



wisconsin department of
children + families

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Governor Scott Walker

Secretary Eloise Anderson

Division of Management Services

Bureau of Regional Operations

July 9, 2012

Representative Jeff Mursau
Chair of Legislative Council Special Committee on State-Tribal Relations

Dear Rep. Mursau:

This letter is in response to your June 11th request for suggested topics that the Legislative Council Special Committee on State-Tribal Relations could consider pertaining to Department of Children and family (DCF) programs. I am currently serving as the DCF staff person for the Technical Advisory Committee to the Special Committee.

The DCF engages in regular consultation with tribes regarding children and family program issues, including child welfare, child support and other DCF programs. Most of these issues are addressed through the semi-annual consultation meetings DCF conducts with the tribes, as well as other workgroups specific to child welfare and child support.

One issue that is of particular interest to tribes is the funding arrangement for Indian children placed in out-of-home care by tribal courts. Current Wisconsin law specifies that county human service departments are financially responsible for placements made by tribal courts under "161 agreements" between tribes and counties. Most tribes feel that the current 161 agreement funding arrangement, originally created by 1983 Act 161, is no longer beneficial and tribes would like to have a direct funding relationship with the state for tribal placements rather than relying on counties. Tribal child welfare staff are currently advocating within their tribes for more of the tribal gaming revenue to be used to cover the cost of tribal placements. Currently about \$400,000 annually of gaming revenue is appropriated to DCF to cover high cost placements. If additional gaming revenue was allocated for tribal placements, it may be possible to develop a state funding program to replace the current 161 agreements with counties.

The Special Committee could consider the funding arrangement for placements made by tribal courts. If Legislative Council staff would like more information on this issue, I would be glad to provide more background information and identify tribal child welfare staff who could also provide background information.

Sincerely

John Tuohy
Director, DCF Regional Operations

CC: MaryAnn Lippert, DCF
Ron Hunt, DCF
David Lovell, Legislative Council