



2017 SENATE BILL 390

August 24, 2017 - Introduced by Senators DARLING, JOHNSON, OLSEN, CARPENTER, WIRCH, L. TAYLOR and LARSON, cosponsored by Representatives RODRIGUEZ, GOYKE, NYGREN, GANNON, SPIROS, PETRYK, VORPAGEL, BALLWEG, TUSLER, BILLINGS, KOLSTE, DUCHOW, C. TAYLOR, CROWLEY, POPE, FELZKOWSKI, KRUG, MASON, HORLACHER, OHNSTAD, SARGENT, SPREITZER, SNYDER, RIEMER, KULP, WACHS and MURSAU. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to create** 48.546 and 938.546 of the statutes; **relating to:** creating family
2 treatment court and juvenile treatment court grant programs in the
3 Department of Children and Families.

Analysis by the Legislative Reference Bureau

This bill creates a family treatment court grant program under the Children's Code and a juvenile treatment court grant program under the Juvenile Justice Code, each of which is to be administered by the Department of Children and Families and operated within the court assigned to exercise jurisdiction under the Children's Code or Juvenile Justice Code (collectively, "juvenile court").

Under the family treatment court grant program, DCF makes grants available to counties or Indian tribes to enable them to establish and operate programs to develop procedures that screen, assess, and provide dispositional alternatives for parents whose children have come under the jurisdiction of the juvenile court. A county or Indian tribe that receives a grant must establish eligibility criteria for participation in the county's or Indian tribe's program, provide evidence-based treatment services to program participants, and integrate all services provided to program participants by various governmental and nongovernmental entities. The bill also requires counties or Indian tribes that receive those grants to submit data to DCF that must be analyzed annually by DCF. DCF must also, every five years, prepare a comprehensive report of the program.

Under the juvenile treatment court grant program, DCF similarly makes grants available to counties or Indian tribes to enable them to establish and operate

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programs to develop procedures that screen, assess, and provide dispositional alternatives for juveniles who have problems related to mental illness or substance abuse. In all other respects, the juvenile treatment court grant program is similar to the family treatment court grant program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 48.546 of the statutes is created to read:

2 **48.546 Family treatment court grant program.** (1) The department may
3 make grants available to counties and Indian tribes to enable them to establish and
4 operate evidence-based programs to develop intake and court procedures that
5 screen, assess, and provide dispositional alternatives for parents whose children
6 have come under the jurisdiction of the court. The programs shall have, as a goal,
7 improving child well-being and the welfare of participants' families by meeting the
8 comprehensive needs of participants and promoting family reunification wherever
9 possible.

10 (2) The department may make the grants for the programs specified in sub. (1)
11 within the availability of funding under s. 20.437 (1) (nL). The department shall
12 collaborate with the department of health services and the director of state courts in
13 establishing the grant program under this section.

14 (3) A county or Indian tribe that operates a program funded under this section
15 shall do all of the following:

16 (a) Establish eligibility criteria for a person's participation in the program.

17 (b) Provide services to program participants that are consistent with
18 evidence-based practices in treatment services needed by those participants,

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1 including substance abuse treatment services, mental health treatment services,
2 and intensive case management services.

3 (c) Provide a multidisciplinary screen as described in s. 48.547 (3) for program
4 participants.

5 (d) Provide a holistic and trauma-informed approach to the treatment of
6 program participants and provide those participants with services that may be
7 needed, as determined by the county or Indian tribe under the program.

8 (e) Integrate all services provided to program participants by state and local
9 government agencies and other organizations. The county or Indian tribe shall
10 require regular communication among a participant's treatment providers, other
11 service providers, the court and court personnel, and any person designated under
12 the program to monitor the participant's compliance with his or her obligations
13 under the program and under the court's order.

14 (4) A county or Indian tribe that receives a grant under this section shall create
15 an oversight committee to advise the county or Indian tribe in developing,
16 implementing, administering, and evaluating its program.

17 (5) A county or Indian tribe that receives a grant under this section shall
18 submit data requested by the department to the department each quarter. The
19 department may request any data regarding a program funded under this section
20 that is necessary to evaluate the program and prepare the reports under subs. (6) and
21 (7).

