

Fiscal Estimate Narratives

SPD 2/3/2014

LRB Number	13-4084/1	Introduction Number	SB-532	Estimate Type	Original
Description Placement of a child in a shelter care facility under a voluntary agreement					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal and certain commitment proceedings. The SPD plays a critical role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

This bill permits a child to be placed in a shelter care facility under a voluntary agreement for not more than 20 days. Specifically, under the bill, a child's parent, guardian, or Indian custodian, the Department of Children and Families (DCF), the Department of Corrections, a county department of human or social services or a child welfare agency licensed to place children in shelter care facilities, may place the child or act as intermediary for placement of the child in a shelter care facility that DCF has approved for use for such voluntary placements. A shelter care facility placement under a voluntary agreement may not exceed 20 days from the date on which the child was placed in the shelter care facility under the voluntary agreement and may not be extended.

The SPD does not expect any impact to the number of cases in which it provides representation due to the provisions in this bill.

This bill could have a fiscal impact on counties for the costs associated with voluntary placements.

Long-Range Fiscal Implications