

**AMENDMENT ,**

**TO LRB-2614/P4**

1 At the locations indicated, amend the bill as follows:

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This draft was prepared for the Joint Legislative Council’s Study Committee on Problem-Solving Courts, Alternatives, and Diversions.

Under current law, grants under the Treatment Alternatives and Diversions (TAD) program under s. 165.95, stats., are directed to projects that provide alternatives to prosecution, incarceration, or both, for criminal offenders who abuse alcohol or other drugs. At the August 20, 2014 meeting of the committee, the committee discussed the family drug treatment court in Milwaukee County. The participants in this court are parents whose alcohol and drug abuse issues prevent them from successfully parenting their children. These parents are generally involved with the child welfare system, not the criminal justice system, and may have lost custody of their children to out-of-home placement, or may be at risk of termination of parental rights. The goal of the family drug treatment court is family reunification, rather than diversion from prosecution and incarceration.

At the August 20th meeting, the committee discussed broadening eligibility for TAD to persons with other issues in addition to alcohol or other drug abuse, as provided in LRB-2614/P4. As part of that discussion, the committee requested a draft that would encompass not just criminal offenders, but parents who are at risk of losing custody of their children due to issues with alcohol or other drug abuse, mental illness, or similar issues.

This draft amends LRB-2614/P4 to include, as eligible TAD projects, those that provide alternatives to parents who are at risk of losing custody of their children through out-of-home placement or termination of parental rights due to the parents’ mental illness or abuse of alcohol or other drugs.

2 **1.** Page 7, line 21: after that line insert the following:

3 **SECTION 5m.** 165.95 (title) and (2) of the statutes are amended to read:

4 **165.95 Alternatives to incarceration and family dissolution grant program.**

1           **2.** Page 8, line 16: after that line insert the following:

2           **SECTION 12.** 165.95 (2) of the statutes, as affected by 2013 Wisconsin Act 20, is  
3           renumbered 165.95 (2) (a):

4           **3.** Page 9, line 3: after that line insert the following:

5           **“SECTION 12m.** 165.95 (2) (b) of the statutes is created to read:

6           165.95 (2) (b) The department of justice shall make grants to counties and to tribes to  
7           enable them to establish and operate projects that provide alternatives to parents who are at  
8           risk of having their children placed in out-of-home care or having their parental rights  
9           terminated because of the parents’ mental illness or abuse of alcohol or other drugs. The  
10          department of justice shall make the grants from the appropriations under s. 20.455 (2) (em),  
11          (kn), and (k).”. The department of justice shall collaborate with the department of health  
12          services and children and families in order to maximize the impact of the projects funded by  
13          grants awarded under this section.

**COMMENT:** This amendment expands the TAD grant program to encompass family treatment courts that work with these parents, to prevent out-of-home placement of children or termination of parental rights. The committee should discuss whether this draft meets the intent of the committee’s request.

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(END)