

MSK:jal;

12/8/2014

1 **AN ACT** *to renumber and amend* 48.84 (2); *to amend* 48.84 (1), 48.84 (3) and 48.93
2 (1d); and *to create* 48.84 (2) (b), 48.84 (2g), 48.84 (2r) and 48.93 (1w) of the
3 statutes; **relating to:** preadoption preparation requirements, referrals to postadoption
4 resource centers, and granting rule-making authority.

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, generally all proposed adoptive parents who have not previously adopted a child must receive training before the adoption is finalized. The training is not required for a proposed adoptive parent who is a relative or stepparent of the child. Rules promulgated by the Department of Children and Families (DCF) govern the specific preadoption training requirements.

The rules require 18 hours of preadoptive training on what are referred to as “core competencies”. The training may be delivered in person, by audio-visual means, or in printed materials, and must include training on issues for a child in an adoptive placement, including loss and grief issues, attachment issues, and the effects of abuse and neglect, as appropriate to the needs of the child to be adopted. Under the rules, the training must include a description of the support and services that are available to the adoptive family from the agency that is providing the training and a description of other postadoption services that are available to the family.

This draft revises certain aspects of the preadoptive training that is required of a first-time adoptive parent. Specifically, the draft requires all of the following:

- 25 total hours of preadoptive training.
- At least six of the hours to be delivered in person, either individually or in a group.

- Part of the training to be delivered after the child is placed with the adoptive parents, and additional training to be offered after the adoption order is issued.
- Specific training on the issues of trauma and sexual abuse, in addition to the training on attachment, abuse, and neglect required under current rules.
- An in-person meeting with a representative of one of the state's Postadoption Resource Centers (PARCs) to describe the support and services that are available to an adoptive family after the adoption is granted.

The draft also allows preadoptive training from another state to be accepted for an adoption that is finalized in Wisconsin if the training was equivalent to Wisconsin's requirements.

Lastly, the draft requires adoption agencies and county departments of human or social services to report the names and contact information of adoptive parents, within 90 days of a court granting an adoption, to the PARC that serves the geographic area within which the family resides.

1 **SECTION 1.** 48.84 (1) of the statutes is amended to read:

2 48.84 (1) Before a child may be placed under s. 48.833 for adoption by a proposed
3 adoptive parent who has not previously adopted a child, before a proposed adoptive parent
4 who has not previously adopted a child may petition for placement of a child for adoption
5 under s. 48.837, and before a proposed adoptive parent who has not previously adopted a child
6 may bring a child into this state for adoption under s. 48.839, the proposed adoptive parent
7 shall complete the preadoption preparation required under this section. The preparation shall
8 be provided by a licensed child welfare agency, a licensed private adoption agency, the state
9 adoption information exchange under s. 48.55, the state adoption center under s. 48.55, a
10 state-funded foster care and adoption resource center, a state-funded postadoption resource
11 center, a technical college district school, or an institution or college campus within the
12 University of Wisconsin System. If the proposed adoptive parent does not reside in this state,
13 he or she may meet this requirement by obtaining equivalent preparation in his or her state of

1 residence. If the proposed adoptive parent resides in this state, but the agency that negotiated
2 or arranged placement of the child is governed by another state, he or she may meet this
3 requirement by obtaining equivalent preparation that is provided by that agency.

NOTE: This SECTION allows preadoptive training from another state to be accepted for an adoption that is finalized in Wisconsin if the training is equivalent to Wisconsin's requirements.

4 **SECTION 2.** 48.84 (2) of the statutes is renumbered 48.84 (2) (intro.) and amended to
5 read:

6 48.84 (2) The department shall promulgate rules establishing the ~~number of hours of~~
7 topics covered under the preadoption preparation that is required under sub. (1) and the topics
8 covered under that preparation. The preparation shall include training all of the following:

9 (a) Training on issues that may confront adoptive parents, in general, and that may
10 confront adoptive parents of special needs children or foreign children, including, when
11 appropriate to the history of the child to be adopted, the issues of attachment, trauma, abuse,
12 neglect, and sexual abuse.

