

FORM SUMMARY

Name of Form: **Order to Provide Statement of Income, Assets, Debts and Living Expenses**

Form Number: **JD-1717**

Statutory Reference: Chapters 48 and 938.

Benchbook Reference: JV 6, 8, & 11

Purpose of Form: An order by the court to parents to provide a statement of income, assets, debts and living expenses. This form is always required when it appears that a child/juvenile may be placed outside of his or her home in a court proceeding but can also be used whenever it is appropriate to have a determination of a parent's financial status.

Who Completes It: Juvenile court clerk.

Who Signs It: **BY THE COURT:** Circuit Court Judge/Circuit Court Commissioner.

Distribution of Form: Court, Child's/Juvenile's Guardian ad Litem/Adversary Counsel, Parents, Parents' Attorney(s), Child's/Juvenile's Guardian/Legal Custodian, District Attorney/Corporation Counsel, Caseworker, Tribe, and Indian Custodian.

Accompanying Forms: The statement of income, assets, debts and living expenses (JD-1718) accompanies this form.

Please remember that JD-1717 is either a two-page form or printed back-to-back. The second or back page contains the notice to parents of percentage support standards and child support standards and factors.

New Form/Modification: Modified; last update 05/00.

Modifications: Added distribution list.

Comments: When it appears that a child/juvenile may be placed outside his or her home as a result of a court order, the court must order the parents to provide a statement of income, assets, debts and living expenses. The clerk of court is also required to provide without charge a notice of the percentage guidelines and the factors that a court can consider in setting support.

In a predispositional phase (after plea hearing or fact finding), this will require the exercise of discretion by the court as to whether or not the child/juvenile may ultimately be placed outside the home. In a postdispositional phase (changes of placements and revisions), the

petition for change or revision will indicate if an out-of-home placement is anticipated.

The statute does not specifically require any particular format for the statement of income, assets, debts and living expenses or even that the clerk or court provide the form. RMC determined, however, that the parents should immediately be provided with the statement at the time this Order is given the parents. RMC also decided a standard proposed statement of income, assets, debts and living expenses should be created to assist the courts in this respect.

Ethical questions have been raised by some judges about making a predispositional determination concerning a possible out-of-home placement. Since section 48.275(2)(a) and 938.275(2)(a), Wis. Stats., require the court to order financial information from parents when the child/juvenile is represented by a state or county paid attorney, the court could order that information at this earlier stage. Doing so under that statute satisfies both needs without creating any ethical dilemma.

About this Form:

This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.