

FORM SUMMARY

Name of Form: Order on Confinement of Juvenile Defendant Charged as an Adult

Form Number CR-219

Statutory Reference: 34 U.S.C. 11133(a)(11)(B)

Benchbook Reference:

Purpose of Form: To document required findings when a juvenile defendant under the age of 17 is held in adult jail.

Who Completes It: Court.

Distribution of Form: Juvenile defendant and counsel, prosecutor, victim, adult jail/detention center.

Accompanying Forms: None.

New Form/Modification: Modification. Last updated 05/24.

Modifications: Changed title from Findings to Order. Modified language in #2 under Court finds from “initial confinement hearing” to “the court addressed this issue” and “hearing” to “determination.” Referred to the juvenile as juvenile defendant throughout order. Modified #5 from “decision” to “these findings”. Reformatted #6 and the court orders section.

Comments: Juvenile defendants under the age of 17 may not be held in an adult jail or lockup for longer than six hours (48 hours in counties with a rural exception), unless the court makes several specific findings on the record. These findings must be reviewed every 30 days, and the juvenile cannot be held for longer than 180 days unless additional findings are made.

If the court authorizes the juvenile to be confined in an adult jail or lockup, the court must also determine whether it is in the interest of justice for the juvenile to be kept separated from adult inmates. Sight and sound contact is defined as “any physical, clear visual, or verbal contact that is not brief and inadvertent.” 34 U.S.C. §11103(25).

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.