



Wisconsin Clerks of Circuit Court Association

— *Serving Wisconsin Courts* —

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September 15, 2011

Clerk of the Supreme Court

Re: Supreme Court Rule 10-08

Dear Justices:

Thank you for the opportunity to provide comment on Supreme Court Rule 10-08 which is scheduled for a public hearing on October 4, 2011. The Wisconsin Clerks of Circuit Court Association agrees with the petition's lofty goal of representation for all individuals, it is the practical application that gives us pause.

Our Association is concerned with the budgetary impact on the counties and local courts of this proposed rule. If the court agrees that representation is required, the next question would be how it is funded. This would likely be determined by the legislature. Even if the State assumed the cost initially, in tight budgetary times this cost would likely shift to the counties.

The petitioners projected that the annual cost of this proposal could be \$56 million statewide. If those costs are shifted to the counties, county courts costs could be as high as 25% of their entire operating budget. Therefore, we would ask the Court to consider the operational budget challenges that the county and the state are facing and will likely continue to face. Given those challenges, we would ask the Court to decline this petition.

There is nothing that would suggest that current budgetary pressures will subside anytime soon assuming that the budgets are flat or decreasing. This would have the effect of shrinking our budgets and reducing access to justice that is currently provided to individuals in our State. It does not make sense to shut court operations down in order to provide attorneys for everyone.

As we said earlier, we agree with the lofty goal of representation for individuals in Civil cases. To that end we would ask the Court to encourage the Bar to provide pro bono assistance and to push the Governor, the Legislature and local governments to increase funding for self-help centers throughout the State.

Again, we appreciate the opportunity to comment on this Rule.

Sincerely,

Lonnie Wolf
President
WCCCA

CHILD SUPPORT FUNDING PLAN
Attachment 7
Treatment of Excess Funds or Shortfalls /
Floor and Cap Adjustments

