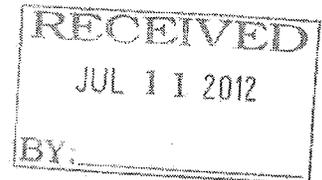


July 1, 2012



Special Committee on Permanency for Young Children in the Child Welfare System

Chairman:

Representative Samantha Kerkman  
State Capitol  
P.O. Box 8952  
Madison, WI 53708

To whom it may concern,

We would like to write to you about some concerns we have with our current laws regarding permanency for young children in the Child Welfare System. We have been foster parents in western Wisconsin for almost 7 years and have had many children placed with us and have adopted a brother and sister sibling group. We support our children and their birth families and go out of our way to help them succeed but sometimes no matter how we try to help them they don't follow through with the dispositional order and termination becomes a real possibility. It is here where we become concerned.

Our first concern is the fact that the state of WI requires a jury trial to decide the termination of parental rights. The trial is a two day trial and in that short time the jury not often are able to hear or retain everything in the case file before they have to give their decision. Sometimes the county loses and the case has to start over from the beginning.

In our current case for example the parents had 3 children 7 and younger. The oldest child was taken into protective custody and the parents were supposed to surrender the 2 ½ year old and the almost 1 year old but instead went on the run. About 3 months later they were caught and the children were placed with us. The parents are drug users and have had several run ins with the law. The mother went into rehab and was clean for a few months. Mom and Dad were given supervised visitation by a professional agency. Then were allowed to be supervised by Grandma at her home nearly everyday for a few weeks straight and even had an overnight or two with them. Dad was arrested and put in jail which caused mom to take up using drugs again which was in violation of her parole and went into hiding. Needless to say all visitations were stopped without warning to the children and we had to deal with behavioral issues, night terrors and refusing to sleep and eating issues. For almost 3 months Mom was in hiding until she was caught and put in jail for another 7 months. Dad was in and out of jail and even added more charges to what he already had and was also in jail several months.

Things finally calmed down with the children as they had no contact with either parent

for 9 months. Then mom got out of jail and because she had been clean for 7 months due to being in jail and not having access to drugs she is allowed once again to have supervised visits with her children. The children are confused and all the issues with behavior and sleeping, etc. have surfaced again with new ones added because the children are a year older now. But we aren't at the point of terminating parental rights because mom is now clean and gets another chance to prove herself. The county has to be careful because if they go to court too early and the jury only get to hear an overview of the case and the county loses we will have to start all over again. But while we play this all out the only ones to suffer are the children. Because of this case and others like it or even worse than this one we would like to see the law changed from a jury deciding TPR to a judge ruling because the judge can read the whole file and probably is the one who has been presiding over the case from the beginning.

The second concern we would like to address is the fact that a mother could have lost one or two or more children to Child Protection and maybe TPR but has another and is able to take that one home from the hospital and start the same things with that one that caused her to lose the other ones. This could take several months while that new child is neglected or abused in such a critical time in their development.

For example I mentioned before that we have adopted a sibling group. The birthmother had a daughter a few years before my son. She left her with her biological father and would be in and out of her life. Then she had my son who was quite sick at birth and several months after he needed a lot of care. She couldn't take care of him even with help from a county nurse so she abandoned him at a hospital at about a month old. He was placed in another foster home and then placed with us as his concurrent home at 2 ½ months. We met his birthmother a couple months later and she told the county she wanted us to adopt him. She voluntarily gave up her rights. A few years later she had another daughter and she too had a few concerns at birth and was released to her birthmother who passed her around to whoever would care for her and would feed her solid foods at only a couple months of age. At 3 ½ months old the birthmother asked us to babysit for a few days and five weeks later she was still with us. CPS stepped in and we went almost a year of trying to get this mother to step up and take responsibility in her daughter's care eventually that ended with the mother's rights being terminated and we adopted her too.

Within a few years her rights to her first daughter were also terminated and that child adopted by her stepmother. And she had another son who went home with her and has been with her for the last 18 months. He too has been passed from friend to friend and weighs as much or more than his almost 4 year old sister because of overfeeding. The birthmother likes to go out and leaves him with anyone who will watch him or leaves him with his father who threatens to leave him home alone. She rarely has him with her when we see her around town. We have a relationship with her and are basically her only support as she was a child who was taken into Protective Custody and now is repeating that cycle. Her mother lost 4 and was allowed to raise the 5<sup>th</sup> one. Where does the cycle end. How many children must suffer before they don't go home with a mother who has

shown she has no intention of changing her life style to raise her children.

Thank You for hearing our concerns and we hope you will keep these examples in mind when you decide what needs to be done.

Sincerely,

Brent and Veronica Diller

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