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## WISCONSIN LEGISLATIVE COUNCIL

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### STRENGTHENING WISCONSIN FAMILIES

Room 300 Southeast, State Capitol  
Madison, Wisconsin

December 4, 2008  
10:00 a.m. – 3:40 p.m.

[The following is a summary of the December 4, 2008 meeting of the Special Committee on Strengthening Wisconsin Families. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

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#### Call to Order and Roll Call

Co-Chair Kestell called the meeting to order. The roll was called and it was later determined that a quorum was present. Co-Chair Taylor joined the meeting via teleconference.

COMMITTEE MEMBERS PRESENT: Rep. Steve Kestell and Sen. Lena Taylor, Co-Chairs; Sen. Dale Schultz; Rep. Sheryl Albers; and Public Members Jon Angeli, John Burgess, Gary Erdmann, Terrence Ray, and Jack Westman.

COMMITTEE MEMBERS EXCUSED: Rep. Tamara Grigsby; and Public Members Debra Fields, Undraye Howard, Lucille Rosenberg, and Mary Jo Tittl.

COUNCIL STAFF PRESENT: Anne Sappenfield, Senior Staff Attorney; and Jessica Karls, Staff Attorney.

APPEARANCES: Rick Lockwood, Family Finding Project Coordinator, Children Service Society of Wisconsin; and Kimmie Collins and Jane Penner-Hoppe, Department of Children and Families (DCF).

#### Approval of the Minutes of the Committee's November 14, 2008 Meeting

*Representative Albers moved, seconded by Senator Schultz, to approve the minutes of the November 14, 2008 meeting. The motion was adopted unanimously.*

## **Update from DCF**

Kimmie Collins and Jane Penner-Hoppe provided an update from DCF. Co-Chair Taylor indicated that she wants DCF to provide an update of its 2009-11 Budget requests.

Committee members asked about the requirement that an amount equivalent to 1% of the budget of the Department of Corrections be included in DCF's budget for child abuse and prevention. Anne Sappenfield explained that there is no transfer of funds but that the amount must be part of DCF's budget. She also noted that the Governor or Legislature could remove that provision from DCF's budget but that the provision has remained as part of the budget in previous budget acts. Co-Chair Kestell stated that DCF should be prepared to discuss how it views the 1% provision at the committee's next meeting.

Ms. Collins indicated that DCF staff reviewed WLC: 0125/2, relating to children who are involved in multiple systems of care and their families, and found that the process outlined in the bill draft is sound. She noted that the coordinated services teams initiative was originally created to provide funding for three to five years and noted that the funding amount in the bill draft is of concern to DCF.

Ms. Collins next addressed the turnover at the Bureau of Milwaukee Child Welfare, noting that the last budget provided funding to improve continuity and quality of services. She indicated that a wage increase has resulted in a decrease in staff turnover and that caseworker training programs have been revised. In addition, she explained that cultural training is part of the training that caseworkers receive.

Co-Chair Taylor inquired about the death rate in the foster care system, and Ms. Collins responded that DCF cannot respond regarding the recent case in the Milwaukee area because state statute prohibits DCF from discussing certain information.

Mr. Burgess explained that the committee should focus on changing priorities in the state and should discuss how to shift priorities.

Representative Albers stated that she is looking for consistency in how rural areas and urban areas in the state are treated and noted that she wants to know how DCF is looking at rural versus urban areas.

Ms. Penner-Hoppe described the results of the early care and education listening sessions held by Dan Harris. Specifically, she explained that DCF heard about quality concerns, programs that support access to child care, and the Internet child care provider directory. She also noted that the membership of the Governor's Early Care Advisory Council will be determined soon. Co-Chair Kestell offered the following suggestions for the Early Care Advisory Council to discuss: (1) separation of education services and other programs; (2) coordination with and inclusion of school representatives in programs; and (3) concerns about fragmented programming in communities.

## Discussion of Committee Assignment

- Memo No. 5, *Coordinated Services Teams Initiative and the Coordinating Committee Under WLC: 0125/2* (November 25, 2008)

Jessica Karls explained Memo No. 5, *Coordinated Services Teams Initiative and the Coordinating Committee Under WLC: 0125/2*. She noted that the county or tribe is the administering agency for a coordinated services teams initiative and that the county or tribe could also serve as a service coordination agency.

- WLC: 0125/2, relating to children who are involved in multiple systems of care and their families

Representative Albers asked whether a fiscal note was completed for WLC: 0125/2. Ms. Sappenfield responded that no fiscal note was completed, but that the bill draft includes an appropriation for each year of the biennium. Mr. Westman inquired about whether the Legislative Fiscal Bureau would discuss the appropriation with the committee.

Co-Chair Kestell suggested that the committee vote on the bill draft in its current form and let the Legislature discuss it. He noted that the bill could be amended in the future.

Given the committee's concern about the use of the cost savings realized from the use of coordinated services teams, Ms. Sappenfield noted that the committee could limit the number of years that a county could get funding, so that a county would use its cost savings to continue funding the program. Senator Schultz added that if a county uses its cost savings, it would not need state money to continue. Mr. Angeli expressed concern that a county board may use the cost savings for a different purpose.