County	FFY10 Caseload	All Measures					Redistribution of Excess			Floor-Cap Adjustment			Projected CY12 Allocation Based on FFY10 Data	
		Federal Measure 1 Earnings	Federal Measure 2 Earnings	Federal Measure 3 Earnings	Federal Measure 4 Earnings	Proficiency Measure 5 Earnings	Earnings Total	Prorate Excess	Allocation Earned Total	2011 Actual Allocation Level	\$ Reduction from 2011	% Reduction from 2011		% Floor-Cap Adjusted
ADAMS	1,148	18,648	18,648	16,412	18,039	26,562	98,311	9,051	105,362	130,029	(24,667)	-18.97%	-18.97%	105,362
ASHLAND	1,304	21,184	21,184	19,065	16,947	15,809	94,189	8,851	103,040	143,782	(40,741)	-28.34%	-28.00%	106,398
BARRON	2,848	47,891	47,891	43,102	41,186	43,512	223,581	21,011	244,592	330,755	(86,163)	-26.05%	-26.00%	244,759
BAYFIELD	713	11,583	11,583	10,888	10,193	9,932	54,178	5,091	59,269	80,588	(21,317)	-26.45%	-26.00%	69,834
BROWN	13,321	218,402	218,402	194,762	182,301	278,147	1,068,014	100,357	1,168,381	1,531,701	(363,321)	-23.72%	-23.72%	1,168,381
BUFPALO	512	8,318	8,318	8,151	7,319	6,680	38,798	3,648	42,441	58,081	(15,640)	-26.93%	-26.00%	42,980
BURNETT	1,007	18,359	18,359	16,032	16,359	21,049	86,157	8,097	94,254	113,661	(19,408)	-17.07%	-18.00%	93,202
CALUMET	1,401	22,759	22,759	20,939	18,208	20,971	105,838	9,927	115,563	157,421	(41,858)	-26.59%	-26.00%	116,492
CHEPPewa	3,059	49,894	49,894	46,712	49,694	53,788	249,562	23,453	273,015	346,440	(73,425)	-21.19%	-21.19%	273,015
CLARK	1,204	19,568	19,568	18,388	18,777	22,448	98,728	9,278	108,007	136,507	(28,500)	-20.88%	-20.88%	108,007
COLUMBIA	2,564	41,653	41,653	41,653	41,653	39,143	205,753	19,338	225,099	290,632	(65,544)	-22.55%	-22.55%	225,089
CRAWFORD	868	13,613	13,613	11,708	11,435	11,822	62,191	5,844	68,038	97,181	(29,145)	-29.99%	-26.00%	71,914
DANE	22,181	380,334	380,334	288,267	255,837	450,175	1,714,946	161,163	1,876,109	2,475,432	(599,324)	-24.21%	-24.21%	1,876,109
DODGE	3,863	64,380	64,380	64,380	61,804	71,705	328,648	30,897	357,345	448,689	(89,345)	-20.00%	-20.00%	367,345
DOOR	1,138	18,454	18,454	18,085	16,609	20,899	92,503	8,693	101,196	128,096	(26,901)	-21.00%	-21.00%	101,196
DOUGLAS	3,244	52,699	52,699	45,321	48,321	47,646	243,687	22,901	266,587	367,240	(100,653)	-27.41%	-26.00%	271,788
DUNN	2,105	34,198	34,198	32,144	30,776	29,064	160,377	15,071	175,448	236,418	(60,967)	-25.79%	-25.79%	175,448
EAU CLAIRE	5,021	81,587	81,587	70,148	64,438	101,789	398,488	37,542	437,030	568,080	(131,050)	-23.07%	-23.07%	437,030
FLORENCE	212	3,444	3,444	3,168	3,100	2,828	15,984	1,502	17,486	24,086	(8,610)	-27.43%	-26.00%	17,831
FOND DU LAC	4,850	78,484	78,484	75,328	73,556	78,532	384,542	36,137	420,679	547,383	(126,714)	-23.15%	-23.15%	420,679
FOREST	772	12,541	12,541	10,785	11,287	6,019	53,174	4,997	58,171	85,928	(27,757)	-32.30%	-26.00%	63,587
GRANT	1,862	30,248	30,248	30,248	30,248	43,145	184,139	15,425	199,564	211,297	(31,733)	-15.02%	-18.00%	173,283
GREEN	1,507	24,481	24,481	22,033	22,033	31,748	124,775	11,726	136,501	170,606	(34,105)	-19.99%	-19.99%	136,501
GREEN LAKE	880	14,298	14,298	14,298	12,580	12,969	68,338	6,422	74,758	97,522	(22,763)	-23.34%	-23.34%	74,758
IOWA	862	14,003	14,003	14,003	14,003	18,699	74,713	7,021	81,734	95,021	(13,287)	-13.98%	-18.00%	77,917
IRON	271	4,402	4,402	4,050	3,874	1,668	18,397	1,729	20,128	30,689	(10,562)	-34.42%	-26.00%	22,710
JACKSON	1,309	21,285	21,285	17,437	17,012	21,136	98,115	9,220	107,335	147,533	(40,197)	-27.25%	-26.00%	109,174
JEFFERSON	3,858	62,874	62,874	58,913	56,913	72,855	318,030	29,698	345,728	437,028	(91,300)	-20.89%	-20.89%	345,728
JUNEAU	1,778	28,884	28,884	25,995	24,262	42,927	150,953	14,186	165,139	200,726	(35,587)	-17.73%	-18.00%	184,696
KENOSHA	12,456	202,350	202,350	145,682	137,598	350,276	1,038,264	97,571	1,135,836	1,387,013	(261,177)	-18.70%	-18.70%	1,135,836
KEWAUNEE	741	12,038	12,038	10,352	10,352	10,133	56,598	5,319	61,917	77,517	(15,600)	-20.12%	-20.12%	61,917
LA CROSSE	5,557	90,274	90,274	74,025	72,219	119,855	446,848	41,974	488,821	627,297	(138,676)	-22.11%	-22.11%	488,821
LAFAYETTE	628	10,202	10,202	9,386	8,366	11,165	49,321	4,635	53,956	69,333	(15,378)	-22.18%	-22.18%	53,956
LANGLADE	1,622	26,350	26,350	23,188	20,816	22,999	119,302	11,211	130,514	183,109	(52,595)	-28.72%	-26.00%	136,500
LINCOLN	1,593	25,879	25,879	24,328	23,291	29,231	128,805	12,086	140,890	179,585	(38,695)	-21.66%	-21.66%	140,890
MANITOWOC	3,868	62,836	62,836	59,066	55,286	72,583	312,618	29,378	341,996	434,414	(92,418)	-21.27%	-21.27%	341,996

CHILD SUPPORT FUNDING PLAN
Attachment 7
**Treatment of Excess Funds or Shortfalls /
Floor and Cap Adjustments**

