**STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY**

IN THE INTEREST OF

_____
Name

_____
Date of Birth

# Notice of Rights and Obligations Indian Child Welfare Act

Case No. _____

This proceeding is subject to the Indian Child Welfare Act.

If a petition has not yet been filed, a referral may result in a petition to the court.

The child/juvenile is alleged to be in need of protection or services: _____

You have the right to:

- a substitution of judge if the request is made before the end of the plea hearing and the law does not otherwise prohibit a substitution.
- an attorney:
  - If the child/juvenile desires to be represented by an attorney, the public defender shall appoint an attorney. Parents may be required to reimburse the state or county for the attorney and to contribute toward the expenses of post-adjudication services to the child/juvenile, including alcohol or drug treatment or education.
  - If the parent or Indian custodian desires to be represented by an attorney and is determined to be indigent, the public defender shall appoint an attorney.
- remain silent:
  - The silence of any party in a non-delinquency proceeding may be relevant and considered by the court.
- a trial:
  - In juvenile in need of protection or services proceedings: to the court.
  - In child in need of protection or services proceedings: to the court or a jury (if demanded before the end of the plea hearing).
- request counseling.
- know the nature and possible consequences of the proceedings:
  - custody hearing: to determine whether the child/juvenile should be placed or remain in custody;
  - future hearings: to determine if the allegations are true and whether any disposition should be imposed.
- present and subpoena witnesses.
- confront and cross-examine witnesses.
- have the allegations proven by clear and convincing evidence.
- intervene at any point in the proceeding, if a parent or Indian custodian is not already a party.
- request up to 20 additional days to prepare for the initial proceeding.
- request transfer to tribal court.

Potential consequences of this proceeding may include:

- removal of child/juvenile from the home of the parent(s), guardian, or Indian custodian.
- placement outside the home, including a relative home, foster home, group home, or residential care center.
- a finding that the child/juvenile is in need of protection or services.
- a dispositional order entered containing specific conditions of supervision and/or return.
- transfer of legal custody.
- potential grounds for future termination of parental rights.

I have received a written copy of the above rights and obligations.

| | |
|---|---|
| ▶ _____ Signature | ▶ _____ Signature |
| _____ Name Printed or Typed | _____ Name Printed or Typed |
| _____ Address | _____ Address |
| _____ Email Address / Telephone Number | _____ Email Address / Telephone Number |
| _____ Date / State Bar No (if any) | _____ Date / State Bar No (if any) |



§§48.028, 48.21(3m), 48.21(3)(d), 48.24(1m), 48.243, 48.31 (2), 938.21(3)(d),and 938.243, Wisconsin Statutes

**This forms shall not be modified. It may be supplemented with additional material.**