NOTE: This SECTION separates the provisions governing the topics and number of hours for the preadoptive training, and requires the training to provide specific knowledge on the issues of trauma and sexual abuse, in addition to the training required under current rule on attachment, abuse, and neglect.

13 **SECTION 3.** 48.84 (2) (b) of the statutes is created to read:

14 48.84 (2) (b) An in-person meeting, either individually or in a group, with a
15 representative of a state-funded postadoption resource center to describe the support and
16 services available to the adoptive family after the adoption is granted, which may be included
17 in the in-person hours required under sub. (2g) (a).

NOTE: This SECTION requires the preadoptive training to include an in-person meeting with a representative of one of the state's PARCs.

18 **SECTION 4.** 48.84 (2g) of the statutes is created to read:

1 48.84 **(2g)** A proposed adoptive parent shall obtain at least 25 hours of the preadoption
2 preparation that is required under sub. (1). The department shall promulgate rules governing
3 the number of hours of preadoption preparation that is required, which shall include all of the
4 following:

5 (a) At least 6 hours of training that is provided in person, either individually or in a
6 group.

7 (b) At least 6 hours of training that is provided after a child has been placed in the home
8 of the proposed adoptive parent, but prior to a court issuing an order granting the adoption.

9 That training shall be appropriate to the specific needs of the child to be adopted.

NOTE: This SECTION specifies that at least 25 total hours of preadoptive training must be obtained when a proposed adoptive parent is required under current law to obtain such training. At least six of the hours must be delivered in person, and at least six hours must be delivered after a child has been placed in the home. This provision does not apply to an adoption by a relative or stepparent.

10 **SECTION 5.** 48.84 (2r) of the statutes is created to read:

11 48.84 **(2r)** A person who is providing the preadoption preparation that is required under
12 sub. (1) shall offer to the adoptive parent at least 6 additional hours of training to be provided
13 after an order is issued granting the adoption. That training shall be appropriate to the
14 postadoption needs of the family.

NOTE: This SECTION requires a person who is providing the preadoptive training to also offer postadoption training in all cases other than an adoption by a relative or stepparent.

15 **SECTION 6.** 48.84 (3) of the statutes is amended to read:

16 48.84 **(3)** A proposed adoptive parent who petitions to adopt a child under s. 48.837 or
17 48.839 or with whom a child is placed under s. 48.833 (2) shall pay the costs of the preadoption
18 preparation required under sub. (1) and the postadoption training offered under sub. (2r). The

1 department shall pay the costs of the preadoption preparation required under sub. (1) and the
2 postadoption training offered under sub. (2r) for a proposed adoptive parent with whom a child
3 is placed under s. 48.833 (1).

NOTE: This SECTION specifies that the cost of postadoption training is paid for in the same manner as under current law for the preadoptive training. Under this provision, a proposed adoptive parent in a private adoption, whether domestic or international, is responsible for the training costs, and DCF, in the adoption of a child from the child welfare system, is responsible for the training costs.

4 **SECTION 7.** 48.93 (1d) of the statutes is amended to read:

5 48.93 **(1d)** All records and papers pertaining to an adoption proceeding shall be kept
6 in a separate locked file and may not be disclosed except under sub. (1g), (1r), ~~or (1v)~~, or (1w),
7 s. 48.432, 48.433, 48.434, 48.48 (17) (a) 9. or 48.57 (1) (j), or by order of the court for good
8 cause shown.

NOTE: This SECTION adds a reference to a release of adoptive parents' names and contact information to a PARC after an adoption has been granted.

9 **SECTION 8.** 48.93 (1w) of the statutes is created to read:

10 48.93 **(1w)** Within 90 days of a court granting an adoption, the agency that placed the
11 child for adoption under s. 48.833 or 48.834, that was appointed the guardian of the child under
12 s. 48.837 (6) (d), or that negotiated or arranged placement under s. 48.839, shall provide the
13 names and contact information of the adoptive parent to the state-funded postadoption
14 resource center that serves the area within which the parent resides.

NOTE: This SECTION requires an agency in a domestic or international adoption to report the names and contact information of each adoptive parent to the PARC that serves the area in which the parent resides, within 90 days of the adoption being granted. This provision does not apply to an adoption granted to a stepparent.

15 (END)