County	FFY10 Caseload	All Measures					Redistribution of Excess			2011 Actual Allocation Level	Floor-Cap Adjustment			Projected CV12 Allocation Based on FFY10 Data
		Federal Measure 1 Earnings	Federal Measure 2 Earnings	Federal Measure 3 Earnings	Federal Measure 4 Earnings	Proficiency Measure 5 Earnings	Earnings Total	Prostate Excess	Allocation Earned Total		\$ Reduction from 2011	% Reduction from 2011	% Floor-Cap Adjusted	
MARATHON	6,374	101,476	103,547	91,121	81,802	92,680	470,626	44,227	514,853	705,838	(190,985)	-27.06%	-26.00%	522,320
MARINETTE	2,511	40,782	40,782	39,160	35,897	49,897	206,537	19,409	225,946	284,361	(58,435)	-20.55%	-20.55%	225,946
MARQUETTE	706	11,469	11,469	11,010	10,083	11,631	55,673	5,232	60,904	78,787	(17,883)	-22.68%	-22.68%	60,904
MILWAUKEE	131,480	2,050,476	2,135,913	1,409,702	1,196,111	1,828,404	8,618,607	809,937	9,428,544	11,864,283	(2,535,739)	-21.19%	-21.19%	9,428,544
MONROE	2,660	43,212	43,212	39,755	40,619	55,966	222,765	20,834	243,700	301,430	(57,731)	-19.15%	-19.15%	243,700
OCONTO	2,003	32,539	32,539	31,868	26,682	25,803	149,252	14,028	163,277	216,866	(53,589)	-24.71%	-24.71%	163,277
ONEIDA	1,889	30,687	30,687	28,846	28,846	25,846	144,912	13,618	158,530	212,774	(54,244)	-25.48%	-25.48%	158,530
OUTAGAMIE	7,723	125,461	125,461	112,915	105,388	148,269	617,494	58,029	675,523	866,100	(190,577)	-22.00%	-22.00%	675,523
OZAUKER	2,102	34,147	34,147	33,464	28,684	37,045	167,488	15,740	183,227	237,211	(53,984)	-22.76%	-22.76%	183,227
PEPIN	271	4,402	4,402	4,050	3,962	4,823	21,640	2,034	23,673	30,802	(7,129)	-23.14%	-23.14%	23,673
PIERCE	1,269	20,615	20,615	18,141	18,554	20,315	98,240	9,232	107,472	138,063	(28,581)	-21.01%	-21.01%	107,472
POLK	1,664	27,032	27,032	23,247	23,247	34,026	134,585	12,648	147,233	196,746	(39,513)	-21.16%	-21.16%	147,233
PORTAGE	2,835	46,055	46,055	45,134	39,607	51,533	228,384	21,482	249,866	319,730	(69,863)	-21.86%	-21.86%	249,866
PRICE	645	10,478	10,478	9,849	8,920	9,820	49,368	4,638	54,005	73,188	(19,183)	-28.22%	-28.00%	54,166
RACINE	17,877	290,415	290,415	217,811	212,003	277,783	1,288,436	121,081	1,409,517	2,012,489	(602,972)	-29.96%	-28.00%	1,489,242
RICHLAND	860	13,971	13,971	12,853	12,294	11,041	64,130	6,027	70,157	99,567	(29,410)	-29.54%	-26.00%	73,680
ROCK	11,842	192,375	192,375	144,281	144,281	201,596	874,808	82,220	957,128	1,333,478	(376,347)	-28.22%	-26.00%	986,772
RUSK	1,055	17,139	17,139	18,453	17,139	13,957	61,828	7,690	69,516	119,004	(29,487)	-24.78%	-24.78%	89,516
SAINT CROIX	2,774	45,064	45,064	42,360	42,360	64,913	239,762	22,532	262,294	314,160	(51,866)	-16.51%	-18.00%	267,611
SAUK	3,245	52,716	52,716	50,607	50,607	55,967	262,612	24,679	287,291	366,331	(79,040)	-21.58%	-21.58%	287,291
SAWYER	1,428	23,198	23,198	17,631	17,167	21,016	102,210	9,605	111,815	161,627	(49,812)	-30.82%	-26.00%	119,604
SHAWANO	1,768	28,721	28,721	25,275	24,700	37,805	145,223	13,647	158,870	199,703	(40,833)	-20.45%	-20.45%	168,870
SHEBOYGAN	5,110	83,013	83,013	76,372	83,013	113,082	438,492	41,207	479,700	577,400	(97,701)	-18.92%	-18.00%	479,468
TAYLOR	941	15,287	15,287	15,287	14,984	15,379	75,303	7,077	82,378	108,614	(24,235)	-22.73%	-22.73%	82,378
TREMPEALEAU	1,311	21,297	21,297	20,871	16,742	23,118	105,325	9,898	115,223	147,987	(32,764)	-22.14%	-22.14%	115,223
VERNON	1,042	16,927	16,927	16,927	16,589	17,231	84,602	7,951	92,552	117,640	(25,087)	-21.33%	-21.33%	92,552
VILAS	728	11,826	11,826	11,117	11,590	11,458	57,818	5,433	63,251	82,748	(19,494)	-23.56%	-23.56%	63,251
WALWORTH	4,609	74,874	74,874	59,899	62,894	80,372	382,913	34,105	417,018	520,115	(123,097)	-23.67%	-23.67%	387,018
WASHBURN	1,071	17,399	17,399	15,311	18,395	23,333	89,786	8,439	98,224	120,836	(22,701)	-18.77%	-18.77%	98,224
WASHINGTON	3,724	60,497	60,497	60,497	58,077	52,442	282,010	27,442	309,452	417,819	(98,368)	-23.54%	-23.54%	318,452
WAUKESHA	9,036	146,791	146,791	137,864	123,305	147,236	702,109	65,981	768,090	1,016,815	(248,725)	-24.46%	-24.46%	769,090
WAUPACA	2,519	40,922	40,922	39,265	38,466	39,958	199,552	18,753	218,305	282,108	(63,802)	-22.62%	-22.62%	218,306
WAUSHARA	1,207	19,608	19,608	19,216	17,647	27,709	103,788	9,753	113,541	143,441	(29,900)	-20.84%	-20.84%	113,541
WINNEBAGO	8,605	139,780	139,780	123,015	104,842	154,228	661,664	62,180	723,844	944,186	(220,341)	-23.34%	-23.34%	723,844
WOOD	4,176	67,840	67,840	63,769	59,689	86,638	345,786	32,485	378,271	471,685	(93,414)	-19.80%	-19.80%	378,281
TOTALS	361,336	\$ 5,782,435	\$ 5,889,943	\$ 4,678,234	\$ 4,278,869	\$ 6,088,610	\$ 26,705,090	\$ 2,609,623	\$ 29,214,713	\$ 37,824,873	\$ (8,610,160)	n/a	n/a	\$ 28,348,969

