

THE BRIEF

March 2019

An electronic update for the legal community providing a brief look at news in Eau Claire County Courts.

CONFIDENTIAL INFORMATION

On or around March 16 – Freedom of Information Day

Wisconsin public policy favors public access to government records.

There are Public Access Terminals located within the Clerk of Court office as well as the Law Library. Access is also available through WCCA. However, many court records are made confidential by state statute, and others may be sealed at the discretion of the Court.

Commonly Misunderstood:

Child parties are confidential as part of the general rules associated with Chapters 48 and 938, and in child abuse cases under 813.122. Child names are not confidential in other matters in the absence of a specific statute.

Health care records filed with the court are not automatically sealed under the provisions of either Wis. Stat. 146.82 or HIPAA. Parties must identify an additional statutory exception or move to seal the records.

Minor settlements are not confidential. [807.10]

Confidential by Statute:

Child abuse restraining order and injunction records [813.122(3)(bq)]

Child pornography as evidence [971.23(11)(d)]

Confidential informants - identification & testimony [905.10(3)]

Confidential name change petition and records - risk of harm [786.37(4), 786.36(2m)(a)]

Confidential petition addendum [767.215(5)(b)]

Divorce judgments when set aside after reconciliation [767.35(6)]

Divorce judgments when parties remarry each other [767.35(7)]

Family financial disclosure form & exchange of information [767.127(3)(a), 767.54]

Dept of Corrections-Presentence Investigation Reports [972.15(4)]

Restraining orders and injunctions, petitioner's address [813.12(5m), 813.122(5g), 813.123 (5g), 813.125(5m)]

Treatment records of individuals criminally committed. [971 & 975]

HOW TO FILE CONFIDENTIAL DOCUMENTS:

Use Form GF-241 - to provide protected information to the Court that has been redacted by the filing party. (SSN, Tax-Id numbers, financial accounts, driver's license and passport numbers)

Use Form GF-245, GF-246A, and GF246B - Disclosure, Motion and proposed Order to seal part or all of a document and specify the authority for restricting the information from public access under §801.21. The information on this form remains confidential until the Court reviews the motion.

Note: Court staff will not redact a document, you must redact your document prior to filing.

For additional answers to FAQ: <https://www.wicourts.gov/services/attorney/redactfaq.htm>

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COURT STAFF UPDATES

Circuit Courts:

Carrie Neidhold is the Branch 1 Judicial Assistant after starting as a limited term employee. She can be reached at 715/839-6170.

Clerk of Court office:

Trisha Boltz-Lambert started with the Clerk of Court's on February 4, 2019 as a Legal Specialist I-Criminal.

Amy Westom was promoted within the Clerk of Court's to Legal Specialist II-Civil effective March 1, 2019

Beth Sherwood will be *retiring* after 15 years with the Clerk of Court office on March 22, 2019.

Evan Wynn was promoted within the Clerk of Court's to Legal Specialist II-Civil effective April 1, 2019.

Katie Bunning will be *retiring* after 38 years with the Clerk of Court office on April 23, 2019.

District Attorney's office:

Emily Couture started with the District Attorney office on February 4, 2019 as a Legal Specialist with the *retirement* of Julie Nieman.