Note:** Printed photographs can now be treated as copies.

Is Exhibit an Original or Copy?

If exhibit is original . . .

- Retain physical exhibit **180 days after final entry of judgment.**
- If the time for appeal is extended, retain for **30 days after the post-termination or post-conviction** deadline expires.



Is Exhibit not Scanneable?

- Turn to SCR 72.01(45) or (46) for the retention period
- **Note:** Parties can stipulate to an earlier return date for exhibits using GF-103.

Non-Criminal Case Exhibits (JA, TP, JC, JD, JG, JI, JM, JO)

- SCR 72.01(45)
- Retain for **one year after the time for appeal has expired**, provided the exhibits have been offered back

Non-Criminal Case Exhibits (JA, TP, JC, JD, JG, JI, JM, JO)

- Look to Wis. Stat. 808.04 to determine the time for appeal
- If there is an appeal, recommended practice is for the order on appeal to be completed before destroying the exhibit

Juvenile Delinquency Exhibits

- SCR 72.01(46)(c)
- Retain for **four years after the 18th birthday of the juvenile**, provided the exhibits have been offered back to the parties

Exhibit Application Refresher

☒ Rock County

- ☒ Exhibits for [2021CV000556](#) (30301)
Pamela Plaintiff vs. Devon Defendant
Documents:
11-28-2022 10:00 am - Hearing (HE)
[Exhibit - Rental check](#)
[Edit](#) [Delete](#)
Subtotal

[Learn about payment options.](#)

[Filings in need of payment](#)

File

Application Overview

- Intended to be used for fully remote proceedings
- Suggested practice is for parties to pre-file all hearing exhibits or bring all exhibits to court, not both

Application Overview

- **Should not** be used to file exhibits that are attached to pleadings for support
- Clerks do not have to process exhibits that were not pre-filed using the Exhibits tab. Exhibits can be scanned into the case using the *EX (Exhibit)* civil event.

Electronic Exhibit Processing Basics

- Electronically filed exhibits are routed to “Exhibits” queue in eFiling Review.
- Exhibit is moved into “Proposed” status once saved. The judge and other parties on the case cannot view the exhibit until it is moved into “Offered.”

CCAP Case Calendar of filing review Financial Jury Documents Change of venue™ Applications Support Jennifer Soubert/CCAP in Knoxville

Case management

- of filing review queries
- Queries
- Cases
- Cases w/ charges
- Citation filings
- Documents
- Amendments
- Agreements w/ charges
- Exhibits**
- Justicial assignments
- Disposessed filings

Exhibits

Showing 1 to 3 of 3 entries

File submitted	Case no.	Responsible court official	Title	Activity	Filer name	Attorney?	Caption
04-26-2023 3:02 PM	2022SC001570	Jason A. Russell	Rental check	05-02-2023 1:00 PM - Hearing	Andrew Attorney	Yes	Patricia Plain vs. Dara Defen
04-26-2023 7:53 AM	2022SC001570	Jason A. Russell	Text conversation	05-02-2023 1:00 PM - Hearing	Andrew Attorney	Yes	Patricia Plain vs. Dara Defen
04-26-2023 7:48 AM	2022SC001570	Jason A. Russell	Utilities bill	05-02-2023 1:00 PM - Hearing	Andrew Attorney	Yes	Patricia Plain vs. Dara Defen

2022SC001570 Patricia Plain vs. Dara Defen Case actions

Summary Parties Activities Court record Documents Financials Disposition Judgments **Exhibits**

Exhibits

Document exhibits

[-Choose action-] Create

Number	Title	Party type	Party	Filer	Activity	Sealed	Confidential	Offered	Status
Start typing to filter	Start typing to filter	All	Start typing to filter	Start typing to filter	Start typing to filter	All	All	All	All
Rental check	PL	Patricia Plain	Andrew Attorney	05-02-2023 1:00 PM - Hearing (HE)	No	Proposed			
Text conversation	PL	Patricia Plain	Andrew Attorney	05-02-2023 1:00 PM - Hearing (HE)	No	Proposed			

Electronic Exhibit Processing Basics

- Exhibit is entered into court record when it is moved into “Offered” status. You can add exhibit to a new or existing court record event.
- Mark the exhibit as received or denied when the court takes an action on the exhibit.

Electronic Exhibit Processing Basics

Unoffered exhibits will automatically delete from Exhibits section 60 days after the scheduled court activity.

Add exhibit to court record

Docket event

Event date: 05-02-2023

Event type: Exhibit (EX)

Event parties:

Court official:

Court reporter:

Tape recording location:

Tape number:

Event text:

0/10000 characters

Find and add quick text:

Text sealed by:

Restriction:

2022SC001570 Patricia Plain vs. Dara Defen Case actions

Summary **Parties** Activities **Court record** Documents Financials Disposition Judgments Exhibits

Court record

Event date	Event	Event code	Court official	Court reporter	Amount	Added by	New maintenance	Remove maintenance	New status
<small>(Start typing to filter)</small>	<small>(Start typing to filter)</small>	<small>(Start typing to filter)</small>	<small>(Start typing to filter)</small>	<small>(Start typing to filter)</small>	<small>(Start typing to filter)</small>	<small>(Start typing to filter)</small>	<small>(Start typing to filter)</small>	<small>(Start typing to filter)</small>	<small>(Start typing to filter)</small>
05-02-2023	Exhibit Rental check	EX			\$0.00	Jennifer Seubert(CCAP)			
04-26-2023	Responsible court official changed	RCOC	David Herring		\$0.00	Jennifer Seubert(CCAP)			
04-24-2023	Notice of hearing	NOH	David Herring		\$0.00	Jennifer Seubert(CCAP)			

Thanks

Do you have any questions?

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608-261-0684

CREDITS: This presentation template was created by [Slidesgo](#), and includes icons by [Flaticon](#), and infographics & images by [Freepik](#)

Resources

- [CCAP Help Center](#): The Purge Rules and additional information on processing electronic exhibits can be found on the CCAP Help Center under Circuit court application help.
- [CourtNet](#): Additional guidance on exhibit management and retention can be found in the “Best Practice for Exhibit Management and Retention”.