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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2001-02**

(session year)

**Assembly**

(Assembly, Senate or Joint)

**Committee on ... Children and Families (AC-CF)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (May 2012)

## Assembly

### Record of Committee Proceedings

#### **Committee on Children and Families**

##### **Assembly Bill 596**

Relating to: requiring a permanency plan to be prepared for a child who is living in the home of a relative under a juvenile court order.

By Representatives Ladwig, Jeskewitz, Albers, Duff, Kreibich, Lippert, Loeffelholz, McCormick, Owens, Petrowski, Ryba, Seratti, Starzyk and Townsend; cosponsored by Senators Plache, Rosenzweig, Huelsman, Darling and Roessler.

October 29, 2001      Referred to Committee on Children and Families.

January 17, 2002      **PUBLIC HEARING HELD**

Present:    (6)    Representatives Kestell, Lippert, Bies,  
Grothman, Jeskewitz and Miller.

Absent:    (1)    Representative Sinicki.

##### Appearances for

- Representative Bonnie Ladwig, 63rd Assembly District

##### Appearances against

- Carol Medaris, Wisconsin Council on Children and Families

##### Appearances for Information Only

- Gary Radloff, Department of Health and Family Services

##### Registrations for

- Senator Kim Plache, 21st Senate District

##### Registrations against

- None.

March 14, 2002      **Failed to pass pursuant to Senate Joint Resolution 1.**

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Dave Matzen  
Committee Clerk

State Representative  
**Bonnie L. Ladwig**



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63rd Assembly District

**Testimony on Assembly Bill 596**  
**Permanency Plans for foster children placed in the home of a relative**  
**State Representative Bonnie Ladwig**  
**January 17, 2002**

Dear Chairman Kestell and members of the Assembly Children and Families Committee:

Under current law, permanency plans are required by agencies that place children in out-of-home settings (foster homes, secure detention facilities, etc.). These plans monitor a child to ensure they are receiving the services they need and that a child quickly receives placement in a setting providing long-term stability.

Assembly Bill 596 would require that agencies prepare permanency plans for children that are placed in the home of a relative under a court order under the Children's Code (Chapter 48) or the Juvenile Justice Code (Chapter 938). This language was part of the Governor's budget and Assembly's budget, but it was removed during Joint Finance and Conference Committee deliberations.

The need for this legislation is seen through an example from my district. Last year, I was contacted by foster parents who were very concerned that their foster child was being placed in the home of the child's grandparents. Due to illegal drug involvement by the mother, the child had been abused and neglected. As a result, the child was removed from his home. The foster parents knew that the mother lived with the grandparents and felt that the child was being placed in the same negative environment from which he was removed. While courts give preference to relative placement, it doesn't always mean it is the best situation for the child. Allowing permanency plans to be conducted on relative placements would make sure the child is in a positive environment.

The incident from my district is not unique. In an article attached to my testimony it tells the story of a foster child who dies in the care of his grandmother. Situations such as these are drawing more attention by experts who agree that it is a false assumption to assume a foster child will receive better care with relatives than with non-relatives.

It is my hope that AB 596 will begin to address this problem and encourage officials to make careful choices when doing out-of-home placements.

Thank you for your time and attention. I would be happy to answer any questions.

Encl.

Milwaukee Journal Sentinel August 16, 2001

# Report urges careful foster care placement

## Living with relatives not always the best option, task force says

By JAMAAL ABDUL-ALIM  
of the Journal Sentinel staff

A task force assigned to examine foster care issues is urging officials never to assume that placing children with relatives is better than placing them with non-relatives, a newly released report says.

The urgency of the foster care advisory task force's recommendation — one of several the group made in its first report — is underscored by the recent death of 23-month-old Latrell Douglas.

Latrell is the toddler who died Aug. 1 from multiple injuries he allegedly suffered in the home of his grandmother — a licensed foster parent who reportedly forced her 12-year-old emotionally disturbed grandson to baby-sit the boy and his two cousins, ages 3 and 4, while she worked at a part-time job at a drug store.

The 12-year-old boy — who protested his grandmother's demands to no avail — was charged earlier this week with second-degree reckless homicide and felony child abuse in connection with Latrell's death. He told police he struck Latrell because the

boy would not stop crying or take a nap.

Prosecutors now say the grandmother may face criminal charges for leaving the children in the care of the young troubled boy, who had been visiting Milwaukee from Texas for summer vacation but wound up being assigned child care duties.

"All I can say is that the matter is under review," Assistant District Attorney Chris Liegal said Tuesday.

The case illustrates the challenges that foster care officials face in balancing the merits of placing children with relatives and the need to ensure that those relatives are able and willing to keep the children safe.

Task force members say the group realized the need to dispel the notion that relative placements are superior after about a half-dozen current or former foster children they spoke with earlier this year complained that the system operates on such a premise and sometimes compromises standards in doing so.

"They were very vocal about that point," said Pastor C.H. McClelland, head of the task force.

"The children told us, 'If you're going to place us in a relative's home, you should scrutinize it as much as any other.'"

The task force's report echoes the children's concerns, saying

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**Milwaukee Journal Sentinel August 16, 2001**

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relatives who want to care for children should be subject to "the same standards of scrutiny as would non-kin candidates."

The recommendation refers to relatives who care for children through the state's kinship program under a court order. However, McClelland said task force members are concerned that the system may be more lenient when licensing relatives as foster parents as well.

Some relatives opt to become foster parents instead of going through the kinship program in order to take advantage of greater reimbursement rates — at least \$85 more per month than the rate for kinship care providers, who receive a monthly allotment of \$215.

Foster care officials note that they are obligated by federal law to keep families together whenever safe and appropriate and insist that relatives who become foster parents are held to the same standards as anyone else.

McClelland agreed that family preservation is important but questioned whether the claim that relative caregivers are scrutinized the same as other potential caregivers was a matter of perception or reality.

Among other recommendations by the task force:

■ Prospective care providers should be screened for emotional stability and household management and be able to show that

they have the know-how to raise children in a safe and healthy way.

■ Officials should provide closer scrutiny of foster parents whenever a child's placement has been terminated, regardless of the reason, through exit interviews.

■ More scrutiny of the motivation of would-be providers. "The foster care system should never devolve into a system intended only to warehouse children."

■ Recruiting foster parents who demonstrate that they value education and will "promote behaviors in children in their care that attest to this value."

■ More accessibility and responsiveness from foster care case managers.

■ Asking "responsible and conscientious" foster care providers for referrals on potential foster parents to alleviate concerns that the system is lacking in placement resources.

Denise Revels Robinson, systems director of the state-run Bureau of Milwaukee Child Welfare, said the bureau plans to work with the task force over the next few weeks on ways to implement its recommendations.

Meanwhile, the grandmother who had been a licensed foster parent to Latrell and his two cousins no longer has custody of the two surviving children. Both children have been placed in a foster home.