



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0922/1
GMM&EHS:eev:rs

2015 BILL

1 **AN ACT to create** 48.546 and 938.546 of the statutes; **relating to:** creating family
2 treatment court and juvenile treatment court grant programs in the
3 department of children and families and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Problem-Solving Courts, Alternatives, and Diversions. The bill creates a family treatment court grant program under the Children's Code, to be administered by the Department of Children and Families (DCF) and operating within the court assigned to exercise jurisdiction under the Children's Code. The bill also creates a similar program under the Juvenile Justice Code, to be administered by DCF and operating within the court assigned to exercise jurisdiction under the Juvenile Justice Code (collectively, "juvenile court").

Under the family treatment court grant program, DCF makes grants available to counties to enable them to establish and operate programs to develop procedures that screen, assess, and provide new dispositional alternatives for parents whose children

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have come under the jurisdiction of the juvenile court due to parental problems related to mental illness or substance abuse. A county that receives a grant must establish eligibility criteria for participation in the county's program, provide evidence-based treatment services to program participants, and integrate all services provided to program participants by various governmental and non-governmental entities. The bill also requires counties that receive those grants to submit data to DCF that must be analyzed annually by DCF. DCF must also, every five years, prepare a comprehensive report of the program.

Under the juvenile treatment court grant program, DCF similarly makes grants available to counties to enable them to establish and operate programs to develop procedures that screen, assess, and provide new dispositional alternatives for juveniles who have problems related to mental illness or substance abuse. In all other respects the juvenile treatment court grant program is very similar to the family treatment court grant program.

Funding for the family treatment court and juvenile treatment court grant programs is within the limits of available funding from the appropriation that is used to fund both the family alcohol and other drug abuse pilot program under s. 48.547, stats., and the juvenile alcohol and other drug abuse pilot program under s. 938.547, stats. The appropriation is federally funded for specific, limited-term projects, to be expended as local assistance for the purposes specified.

1 **SECTION 1.** 48.546 of the statutes is created to read:

2 **48.546 Family treatment court grant program. (1)** The department shall
3 make grants available to counties to enable them to establish and operate programs
4 to develop intake and court procedures that screen, assess, and provide new
5 dispositional alternatives for parents whose children have come under the
6 jurisdiction of the court due to a parental problem related to mental illness or to
7 substance abuse. The programs shall have, as a goal, improving child well-being and
8 the welfare of participants' families by meeting the comprehensive needs of
9 participants and promoting family reunification wherever possible.

10 **(2)** The department shall make the grants for the programs specified in sub.
11 **(1)** within the availability of funding under s. 20.437 (1) (mb). The department shall
12 collaborate with the department of health services and the director of state courts in
13 establishing the grant program under this section.

14 **(3)** A county that operates a program funded under this section shall do all of
15 the following:

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- 1 (a) Establish eligibility criteria for a person’s participation in the program.
- 2 (b) Provide services to program participants that are consistent with
3 evidence–based practices in treatment services needed by those participants,
4 including substance abuse treatment services, mental health treatment services,
5 and intensive case management services.
- 6 (c) Provide a multidisciplinary screen as described in s. 48.547 (3) for program
7 participants.
- 8 (d) Provide a holistic and trauma–informed approach to the treatment of
9 program participants and provide those participants with services that may be
10 needed, as determined by the county under the program.
- 11 (e) Integrate all services provided to program participants by state and local
12 government agencies and other organizations. The county shall require regular
13 communication among a participant’s treatment providers, other service providers,
14 the court and court personnel, and any person designated under the program to
15 monitor the participant’s compliance with his or her obligations under the program
16 and under the court’s order.
- 17 (4) A county that receives a grant under this section shall create an oversight
18 committee to advise the county in developing, implementing, administering, and
19 evaluating its program.
- 20 (5) A county that receives a grant under this section shall submit data
21 requested by the department to the department each quarter. The department may
22 request any data regarding a program funded under this section that is necessary
23 to evaluate the program and prepare the reports under subs. (6) and (7).

