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Linda A. Hall
Executive Director

TO: The Honorable Members of the Assembly Committee on Family Law
FROM: Kathy Markeland, Associate Director
DATE: January 15, 2014
RE: Support for Assembly Bill 581

The Wisconsin Association of Family & Children's Agencies (WAFCA) supports Assembly Bill 581, which would provide additional protections for vulnerable children and youth who are adopted or placed with temporary guardians.

WAFCA represents over forty private for-profit and nonprofit agencies that provide mental health, education and social services to people in need. Our members' services include family, group and individual counseling; chemical dependency treatment; crisis intervention; outpatient mental health therapy; foster care programs; and adoption services, among others. As agents for both domestic and international adoptions and providers of out of home care and mental health services for children and families touched by our child welfare system, our member agencies support statutory measures to improve the stability and health of all Wisconsin families.

AB 581 proposes reasonable updates the current law prohibiting unlicensed individuals and agencies from advertising for adoption services. The proposed updates address gaps in the law by extending the prohibitions to include online and other forms of electronic communication. While current law establishes prohibitions and penalties, we share the concerns raised by a number of our members regarding the lack of a designated agent for oversight and enforcement. We would ask that the Committee consider an amendment to assign this responsibility to an appropriate agency.

With regard to the provisions under AB 581 addressing the delegation of parental powers, we support additional oversight of these arrangements when they exceed twelve months. We understand that there are circumstances in which families in crisis or families facing a temporary absence of a parent may benefit from the ability to delegate parental rights. The legal oversight proposed under AB 581 is a prudent measure to provide additional protections for children and to prevent efforts to subvert the good intentions of the law.

We are very supportive of the proposal to initiate a legislative council study regarding adoption disruption and dissolution and the opportunities to better support these families.

It is important to note that while national data shows the instance of legal dissolution of adoptions is relatively low, our experience tells us that many adoptive families face significant challenges. Over time, past traumas, mental health and behavioral issues may emerge that

require specialized and intensive treatment and intervention. With sufficient support, the vast majority of adoptive families will succeed, but access to qualified, early intervention services is often limited. Some of our adoptive families reach the point of disruption, because they are unable to afford or access appropriate care before their situation devolves into a crisis. Once a family has reached a crisis stage, the interventions needed, such as foster care or residential treatment, become far more costly.

Wisconsin does currently provide some limited funding for post-adoption services. The funding has remained flat for more than a decade and unfortunately falls short of addressing the unique needs of the more than 11,000 adopted children across the state.

We look forward to working with policymakers and other stakeholders to more fully explore the challenges facing adoptive families and to building a better system of care for these vulnerable children and parents who have opened their hearts and homes to form new forever families.

We appreciate the opportunity to share our support for this legislation.



January 15, 2014

To: Representative Thomas Larson, Chair
Assembly Committee on Family Law Members

From: Colleen M. Ellingson, CEO, Coalition for Children, Youth & Families

Re: Assembly Bill 581

The Coalition for Children, Youth & Families, formerly Adoption Resources of Wisconsin, supports Assembly Bill 581 and its companion, Senate Bill 461. As an organization that has been working on foster care and adoption issues since 1984, we have had long-term concerns about several of the factors that you are addressing with this legislation:

Advertising for Adoption: Wisconsin Act 104, passed in 1997, was enacted to monitor and prohibit adoption agencies that were not licensed in the state of Wisconsin from advertising in media, such as the Yellow Pages. Although there was a penalty in 48.825(5): "Any person who violates sub. (2) or (3m) may be fined not more than \$10,000 or imprisoned not more than 9 months or both", the statute never directed what department would be responsible for both monitoring, fining or prosecuting any non-licensed agencies. Over the years, I discussed this with Yellow Pages representatives and gave them the list of Wisconsin-licensed agencies, and yet they allowed non-licensed agencies from other states to be represented.

I believe it is critical to identify what department will be responsible for this monitoring function and how it would be processed through the legal system as part of the statute. With the growing mediums of text messages, social media and other new technologies, I think we will continue to have challenges around these issues.

Delegation of Parental Powers: On placement for longer than a year, I believe this provision of AB 581 would be greatly strengthened by the addition of a background check requirement to ensure child safety. My over-all recommendation would be the requirement that families must have a licensing evaluation which they would be required to pay for. My reason for this – when families are moving children, it is most often occurring due to behavioral issues. I believe that we need to be carefully looking at the capacity of these alternate parents to handle challenges.

Study of adoption disruption and dissolution: I am completely supportive of this requirement. In our work with counties and the justice system, we are continually told that there is a numerically significant number of children who require extra services, which leads to adoptive placements being temporarily disrupted and the temporary return of the child to the child welfare system. For some of the children, their past trauma has had a significant effect on their mental health and behaviors. They might require intensive mental health services by a provider that is very experienced in trauma, foster care and adoption and at the same time need a treatment foster family that is experienced in working with significantly traumatized children. Some children might require a stay in a residential treatment center

Coalition for Children, Youth & Families
Formerly Adoption Resources of Wisconsin

to have very intense therapy – and at the same time working with the adoptive family on skills they will need to utilize when the child is reunified in their home.

The national statistics show that very few legal dissolutions of adoptions occur. The great majority of disruptions are temporary, short-term and end with the child returning to their adoptive parents. It is critical that Wisconsin get a better understanding of how to address these post-adoption issues.

Need for increased Post Adoption Support: In 1999, the Wisconsin Department of Children & Families created Post Adoption Resource Centers to be located across the state. Four entities: Catholic Charities, Madison; Catholic Charities, LaCrosse (2 regions); Family Services of Northeastern Wisconsin; and the Coalition for Children, Youth & Families (2 regions) have held contracts since that time. The funding across the state is \$420,000 and has not been increased since 1999.

When we look at the number of adopted children under the age of 18 in our state, we see the following approximate numbers:

- Over 8,500 children receiving adoption assistance coming out of child welfare adoptions.
- Around 2,000 children adopted internationally
- Around 1,000-2,000 children adopted independently or through domestic adoption programs by private agencies.

The Post Adoption Resource Centers have, as their charge: providing information, resources and support to adoptive families and children. As a Post Adoption Resource Center, we provide both in-person and web-based trainings for families. We routinely coach families when they are in a crisis and help them connect with mental health services. Families become adoptive parents due to their love of helping children – but the daily job of supporting kids who are scared, angry, sad and questioning their own value is not so easy. Although families get initial training before they become licensed, the need for ongoing education is crucial and there is currently no county-based ongoing training for adoptive families. Learning new skills and techniques helps families stabilize children. Here is an example of how we helped a family:

The Troy family (name changed for privacy) attended our parenting classes when they were challenged in parenting their child who has severe emotional and behavioral problems. Their comments: “We would not have waited until we felt overwhelmed by guilt for not knowing what to do for our child before I attended a class. When I turned to you for assistance, your educational classes made all the difference in my ability to be a better parent.”

If we look at the numbers of children related to the \$420,000 of funding for Post Adoption Resource Centers, we see an average (based on 11,500 children) of \$36.52/child. Wisconsin’s children need and deserve to get access to a better support system. The cost of children entering the child welfare system after adoption is substantial and we could do better as a state if we put those dollars into front-end services which reduce the need for disruptions. If children go into residential treatment, the cost is significant to counties.

We thank you for proposing this legislation and would be glad to be of assistance if you have any questions.