Mr. Westman noted that the state could get funding for coordinated services teams by reducing the budget for the Department of Corrections.

*Representative Albers moved, seconded by Senator Schultz, that the committee recommend that WLC: 0125/2, relating to children who are involved in multiple systems of care and their families, be recommended to the Joint Legislative Council for introduction in the 2009-10 Legislature. The motion passed on a vote of Ayes, 8 (Kestell, Schultz, Albers, Angeli, Burgess, Erdmann, Ray, and Westman); Noes, 0; and Absent, 6 (Taylor, Grigsby, Fields, Howard, Rosenberg, and Tittl).*

Representative Albers noted that the committee has ranked this bill draft as its top priority.

- WLC: 0303/1, relating to child abuse and neglect prevention grants.

Ms. Karls explained WLC: 0303/1. Representative Albers suggested that the bill draft prioritize which counties receive grants under the Family Foundations program. Senator Schultz suggested that professionals could be counted on to distribute grants to the appropriate counties. Representative Albers expressed concern that the bill draft does not encourage small communities to work together to save money.

*Representative Albers moved, seconded by Senator Schultz, that WLC: 0303/1, relating to child abuse and neglect prevention grants, be amended to require that, in approving grant applications, preference must be given to an applicant that applies for a grant jointly with another county or tribe. The motion passed on a vote of Ayes, 8 (Kestell, Schultz, Albers, Angeli, Burgess, Erdmann, Ray, and Westman); Noes, 0; and Absent, 6 (Taylor, Grigsby, Fields, Howard, Rosenberg, and Tittl).*

Mr. Burgess suggested that private agencies should be allowed to take the lead role in applying for a Family Foundations grant. Mr. Angeli responded that a home visitation program could not be run without county involvement.

*Mr. Burgess moved, seconded by Senator Schultz, that WLC: 0303/1, relating to child abuse and neglect prevention grants, be amended to allow a private agency to apply for a grant under Family Foundations and to require that a private agency that applies for a grant provide documentation that its application is supported by a county and that a county will collaborate with the agency in providing services. The motion passed on a vote of Ayes, 8 (Kestell, Schultz, Albers, Angeli, Burgess, Erdmann, Ray, and Westman); Noes, 0; and Absent, 6 (Taylor, Grigsby, Fields, Howard, Rosenberg, and Tittl).*

*Representative Albers moved, seconded by Senator Schultz, that the committee recommend that WLC: 0303/1, relating to child abuse and neglect prevention grants, as amended (which will become WLC: 0303/2), be recommended to the Joint Legislative Council for introduction in the 2009-10 Legislature. The motion passed on a vote of Ayes, 8 (Kestell, Schultz, Albers, Angeli, Burgess, Erdmann, Ray, and Westman); Noes, 0; and Absent, 6 (Taylor, Grigsby, Fields, Howard, Rosenberg, and Tittl).*

Co-Chair Taylor requested that committee members who were not present at the meeting be asked how they would have voted if present and that that information be included in the minutes. Ms. Sappenfield responded that Legislative Council staff would send an email to absent committee members with this option.

Co-Chair Taylor, Ms. Tittl, Ms. Rosenberg, and Mr. Howard indicated that, had they been present, they would have voted Aye on all four of the above motions.

### **Testimony by Invited Speaker**

- Rick Lockwood, Family Finding Project Coordinator, Children Service Society of Wisconsin (CSSW).

Rick Lockwood began his presentation with a description of the Family Finding program at CSSW. He explained how family finding uses Internet technology to search and find a child's family members. In addition, he explained that a family setting is more supportive and durable for a child than the foster care system and that a family setting provides support beyond the age of 18.

Mr. Lockwood indicated that the Family Finding program was initially designed for “group home” kids but that some states, including Washington and Minnesota, locate family members before the child’s initial placement outside the home. He mentioned that a new federal law requires that notice be given to the adult relatives of a child within 30 days after the child is taken out of the home.

Mr. Lockwood noted that a major obstacle to the Family Finding program is s. 48.78, Stats., which prevents the program from disclosing confidential information without the consent of a parent or the child (if the child is age 14 or older). In addition, he noted that the statutes relating to dispositional orders and permanency placement should include a requirement to find fit and willing relatives.

### **Discussion of Committee Assignment (Continued)**

- Memo No. 6, *Other States’ Laws Relating to Relative Finding and Kinship Navigator Programs* (November 26, 2008).

Ms. Sappenfield explained Memo No. 6, *Other States’ Laws Relating to Relative Finding and Kinship Navigator Programs*. She noted that Wisconsin law does not require that an agency find a child’s relatives and that the state has a practice guide for finding relatives.

Co-Chair Taylor requested that Legislative Council staff prepare a bill draft relating to family finding that requires that a child’s relatives be notified when a child is removed from his or her home; that requires that parents provide the names of three relatives; and that includes an exception to confidentiality for family finding.

### **Other Business**

Co-Chair Kestell noted that the committee would discuss the Family Policy Board bill draft at its next meeting.

### **Plans for Future Meetings**

The next meeting of the Special Committee will be on *Monday, January 26, 2009, at 10:00 a.m., in Room 300 Southeast, State Capitol, Madison.*

### **Adjournment**

The meeting was adjourned at 3:40 p.m.

JK:jal