

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1549/1dn
GMM:cjs:pg

March 12, 2002

Senator Moore:

As I discussed with Kelly earlier this morning, 2001 AB 809 requires a permanency plan to be prepared for a child who is placed in the home of a relative if the child is being held in court-ordered temporary physical custody, the child is placed under a consent decree or dispositional order, the child is in the legal custody or guardianship of an agency (which requires a court order), the child is placed under a voluntary agreement with a relative who is licensed as a foster parent, or the child's care would be paid for under AFDC if AFDC still existed. This amendment excludes from the permanency planning requirement a child whose care would be paid for under AFDC if AFDC still existed. As such, a permanency plan would be required for a child placed with a relative only if the child is placed with the relative under a court order or the child is placed under a voluntary agreement and the relative is licensed as a foster parent. Accordingly, under the amendment, a permanency plan would not have to be prepared for a child who is voluntarily placed with a relative who is not licensed as a foster parent, for example, a kinship care relative under s. 48.57 (3m).

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us