Wisconsin Child Support Enforcement Association

County CSAs serve the State by:

1. *Establishing paternity* – last year we established paternity for 23,544 children
2. *Establishing Support Order* – we established 41,210 child support and health insurance orders last year
3. *Collecting Current Support* – we collected over \$900 million in support in 2009 during the month in which it was due (for which we are 3rd in nation)
4. *Collecting Support Arrears*

While these services obviously benefit custodial parents and their children, CSAs also serve:

- Absent parents, by providing paternity establishment services to men who may have fathered a child and modification services to support payers; CSAs also help payers address arrearages by providing Alternative Payment Plans and settlements on arrears owed to the State
- The business community, including employers, title companies, car dealerships, etc., who need information and assistance from CSAs regarding a variety of child support issues
- Taxpayers, by detecting fraud in State assistance programs; our unique ability to check parents' benefit status against what they report in court during support hearings allows us to address 'gaming' of the system

All this is done in a cost-effective manner: between 2002 and 2009 the amount collected per dollar spent on administrative costs was \$6.82, well above the national average of \$4.78. This was accomplished despite the challenges facing CSAs:

- ▲ 7.5% increase in county caseload since 2004;
- ▼ 17% decrease in county child support employees since 2004;
- Federal regulations require CSA's to review and, if necessary, adjust more than 120,000 orders each year.

In the last biennial budget, the legislature provided a base of \$8.5 million in funding for County CSAs on an annual basis. Due to the availability of federal ARRA funds during that biennium, this funding level required an actual expenditure of only \$4.25 million GPR in SFY 2011. The base budget, then, for Governor Walker's 2012-2013 proposed budget was set at \$4.25 million instead of the intended \$8.5 million. This technical discrepancy was addressed by the Joint Finance committee in December, when it restored the \$4.25 million for CY 2011. A \$4.25 million shortfall remains in the proposed budget, however, which equates to a \$12.5 million with the federal match.

