



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-5039/1
EAW:kjf

2017 SENATE BILL 652

December 21, 2017 - Introduced by Senators DARLING, OLSEN, L. TAYLOR and VINEHOUT, cosponsored by Representatives KITCHENS, DOYLE, SNYDER, KATSMAN, NOVAK, RODRIGUEZ, BALLWEG, PRONSCHINSKE, NEYLON, ANDERSON, BERCEAU, BORN, E. BROOKS, R. BROOKS, FELZKOWSKI, HORLACHER, JACQUE, KOLSTE, KRUG, KULP, MURSAU, PETERSEN, PETRYK, RIPP, ROHRKASTE, SHANKLAND, SINICKI, STEINEKE, SUMMERFIELD, SWEARINGEN, TITTL, TRANEL, VANDERMEER, VRUWINK and ZEPNICK. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to amend** 48.415 (2) (a) 3. of the statutes; **relating to:** the showing of
2 a substantial likelihood that a parent will not meet the conditions established
3 for the safe return of the child to the home in a termination of parental rights
4 proceeding.

Analysis by the Legislative Reference Bureau

This bill changes the grounds for an involuntary termination of parental rights (TPR) based on a child's continuing need of protection or services (continuing CHIPS) where a child has been placed outside the home for a cumulative total period of six months or longer.

Under current law an involuntary TPR based on continuing CHIPS may be based on a court's or jury's finding that the child has been placed outside the home for a cumulative total period of six months or longer under the CHIPS order, the parent has failed to meet the conditions established for the safe return of the child to the home, and there is a substantial likelihood that the parent will not meet the conditions established for the safe return of the child to the home within the next nine months after the TPR fact-finding hearing. Also, under current law, a TPR proceeding must be filed for a child who has been placed outside the home under a CHIPS order for 15 of the past 22 months.

This bill removes the requirement of showing that there is a substantial likelihood that the parent will continue to fail for the next nine months to meet the conditions established for the safe return of the child to the home in a continuing CHIPS TPR proceeding. The bill replaces this requirement with a requirement for

