



Supreme Court of Wisconsin

DIRECTOR OF STATE COURTS

P.O. BOX 1688

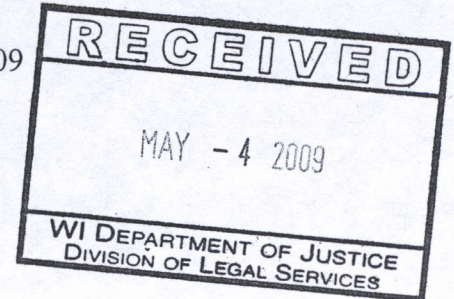
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A. John Voelker
Director of State Courts

April 28, 2009



J. B. Van Hollen
Attorney General
State of Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707-7857

Re: Electronic access to child protection cases for corporation counsel

Dear Attorney General Van Hollen:

I am writing to request clarification of an informal opinion letter dated March 6, 2006, sent to my office by Assistant Attorney General Alan Lee. My office has consulted with Attorney Jennifer Lattis about this, who asked that we put this request in writing for you.

Your office has provided us with guidance on the extent to which confidential court records may be electronically shared with certain agencies through a restricted area of the Wisconsin Circuit Court Access (WCCA) website. The 2006 letter clarified a similar letter your office sent us on October 14, 2002; it also is related to a letter your office sent to Walworth County corporation counsel on May 5, 2005. Shared electronic access is a popular topic but not an easy one, especially when confidential information is involved.

In 2006, Dane County Corporation Counsel requested electronic access to several case types, including child in need of protection services (CHIPS) and termination of parental rights (TPR). Your office advised:

In Dane County the district attorney's office is the most frequent petitioner in CHIPS petitions but occasionally a private attorney files a petition on behalf of a relative who wants to protect a relative. The corporation counsel's office, however, is not a petitioner and therefore cannot be provided general access to these cases. To the extent that corporation counsel needs information from CHIPS cases when they result in the termination of parental rights petitions and adoptions, the corporation counsel must seek access under one of the exceptions to Wis. Stats. §48.396.

Termination of parental rights petitions and subsequent adoptions are generally filed by corporation counsel in Dane County, but private attorneys also file these petitions. There is no statutory authority for granting corporation counsel access to the privately filed cases, therefore, unless the system allows cases privately filed to be segregated,

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