



State of Wisconsin

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STEPHEN R. MILLER
CHIEF

August 12, 2005

MEMORANDUM

To: Anne Sappenfield, Legislative Council

From: Gordon M. Malaise, Sr. Legislative Attorney, (608) 266-9738

Subject: Technical Memorandum to **2005 AB-521** (LRB 05-2751/1)

We received the attached technical memorandum relating to your bill. This copy is for your information and your file. If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

InterOffice Memo

Department of Workforce Development

Date: July 28, 2005

File Ref: -ab521 term parental rights & adoption

To: Legislative Reference Drafter

From: JoAnna Richard, Executive Assistant

Subject: **Technical Memo-AB 521 Adoption and Termination of Parental Rights Law**

AB 521 on the Adoption and Termination of Parental Rights as drafted makes it more administratively cumbersome and costly to comply with the federal law regarding cooperation and sharing of information between the child support and the foster care systems. That is, under proposed section 7, if a child support agency wants to determine if there is a declaration of parental interest, it will have to request the authority to access that information through the court system by showing good cause.

The proposed Section 7 states in 48.025(3) (a)

“The department shall keep confidential and may not open to public inspection or disclose the contents of any declaration, revocation of declaration, or response to a declaration filed under this section, except as provided under pars. (b) and (c) or by order of the court for good cause shown.” (emphasis added)

To avoid higher administrative costs for both child support agencies and the court system, the language could be modified to allow a child support agency to access this information without a court order strictly for the purposes of establishing paternity and child support.

NOTE: Neither sections (b) or (c) deal with the topic of information going to a child support agency--section (b) deals with the person who filed the declaration of interest and section (c) deals with giving information to other states.