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STATE REPRESENTATIVE • 38th ASSEMBLY DISTRICT

December 4, 2019

Senate Committee on Universities, Technical Colleges, Children and Families

RE: Rep. Dittrich Testimony SB 531/AB 563 – providing permanency plan and comments to foster parents and foster children over the age of 12 in advance of a permanency plan review or hearing.

RE: Rep. Dittrich Testimony SB 532/AB 562 – the rights of a foster parent or other physical custodian of a child on removal of the child from the person's home.

RE: Rep. Dittrich Testimony SB 533/AB 564 – eligibility for adoption assistance.

RE: Rep. Dittrich Testimony SB 534/AB 561 – postadoption contact agreements.

RE: Rep. Dittrich Testimony SB 548/AB 565 – placement of a child with a relative under the Children's Code or the Juvenile Justice Code.

Good Morning Senate Committee Chair Kooyenga and members of the committee. I appreciate the opportunity to share with you the importance of the legislation regarding the adoption process before the committee today. The five senate bills being considered were drafted as a direct response to the testimony shared by various agencies, professionals, lawyers, judges, and families at the hearings held by the Speaker's Task Force on Adoption, of which I was pleased to serve as chairperson.

At the beginning of this process, Speaker Vos set forth guidelines for our task force that included shortening the timeline for adoption, lowering the cost, and providing awareness and resources. This summer, the task force held 7 hearings around the state to learn about current challenges in the adoption process and steps the legislature can take to address them. As chair of the task force, I was committed to ensuring that we could meet our mandate and improve the process for all involved. We want kids thriving in loving homes, not languishing in hopelessness. They deserve no less. We are dedicated to making Wisconsin an adoption friendly state.

To this goal, the task force has introduced eight bills; five of them are before the committee today. I am hopeful we can pass all eight bills into law in order to make needed changes, benefitting our children and families. However, I would be remiss if I did not acknowledge the fact that issues, both from a technical and political perspective, were raised in the Assembly hearing. We have been in conversations with stakeholders and are seeking to ensure these bills will accomplish our goals while addressing any concerns. To that end, I would like to take a

moment to briefly explain the five bills before the committee today and answer any questions you and members may have surrounding the bills.

Senate Bill 531 addresses one of the difficulties encountered by foster parents: a lack of information regarding the child. This situation impedes foster parents' ability to provide the best care possible. Within the past few years, some county corporation counsels have found that there is no explicit, statutory authority in the Wisconsin Children's Code to distribute needed information to foster parents, creating an inequitable compliance with DCF Administrative Code. Concerned about liability, several counties have reluctantly stopped sharing the information with foster parents. Senate Bill 531 would correct that oversight and provide needed information to foster parents while removing the fear of liability for counties.

Senate Bill 532 allows a foster parent who has had placement of a child for 6 months or more, to be party in a change of placement proceeding. Under current law, foster parents can only submit their position to the Department of Children and Families (DCF) as it relates to a proposed change in placement hearing. DCF does not have to take this into account when making a decision. Foster parents, especially ones that have had placement of a child for an extended period of time, bear all of the cost for the child without a mechanism to express their position as it relates to the best interest of the child. SB 532 would allow them to be party to the change in placement hearing, exclusively.

Senate Bill 533 expands the eligibility for adoption assistance. Currently, assistance is available to families adopting children that meet specific criteria including but not limited to, sibling groups of three or more or children 10 years or older. SB 533 would change those criteria to include sibling groups of 2 or more or children 7 years or older.

Senate Bill 534 implements post adoption agreements. It is important to note these agreements are completely voluntary for both parties. By allowing open adoption agreements to be put in place, Wisconsin could be considered an open adoption state. Implementing this idea could attract more organizations to operate in Wisconsin, helping more kids find stable homes, especially kids at risk of aging out of the system. It may also encourage birth parents to voluntarily terminate parental rights with a greater level of comfort, knowing that they may be able to implement a post adoption agreement.

Senate Bill 548 seeks to mitigate trauma to children due to instability by providing relatives four months from the date of notice of the child's removal from home to indicate their willingness to participate in the care of the child. By establishing a timeline, this legislation aims to preserve the value and priority of kin placements, while reducing the likelihood that a child is re-traumatized by a custody transfer. It also allows a judge to consider best interest of the child overall when making a decision regarding placement, not just defaulting to placement with a relative, as often perceived as best practice.

I appreciate the committee considering these bills today and would be happy to answer any questions.