

Fiscal Estimate Narratives

SPD 12/18/2013

LRB Number	13-2915/1	Introduction Number	AB-0570	Estimate Type	Original
Description Extended out-of-home care to 21 years of age for children with individualized education programs, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, and granting rule-making authority					

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 and certain commitment proceedings. The SPD plays a critical 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, or increases the penalties for an existing offense.

This bill permits a child placed in out-of-home care who is a full-time student at a secondary school or its vocational or technical equivalent and for whom an individualized education program (IEP) is in effect to continue in out-of-home care until the child is granted a high school or high school equivalency diploma or reaches 21 years of age, whichever occurs first, under either an extended dispositional order of the juvenile court or a voluntary transition-to-independent-living agreement between the child, or the child's guardian on behalf of the child, and the agency primarily responsible for providing services to the child under the dispositional order. The bill also permits the child to terminate a voluntary transition-to-independent-living agreement and permits the child to enter into a new agreement anytime before they are granted a high school or high school equivalency diploma or reaches age 21, whichever occurs first, so long as they are enrolled as a full-time student at a secondary school or its vocational or technical equivalent and the IEP remains in effect.

This bill has no fiscal effect on the SPD.

Long-Range Fiscal Implications