

Fiscal Estimate - 2019 Session

Original Updated Corrected Supplemental

LRB Number **19-2434/2** Introduction Number **AB-0263**

Description
termination of parental rights; the rights of alleged fathers in certain proceedings; and payments allowed in connection with an adoption

Fiscal Effect

State:
 No State Fiscal Effect
 Indeterminate
 Increase Existing Appropriations Increase Existing Revenues Increase Costs - May be possible to absorb within agency's budget
 Decrease Existing Appropriations Decrease Existing Revenues Yes No
 Create New Appropriations Decrease Costs

Local:
 No Local Government Costs
 Indeterminate
 1. Increase Costs 3. Increase Revenue
 Permissive Mandatory Permissive Mandatory
 2. Decrease Costs 4. Decrease Revenue
 Permissive Mandatory Permissive Mandatory
 5. Types of Local Government Units Affected
 Towns Village Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**
 GPR FED PRO PRS SEG SEGS

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Fiscal Estimate Narratives

DCF 8/19/2019

LRB Number	19-2434/2	Introduction Number	AB-0263	Estimate Type	Original
Description termination of parental rights; the rights of alleged fathers in certain proceedings; and payments allowed in connection with an adoption					

Assumptions Used in Arriving at Fiscal Estimate

This bill makes a number of changes to the termination of parental rights, adoption, and the rights of various parties in those proceedings. Specifically, the bill:

1. Eliminates the right to a jury trial in a termination of parental rights (TPR) proceeding and combines the fact-finding hearing and dispositional hearing in a TPR proceeding.
2. Provides a method by which an adult mother or alleged or presumed father may disclaim his or her parental rights with respect to a child who is not an Indian child in writing as an alternative to appearing in court to consent to the termination of his or her parental rights.
3. Makes changes to some of the grounds for involuntary TPR.
4. Provides that an alleged father of a nonmarital child whose paternity has not been established is entitled to actual notice of a TPR proceeding, and the resulting rights of standing in that proceeding, only if that person has filed a declaration of paternal interest.
5. Allows payments to be made to an out-of-state private child placing agency for services provided in connection with an adoption.

For out-of-state public adoptions, DCF currently uses the Interstate Compact on the Placement of Children (ICPC), so the provision allowing payments to out-of-state private child placing agencies would not affect DCF's current practices or result in increased costs to DCF.

If the provision related to written affidavits for TPRs applies to public adoptions, it is possible that the number of public adoptions may increase. In addition, the additional grounds for involuntary TPR may result in an increased number of public adoptions. Any increase in the number of public adoptions increases workload on the adoption agencies with whom the Department contracts and may result in an increase in contract cost. In addition, to the extent that any additional adoptions due to this bill meet the "Special Needs" criteria under the Adoption Assistance program, the cost of the Department's Adoption Assistance program will increase.

However, the elimination of TPR jury trials may reduce a child's length of time in out-of-home care. To the extent this occurs, out-of-home care costs for DMCPs and for counties will decrease.

The fiscal effect is indeterminate and will depend on the extent of increased costs due to a potential increase in public adoptions and the extent of any savings due to elimination of TPR jury trials.

Long-Range Fiscal Implications