

1        **AN ACT** *to create* 48.88 (2) (aj) of the statutes; **relating to:** investigation of suitability  
 2            of a home for adoption of a child.

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

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This draft was prepared for the Joint Legislative Council’s Study Committee on Adoption Disruption and Dissolution.

Under current law, in order to adopt a child in Wisconsin, a county, licensed adoption agency, or the Bureau of Milwaukee Child Welfare (BMCW), must investigate whether a prospective adoptive family’s home is suitable for the child. This is commonly referred to as a “home study”. Certain aspects of the home study are governed by administrative rule.

This draft requires all counties, licensed adoption agencies, and BMCW to use the Structured Analysis Family Evaluation (SAFE) system, or comparable system approved by the department of children and families, for the home study. The required assessment applies to all public and private adoptions in Wisconsin, whether the child is a U.S. or foreign citizen, but does not apply to adoption by a stepparent for which other screening standards are required under current law. All assessments using either the SAFE or a comparable system must include a clinical assessment of the prospective adoptive parents that is conducted by someone outside the organization that is administering the home study.

3            **SECTION 1.** 48.88 (2) (aj) of the statutes is created to read:

4            48.88 (2) (aj) 1. The investigation shall be conducted using the Structured Analysis  
 5            Family Evaluation system developed by the California–based Consortium for Children, but  
 6            may be conducted using an alternative system if it provides a comparable qualitative  
 7            assessment and is approved by the department.

8            2. The investigation shall include a clinical assessment of the petitioner’s mental health  
 9            or alcohol or other drug use by a person who is not an employee of the agency that is

1 conducting the investigation. A person who provides such an assessment shall be a licensed  
2 psychologist, licensed psychiatrist, certified advanced practice social worker, certified  
3 independent social worker, licensed clinical social worker, or licensed professional counselor.

**NOTE:** Should the clinical assessment of the prospective adoptive parent  
by a professional outside of the agency that is conducting the home study  
be required in all cases, or only in cases where there is special concern as  
to the suitability of the placement?

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**(END)**