

Fiscal Estimate Narratives

DHFS 6/22/2007

LRB Number	07-1747/2	Introduction Number	AB-0361	Estimate Type	Original
Description Child in need of protection or services, jurisdiction over a child whose guardian is unable or needs assistance to care for or provide necessary special treatment or care for the child, but is unwilling or unable to sign a petition requesting that jurisdiction					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a court has exclusive jurisdiction over a child alleged to be in need of protection or services (CHIPS) if certain grounds are met, including s. 48.13(4) under which the child's parent or guardian is unable or needs assistance to care for or provide necessary special treatment or care for the child and signs a petition requesting the juvenile court to take jurisdiction over a child.

AB 361 would grant the court CHIPS jurisdiction over a child whose guardian is unable or needs assistance to care for or provide necessary special treatment or care for the child, but is unwilling or unable to sign the petition requesting the jurisdiction.

It is anticipated that the proposed statutory change will impact only a very small number of cases: those which involve a guardian of a child who has special needs and the guardian refuses or is unable to sign a petition under s. 48.13(4). This proposed change would not impact other types of caregivers, namely parents, foster parents, or relative caregivers because the court may already grant CHIPS jurisdiction in these circumstances for children cared for by these caregivers. Under s. 48.13(4), the parent or guardian signing CHIPS petition alleging they need help providing special treatment and care for their child has access to relevant information regarding their ability to provide for their child. Under AB 361, the guardians would have to cooperate with the agency and provide information to support the allegations of the CHIPS petition. The proposed change may create an increased workload for county and Bureau of Milwaukee Child Welfare staff when the agency must prepare a petition in cases where the guardian is unable or unwilling to do so.

The Department does not anticipate that this bill would have a significant fiscal impact on DHFS or county child protective services agencies because of the small number of cases that fall within the requirements of the bill.

Long-Range Fiscal Implications