22 (6) The department shall, annually, analyze the data submitted under sub. (5)
23 for the previous year and prepare a progress report that evaluates the effectiveness
24 of the program. The department shall make the report available to the public.

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1 (7) The department shall, every 5 years, prepare a comprehensive report that
2 analyzes the data submitted under sub. (5) for the previous 5 years, and shall submit
3 the report to the legislature under s. 13.172 (2).

4 (8) A county or Indian tribe may, together with one or more counties or Indian
5 tribes, jointly apply for and receive a grant under this section. A joint application
6 shall include a written agreement specifying the role of each county or Indian tribe
7 in developing, administering, and evaluating the program. The oversight committee
8 established under sub. (4) shall include a representative from each county and
9 Indian tribe operating a joint program.

10 (9) The department shall assist a county or Indian tribe receiving a grant under
11 this section in obtaining funding from other sources for its program.

12 **SECTION 2.** 938.546 of the statutes is created to read:

13 **938.546 Juvenile treatment court grant program.** (1) The department
14 of children and families may make grants available to counties or Indian tribes to
15 enable them to establish and operate evidence-based programs to develop intake
16 and court procedures that screen, assess, and provide dispositional alternatives for
17 juveniles who come under the jurisdiction of the court. The programs shall have, as
18 a goal, improving juvenile well-being by meeting the comprehensive needs of
19 juveniles, including juveniles' need for care and treatment and for accountability and
20 rehabilitation, consistent with the prevention of delinquency.

21 (2) The department of children and families may make the grants for the
22 programs specified in sub. (1) within the availability of funding under s. 20.437 (1)
23 (nL). The department of children and families shall collaborate with the department
24 of corrections, the department of health services, and the director of state courts in
25 establishing the grant program under this section.

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1 **(3)** A county or Indian tribe that operates a program funded under this section
2 shall do all of the following:

3 (a) Establish eligibility criteria for a juvenile's participation in the program.

4 (b) Provide services to program participants that are consistent with
5 evidence-based practices in treatment services needed by those participants,
6 including substance abuse treatment services, mental health treatment services,
7 and intensive case management services.

8 (c) Provide a multidisciplinary screen as described in s. 938.547 (3) for program
9 participants.

10 (d) Provide a holistic and trauma-informed approach to the treatment of
11 program participants and provide those participants with services that may be
12 needed, as determined by the county or Indian tribe under the program.

13 (e) Integrate all services provided to program participants by state and local
14 government agencies and other organizations. The county or Indian tribe shall
15 require regular communication among a participant's treatment providers, other
16 service providers, the court and court personnel, and any person designated under
17 the program to monitor the participant's compliance with his or her obligations
18 under the program and under the court's order.

19 **(4)** A county or Indian tribe that receives a grant under this section shall create
20 an oversight committee to advise the county or Indian tribe in developing,
21 implementing, administering, and evaluating its program.

22 **(5)** A county or Indian tribe that receives a grant under this section shall
23 submit data requested by the department of children and families to the department
24 of children and families each quarter. The department of children and families may

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1 request any data regarding a program funded under this section that is necessary
2 to evaluate the program and prepare the reports under subs. (6) and (7).

3 (6) The department of children and families shall, annually, analyze the data
4 submitted under sub. (5) for the previous year and prepare a progress report that
5 evaluates the effectiveness of the grant program. The department of children and
6 families shall make the report available to the public.

7 (7) The department of children and families shall, every 5 years, prepare a
8 comprehensive report that analyzes the data submitted under sub. (5) for the
9 previous 5 years. The department of children and families shall submit the report
10 to the legislature under s. 13.172 (2).

11 (8) A county or Indian tribe may, together with one or more counties or Indian
12 tribes, jointly apply for and receive a grant under this section. A joint application
13 shall include a written agreement specifying the role of each county or Indian tribe
14 in developing, administering, and evaluating the program. The oversight committee
15 established under sub. (4) shall include a representative from each county and
16 Indian tribe operating a joint program.

17 (9) The department of children and families shall assist a county or Indian tribe
18 receiving a grant under this section in obtaining funding from other sources for its
19 program.

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(END)