A funding decrease of \$12.5 million will result in:

- A reduction in paternities established, resulting in **4,662** children not having a legal father *each year*
- A reduction in orders established, resulting in **8,160** cases having no court order *each year*
- An estimated **63,765** additional families will receive nothing in child support for their children.

A \$4.25 million investment by the State will:

- Draw down an *additional* \$8.25 million in federal funds for a total of \$12.5 million
- Result in the collection of *\$85.25 million* of child support for families to support their children, and
- Directly save the government over \$14.75 million in public assistance costs according to federal cost-avoidance statistics.

Additionally:

- The need for services remains high: 50% of Wisconsin's children ages 5 and under who live in a female headed, single parent household, live in poverty, and data compiled by the Federal Office of Child Support Enforcement (OCSE) reveals that for families that receive child support, that support makes up 40% of household income for poor families and 63% for deeply poor families
- CSAs anticipate additional funding reductions of \$8.35 million per year if birth cost reimbursement is eliminated as proposed in federal budget



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2461/1
GMM:kjf:jf

2011 SENATE BILL 173

August 30, 2011 – Introduced by Senators DARLING, LAZICH, OLSEN and WANGGAARD, cosponsored by Representatives VOS, BERNIER, BROOKS, JACQUE, KAUFERT, KESTELL, KNODL, PETERSEN, STRACHOTA, STROEBEL and ZIEGELBAUER. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **AN ACT to amend** 48.396 (1), 48.396 (2) (a), 938.396 (1) (a), 938.396 (2) and
2 938.396 (2g) (c); and **to create** 938.396 (2m) of the statutes; **relating to:** the
3 disclosure of electronic juvenile court records to law enforcement agencies and
4 providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, the director of state courts has established an automated information system, known as the Consolidated Court Automation Programs (CCAP), that contains information about cases filed in the circuit courts in this state, including cases filed in the courts assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile courts). Records of the juvenile court, however, are confidential and may not be opened to inspection, nor may their contents be disclosed, except under certain statutory exceptions or by an order of the juvenile court. Currently, those exceptions include an exception that requires a juvenile court to disclose its records on the request of a law enforcement agency to review those records for the purpose of investigating alleged criminal gang activity.

This bill permits the juvenile court to transfer to a law enforcement agency the electronic records of the juvenile court, permits the director of state courts to use CCAP to facilitate that transfer of those electronic records, and requires the director of state courts to determine what types of information from those electronic records may be transferred to a law enforcement agency. In addition, the bill requires a law enforcement agency to keep any information from those records transferred to the agency confidential and permits a law enforcement agency to use or allow access to

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that information only for the purpose of investigating alleged criminal or delinquent activity. Also, the bill requires an individual who is allowed access to any information from those electronic records to keep the information confidential and to use and further disclose the information only for the purpose of investigating alleged criminal or delinquent activity. Finally, the bill provides for a forfeiture of not more than \$5,000 for any person who intentionally discloses information in violation of the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 48.396 (1) of the statutes is amended to read:

2 **48.396 (1)** Law enforcement officers' records of children shall be kept separate
3 from records of adults. Law enforcement officers' records of the adult expectant
4 mothers of unborn children shall be kept separate from records of other adults. Law
5 enforcement officers' records of children and the adult expectant mothers of unborn
6 children shall not be open to inspection or their contents disclosed except under sub.
7 (1b), (1d), (5), or (6) or s. 48.293 or 938.396 (2m) (c) or by order of the court. This
8 subsection does not apply to the representatives of newspapers or other reporters of
9 news who wish to obtain information for the purpose of reporting news without
10 revealing the identity of the child or adult expectant mother involved, to the
11 confidential exchange of information between the police and officials of the public or
12 private school attended by the child or other law enforcement or social welfare
13 agencies, or to children 10 years of age or older who are subject to the jurisdiction of
14 the court of criminal jurisdiction. A public school official who obtains information
15 under this subsection shall keep the information confidential as required under s.
16 118.125, and a private school official who obtains information under this subsection
17 shall keep the information confidential in the same manner as is required of a public

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1 school official under s. 118.125. This subsection does not apply to the confidential
2 exchange of information between the police and officials of the tribal school attended
3 by the child if the police determine that enforceable protections are provided by a
4 tribal school policy or tribal law that requires tribal school officials to keep the
5 information confidential in a manner at least as stringent as is required of a public
6 school official under s. 118.125. A law enforcement agency that obtains information
7 under this subsection shall keep the information confidential as required under this
8 subsection and s. 938.396 (1) (a). A social welfare agency that obtains information
9 under this subsection shall keep the information confidential as required under ss.
10 48.78 and 938.78.

