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Governor Scott Walker
Secretary Eloise Anderson

Secretary's Office

Date: May 6, 2015
To: Members of the Assembly Children and Families Committee
From: Kimber Liedl, Legislative Liaison
Re: Department Position on AB 193 – In Support

Representative Rodriguez and Assembly Children and Families Committee members,

Thank you for the opportunity to testify on AB 193. My name is Kimber Liedl, and I am the Legislative Liaison at the Wisconsin Department of Children and Families (DCF). With me is Ron Hermes, the Director of the Bureau of Permanence and Out-of-Home Care at DCF.

Under current law, when a child is removed from his or her parent's custody, the juvenile court orders DCF, the county department, or the agency responsible for providing services to the child under the custody order to attempt to locate certain adult relatives of the child and provide them with information related to the child's removal. That information includes notice that the child has been removed from the custody of the child's parents and an explanation of the adult relative's options to participate in the child's care and placement.

Under current law, "relative" means a parent, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, first cousin, second cousin, nephew, niece, uncle, aunt, step uncle, or step aunt. The definition also includes any person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any person named in this subsection, even if the marriage is terminated by death or divorce. For purposes of applying the federal Indian Child Welfare Act, "relative" includes an extended family member by blood, marriage, or adoption, including adoption under tribal law or custom.

The recently passed federal Preventing Sex Trafficking and Strengthening Families Act requires DCF to expand the relatives notified under current law for children in out-of-home care. In order to continue receiving federal child welfare Title IV-E funding, which equals approximately \$105 million per year, the state must comply with this federal law change by January 1, 2016.

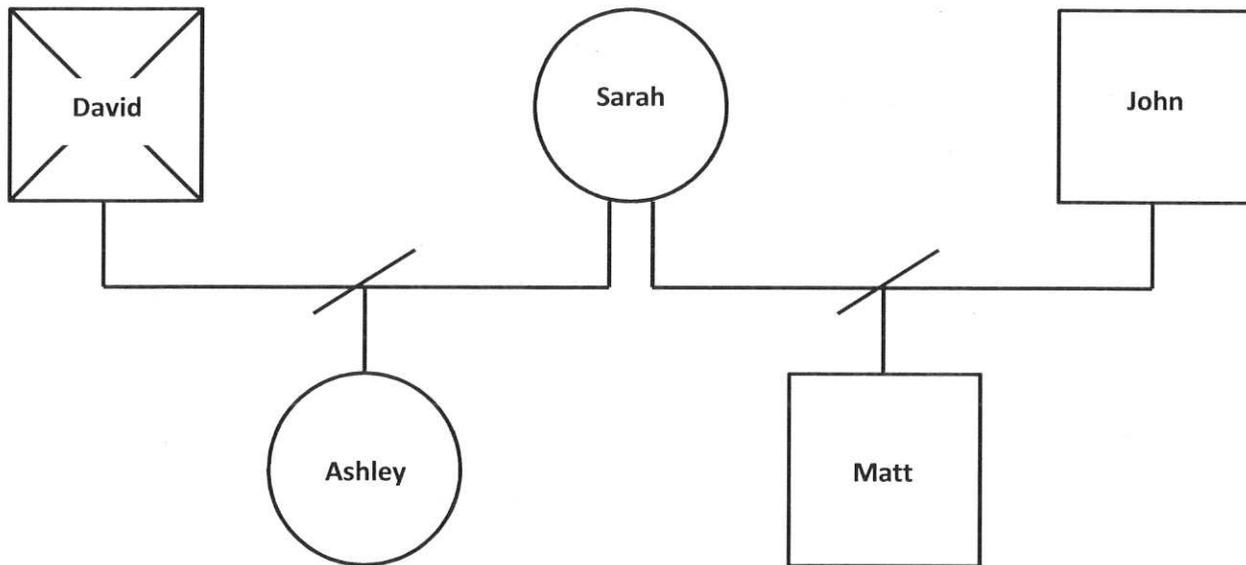
As a result, AB 193 adds the parent of a sibling of the child (when the parent has legal custody of the sibling) to that list. For example, a child and her sibling may have the same father but different mothers. If the child is removed from her parents' custody, AB 193 would require DCF, a county department or a child welfare agency to notify the father of her sibling if he has custody of the sibling.

Today we see more complex and fluid family structures than ever before. Children are more likely to be affiliated with more than one family unit and transition through multiple family

configurations, such as full, half, and step siblings and different types of parental figures. According to research conducted by Professor Lonnie Berger at the University of Wisconsin-Madison's Institute for Research on Poverty and School of Social Work, approximately one third of children in the U.S. will spend time living with a parent to whom they are not biologically related. The relative notification change in AB 193 updates the statute to reflect today's modern families.

Thank you for the opportunity to testify on this legislation. We thank Representative Loudenbeck and Senator Petrowski for authoring this bill and thank the Chair for holding a hearing. We are happy to answer any of your questions.

AB 193 - Relative Notification Example



This genogram illustrates the relationship described below for an example of the relative notification being pursued through AB 193 as required under federal law:

Sarah and David were in a relationship and had a child, Ashley. David passed away, so Sarah began raising Ashley as a single mom. Sarah entered into a relationship with John and they also had a child, Matt. Sarah and John's relationship ended; John began raising Matt as a single dad (i.e. he has legal and physical custody of Matt). Sarah's new boyfriend maltreated Ashley and Sarah does not believe Ashley. Therefore, Ashley was taken into protective custody and is placed into out-of-home care. Since John has custody of Matt, Ashley's half-brother, he is required to receive a relative notification that Ashley is in care and may be considered as a placement option for Ashley as a relative caregiver.

Testimony of Rep. Amy Loudenbeck
Assembly Bill 193
Assembly Committee on Children and Families
May 6, 2015

Thank you to the Committee Chair and to my colleagues in the Assembly for the opportunity to provide testimony on Assembly Bill 193 relating to the notification of relatives when a child is removed from the custody of the child's parent and placement of a child with a parent of a sibling of the child who has custody of the sibling.

This bill will update state law to match new federal requirements expanding the list of relatives outlined under current law who are notified and considered for placement when a child is taken into custody by child welfare.

This bill adds the parent of a sibling of the child to the list of notified relatives if that parent has custody of the sibling. For example, a child and his sibling may have the same mother but different fathers, so the father of the sibling would be notified and considered as a placement option if he has custody of the sibling.

I am pleased to have worked with the Department of Children and Families on this bill. The language change is a requirement for the Department of Children and Families that comes from the federal Preventing Sex Trafficking and Strengthening Families Act. In order to continue receiving federal child welfare Title IV-E funding, which equals approximately \$105 million per year, the state must comply with these federal law changes that were effective September 29, 2014.

Colleagues, thank you for your time today and for allowing me to share information about this important proposal.