

**APPLICATION INSTRUCTIONS
TITLE IV-E LEGAL SERVICES APPLICATIONS FOR CALENDAR YEAR 2019**

The purpose of the Title IV-E legal services reimbursement program is to provide funding to counties to support the expansion of legal services for child welfare programs. The legal services must be allowable IV-E expenses and related to protecting the safety of children and achieving permanence for children in out-of-home care. Under this program, federal IV-E funds are provided on a pass-through basis to counties to support attorneys, paralegals, clerical, and other legal staff whose positions are (in whole or in part) dedicated to expanding the ability to perform child welfare legal actions under Chapter 48. The attached program description provides information on the legal services reimbursement program and instructions for counties to apply to participate in the program and for previously-approved counties to continue receiving funds.

IV-E Legal Services Program Updates:

The Legal Services Pass-Through program **has been updated in 2019** to address recommendations from the Legislative Audit Bureau that DCF improve subrecipient monitoring.

Previously program requirements had been overhauled and streamlined to ensure that Title IV-E reimbursement was being leveraged to *expand* legal services, and only supported for Title IV-E allowable expenses.

For 2019, there is a standardized set of costs for which the Department will support requests for reimbursement. These are:

Personnel costs:

District Attorney
Corporation Counsel
Clerical Support
Contracted Attorney*

Other costs:

Genetic Testing
Mediation
Child Welfare Training/Conferences*
Transcription
Translation
Process server fees
Mail/Postage*
Printing/Publication*

** Additional description required in the Program Application for approval.*

The revised program requirements now include a detailed cost reporting structure to allow DCF to monitor that specific types of costs are being reported in accordance with the amounts described on the Legal Services Budget Application:

Contract Code - CHIPS	Line Codes - CHIPS	Contract Code - TPR	Line Codes - TPR	Line Code Descriptions
3554/9554	3553A	3574/9574	3573A	Personnel Costs - District Attorney
	3553B		3573B	Personnel Costs - Corporation Counsel
	3553C		3573C	Personnel Costs - Contracted Attorney
	3553D		3573D	Personnel Costs - Clerical Support
	3553E		3573E	Other Costs – CW Development
	3553F		3573F	Other Costs – Non CW Development

**Pass Through
County Match**

**Previously these costs had been lumped together into general CHIP (3554) and TPR/Adoption (3574) buckets. Counties will now need to report specific costs to their individual line codes (35X3A-F).*

DCF SPARC Costs Crosswalk

Budget Application Program Component	SPARC Category
District Attorney	Personnel Costs - District Attorney
Corporation Counsel	Personnel Costs - Corporation Counsel
Contracted Attorney	Personnel Costs - Contracted Attorney
Clerical Support	Personnel Costs - Clerical Support
CW Training/Conf	Other Costs – CW Development
Genetic Testing	Other Costs – Non CW Development
Mediation	
Transcription	
Translation	
Process Server Fees	
Mail/Postage	
Printing/Publication	

To comply with Title IV-E regulations, the Department will not approve requests for reimbursement in the following categories:

- Court salaries and related costs: judges, clerks of courts, guardians ad litem, public defenders or other court related staff who may be involved in child welfare legal proceedings but do not represent the child welfare agency;
- Child welfare/social services staff costs (these costs are already claimed to Title IV-E);
- Court operating expenses, including costs paid to reimburse the court or orders from the court – e.g., filing fees, depositions, competency evaluations, disbursements for legal action, etc.’
- Baseline office expenditures. Cost categories such as insurance, professional dues, software, office supplies, phone, and internet are fixed expenditures that are the cost of doing business – the Department will not support requests for Title IV-E reimbursement for these costs.

New Applications:

To be approved by this Division, proposals from counties must include the following materials:

- A proposed **program budget** showing the total planned expenditures for the current calendar year and the legal services that will be provided under the IV-E reimbursement program. The budget must be consistent with the enclosed legal services reimbursement program instructions regarding allowable costs and be outlined on the enclosed fiscal worksheet format. The budget will be used to set the IV-E reimbursement limit for the contract.
- A signed and dated **legal services program application** describing how the IV-E reimbursement will be used to support expanded legal services. The proposal must use the enclosed program plan format and include a signed assurance sheet.
- A **signed agreement** between the county human/social services department and the office (District Attorney or Corporate Counsel) with primary responsibility for child welfare legal services specifying how child welfare legal services are provided if services you will be claiming reimbursement for services provided by the DA/CC office. If services are delivered by a private provider and match is not based on services provided by the DA/CC, then the contract with the private provider will meet the need for an agreement, providing it fulfills the requirements for the IV-E agreement. There are several alternatives for how services can be provided and funded and, consequently, different contract requirements.
- If applicable, information indicating that there is **authorization under s. 48.09, Stats.**, for any changes in the scope of District Attorney or Corporation Counsel responsibilities for child welfare cases.

The State/County contract includes an appendix with programmatic and reporting instruction for the legal services program. Once an application has been approved, the Department will process an amendment with the award for that year. For new applications, the amendment will be effective January 1st of each year, but reimbursable costs may only be incurred beginning with the effective date of the agreement between the child welfare services agency and the primary legal services provider (the date the agreement is signed).

Continuing Applications:

Once participating in the program, counties will continue to receive contracts for subsequent years. Counties must submit the following materials by the last business day of the October prior to the subsequent contract period to be included in the initial state/county funding contract for the next calendar year.

- A signed and dated **legal services program proposal** describing baseline expenditures and how the IV-E reimbursement will be used to support expansion of legal services.
- A proposed program budget showing the planned expanded expenditures for the next calendar year in allowable categories.
- New or updated legal services provider agreements, if applicable.

The legal services reimbursement program instructions and budget template have been revised to clearly define expense categories that are allowable under Title IV-E. Requests for reimbursement outside of these categories will not be approved.

The net rate of IV-E reimbursement for legal services contracts varies depending on the type of activity. For CY 2019, expenses will be reimbursed for allowable expanded legal services at the following rates:

- Children in Need of Protection or Services (CHIPS) orders, placement of children in out-of-home care, and court hearings on permanency plans at a net rate of twenty-seven percent (**27%**); and
- Termination of Parental Rights (TPR) and adoption related orders and legal services at a net rate of thirty-eight percent (**38%**).

The net reimbursement rates are different than previous years and could change in future years, depending on trends in the statewide IV-E participation rate and changes in federal IV-E fiscal policy. Separate SPARC reporting lines have been established for reporting CHIPS and TPR expenses.

Contacts:

For questions regarding the legal services program, please contact the Division of Safety and Permanence (DSP) contact person listed below.

Applications about the legal services reimbursement program must be submitted (email preferred) to your Area Administrator and the DSP contact person listed below by **October 31st, 2018**. **Late applications will not be accepted.**

REGIONAL OFFICE CONTACT:	Area Administrator
CENTRAL OFFICE CONTACT	Title IV-E Coordinatort Division of Safety and Permanence 201 E. Washington Ave. Madison, WI 53708-8916
	Phone: 608-422-6198 Email: DCFIV-EProgram@wisconsin.gov