

Fiscal Estimate Narratives

SPD 4/25/2013

LRB Number	13-1630/1	Introduction Number	AB-0152	Estimate Type	Original
Description Children in need of protection or services jurisdiction over, and grounds for involuntary termination of parental rights to, a child under 3 years of age whose parent had an involuntary termination of parental rights within 3 years prior to the child's birth; reasonable efforts by an agency to return a child safely home when the child has been adjudged to be in need of protection or services; requirements for further participation in an action to terminate parental rights by a man alleged to be the child's father; revising certain grounds for an involuntary termination of parental rights and certain notice exceptions for an involuntary termination of parental rights proceeding; waiver of counsel for a parent in an involuntary termination of parental rights or a contested adoption proceeding; and requiring a parent's signature on a petition for postdispositional relief or a notice of appeal of a termination of parental rights order or a child in need of protection or services or paternity adjudication					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal proceedings. The SPD plays a significant role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, increases the penalties for an existing offense, or modifies a type of case in which the SPD is authorized to provide representation.

This bill changes provisions, through deletion, creation and modification, related to Termination of Parental Rights requirements for Children and Juveniles in Need of Protective Service (CHIPS and JIPS) cases. This includes provisions relating to CHIPS jurisdiction over a newborn, TPR ground of continuing CHIPS, standards for parental participation, TPR participation by an alleged father and revising certain TPR grounds.

The changes to the provisions related to juveniles and children in the child welfare system will have an adverse impact on the administration of justice in CHIPS and TPR cases but may not have a significant fiscal impact.

Long-Range Fiscal Implications