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1 (6) The department shall, annually, analyze the data submitted under sub. (5)
2 for the previous year and prepare a progress report that evaluates the effectiveness
3 of the program. The department shall make the report available to the public.

4 (7) The department shall, every 5 years, prepare a comprehensive report that
5 analyzes the data submitted under sub. (5) for the previous 5 years, and shall submit
6 the report to the legislature under s. 13.172 (2).

7 (8) Two or more counties may jointly apply for and receive a grant under this
8 section. If 2 or more counties submit a joint application, those counties shall include
9 with their application a written agreement specifying each county's role in
10 developing, administering, and evaluating the joint program. The oversight
11 committee established under sub. (4) shall consist of representatives from each
12 county operating a joint program.

13 (9) The department shall assist a county receiving a grant under this section
14 in obtaining funding from other sources for its program.

15 **SECTION 2.** 938.546 of the statutes is created to read:

16 **938.546 Juvenile treatment court grant program.** (1) The department
17 of children and families shall make grants available to counties to enable them to
18 establish and operate programs to develop intake and court procedures that screen,
19 assess, and provide new dispositional alternatives for juveniles who come under the
20 jurisdiction of the court and have problems related to mental illness or to substance
21 abuse. The programs shall have, as a goal, improving juvenile well-being by meeting
22 the comprehensive needs of juveniles, including juveniles' need for care and
23 treatment and for accountability and rehabilitation, consistent with the prevention
24 of delinquency.

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1 (2) The department of children and families shall make the grants for the
2 programs specified in sub. (1) within the availability of funding under s. 20.437 (1)
3 (mb). The department of children and families shall collaborate with the
4 department, the department of health services, and the director of state courts in
5 establishing the grant program under this section.

6 (3) A county that operates a program funded under this section shall do all of
7 the following:

8 (a) Establish eligibility criteria for a juvenile’s participation in the program.

9 (b) Provide services to program participants that are consistent with
10 evidence-based practices in treatment services needed by those participants,
11 including substance abuse treatment services, mental health treatment services,
12 and intensive case management services.

13 (c) Provide a multidisciplinary screen as described in s. 938.547 (3) for program
14 participants.

15 (d) Provide a holistic and trauma-informed approach to the treatment of
16 program participants and provide those participants with services that may be
17 needed, as determined by the county under the program.

18 (e) Integrate all services provided to program participants by state and local
19 government agencies and other organizations. The county shall require regular
20 communication among a participant’s treatment providers, other service providers,
21 the court and court personnel, and any person designated under the program to
22 monitor the participant’s compliance with his or her obligations under the program
23 and under the court’s order.

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1 (4) A county that receives a grant under this section shall create an oversight
2 committee to advise the county in developing, implementing, administering, and
3 evaluating its program.

4 (5) A county that receives a grant under this section shall submit data
5 requested by the department of children and families to the department of children
6 and families each quarter. The department of children and families may request any
7 data regarding a program funded under this section that is necessary to evaluate the
8 program and prepare the reports under subs. (6) and (7).

9 (6) The department of children and families shall, annually, analyze the data
10 submitted under sub. (5) for the previous year and prepare a progress report that
11 evaluates the effectiveness of the grant program. The department of children and
12 families shall make the report available to the public.

13 (7) The department of children and families shall, every 5 years, prepare a
14 comprehensive report that analyzes the data submitted under sub. (5) for the
15 previous 5 years. The department of children and families shall submit the report
16 to the legislature under s. 13.172 (2).

17 (8) Two or more counties may jointly apply for and receive a grant under this
18 section. If 2 or more counties submit a joint application, those counties shall include
19 with their application a written agreement specifying each county's role in
20 developing, administering, and evaluating the joint program. The oversight
21 committee established under sub. (4) shall consist of representatives from each
22 county operating a joint program.

23 (9) The department of children and families shall assist a county receiving a
24 grant under this section in obtaining funding from other sources for its program.

25 (END)