11 **SECTION 2.** 48.396 (2) (a) of the statutes is amended to read:

12 48.396 (2) (a) Records of the court assigned to exercise jurisdiction under this
13 chapter and ch. 938 and of courts exercising jurisdiction under s. 48.16 shall be
14 entered in books or deposited in files kept for that purpose only. ~~They~~ Those records
15 shall not be open to inspection or their contents disclosed except by order of the court
16 assigned to exercise jurisdiction under this chapter and ch. 938 or as permitted under
17 this subsection, sub. (3) (b) or (c) 1. or (6), or s. 48.375 (7) (e) or 938.396 (2m) (b) or
18 (c).

19 **SECTION 3.** 938.396 (1) (a) of the statutes is amended to read:

20 938.396 (1) (a) *Confidentiality.* Law enforcement agency records of juveniles
21 shall be kept separate from records of adults. Law enforcement agency records of
22 juveniles may not be open to inspection or their contents disclosed except under par.
23 (b) or (c), sub. (1j), (2m) (c), or (10), or s. 938.293 or by order of the court.

24 **SECTION 4.** 938.396 (2) of the statutes is amended to read:

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1 938.396 (2) COURT RECORDS; CONFIDENTIALITY. Records of the court assigned to
2 exercise jurisdiction under this chapter and ch. 48 and of municipal courts exercising
3 jurisdiction under s. 938.17 (2) shall be entered in books or deposited in files kept for
4 that purpose only. Those records shall not be open to inspection or their contents
5 disclosed except by order of the court assigned to exercise jurisdiction under this
6 chapter and ch. 48 or as permitted under sub. (2g), ~~(2m) (b) or (c)~~, or (10) or s. 48.396
7 (3) (b) or (c) 1.

8 **SECTION 5.** 938.396 (2g) (c) of the statutes is amended to read:

9 938.396 (2g) (c) *Law enforcement agencies.* ~~Upon A law enforcement agency.~~
10 upon request of a the law enforcement agency to review court records or as permitted
11 under sub. (2m) (b). for the purpose of investigating ~~a crime that might constitute~~
12 ~~criminal gang activity, as defined in s. 941.38 (1) (b), the court shall open for~~
13 ~~inspection by authorized representatives of the law enforcement agency the records~~
14 ~~of the court relating to any juvenile who has been found to have committed a~~
15 ~~delinquent act at the request of or for the benefit of a criminal gang, as defined in s.~~
16 ~~939.22 (9), that would have been a felony under chs. 939 to 948 or 961 if committed~~
17 ~~by an adult~~ alleged criminal activity or activity that may result in a court exercising
18 jurisdiction under this chapter.

19 **SECTION 6.** 938.396 (2m) of the statutes is created to read:

20 938.396 (2m) ELECTRONIC COURT RECORDS. (a) In this subsection, "court" means
21 the court assigned to exercise jurisdiction under this chapter and ch. 48.

22 (b) The court may transfer to a law enforcement agency information contained
23 in the electronic records of the court, regardless of whether the law enforcement
24 agency is a party to or is otherwise involved in the proceedings in which the electronic
25 records containing that information were created. The director of state courts may

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1 use the circuit court automated information systems established under s. 758.19 (4)
2 to facilitate the transfer of those electronic records from the court to a law
3 enforcement agency. The director of state courts shall determine what types of
4 information may be transferred under this paragraph.

5 (c) 1. A law enforcement agency shall keep any information transferred to the
6 law enforcement agency under par. (b) confidential and may use or allow access to
7 that information only for the purpose of investigating alleged criminal activity or
8 activity that may result in a court exercising jurisdiction under this chapter. A law
9 enforcement agency may allow that access regardless of whether the person who is
10 allowed that access is a party to or is otherwise involved in the proceedings in which
11 the electronic records containing that information were created.

12 2. An individual who is allowed access to any information transferred under
13 par. (b) shall keep the information confidential and may use and further disclose the
14 information only for the purpose described in subd. 1.

15 (d) Any person who intentionally discloses information in violation of par. (c)
16 may be required to forfeit not more than \$5,000.

17 (END)