



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 378
[2015 Assembly Bill 39]

**Adoption Jurisdiction
and Home Study**

2015 Wisconsin Act 378 relates to jurisdiction and venue in adoption proceedings and the investigation into the suitability of a family for placement of a child.

Specifically, the Act revises two areas of child welfare and adoption law. First, the Act extends the **jurisdiction and venue** that is available in a proceeding for an adoption, or for adoptive placement of a child, to allow the matter to be heard in the county in which a petition for termination of parental rights to the child was filed or granted. Under prior law, jurisdiction and venue was allowed only in the county in which the child or proposed adoptive parent resides.

Second, the Act requires that a **uniform qualitative assessment system** be used when investigating whether a home may be licensed for foster care placements. The Act also requires that the same assessment system be used when investigating a home for adoptive placement of a child. An assessment for these purposes is commonly referred to as a “home study.”

The uniform assessment system must be approved by the Department of Children and Families (DCF) and must provide a reliable, comprehensive, qualitative evaluation of a proposed family’s personal characteristics, civil and criminal history, age, health, financial stability, and ability to responsibly meet all DCF requirements. In any case in which there is special cause for concern as to the welfare of the child or suitability of the placement, the home study may include a clinical assessment of the proposed foster or adoptive parents.

The Act provides that if a uniform assessment was prepared in licensing a home to provide foster care it must be supplemented to evaluate suitability of the home for a specific child before the child may be placed in the home for adoption. In such a case, the home study must be supplemented, but need not be repeated, for purposes of the adoption.

The required uniform assessment does not apply to an adoption by a stepparent, for which other screening standards apply.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

Effective date: The jurisdiction and venue expansion is effective April 27, 2016. The uniform home study must be utilized for an initial foster care licensing application that is submitted on or after October 1, 2016, and for making an adoptive placement on or after October 1, 2016.

Prepared by: Margit S. Kelley, Senior Staff Attorney

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