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**WISCONSIN LEGISLATIVE COUNCIL  
ACT MEMO**

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<b>2013 Wisconsin Act 335</b> [2013 Assembly Bill 674]	<b>Voluntary Placement of Children in Shelter Care Facilities</b>
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2013 Wisconsin Act 335 permits a child to be placed in a shelter care facility under a voluntary agreement. Shelter care facilities are nonsecure places for the temporary care and physical custody for children and are licensed by the Department of Children and Families (DCF).

**Current Law**

Under current law, a child may be held in a shelter care facility if he or she has been taken into custody under the Children’s Code or the Juvenile Justice Code, has been ordered by the juvenile court to be held in temporary physical custody, or needs a transitional placement when emergency conditions necessitate an immediate change in placement.

**Act 335**

Under Act 335, a child may be placed in a shelter care facility for no more than 20 days under a voluntary agreement. Additionally, the Act provides that the child’s parent, guardian, or Indian custodian, 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 in a shelter care facility as provided under the Act.

A person who is licensed to operate a shelter care facility may request DCF to permit the shelter care facility to be used for voluntary placements under the Act. If DCF determines that the needs of children in the area served by the shelter care facility would be met by the services provided by the shelter care facility, DCF may approve the request.

*Effective date:* Act 335 took effect on April 25, 2014.

*Prepared by:* Anne Sappenfield, Principal Attorney

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.