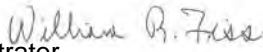


STATE OF WISCONSIN  
Department of Health and Family Services  
Division of Children and Family Services

DCFS Memo Series 2007 -01  
February 1, 2007

Re: Locating and Involving Non-  
Custodial Parents, Alleged  
Fathers and Other Relatives

To: Area Administrators/ Human Services Area Coordinators  
Bureau Directors  
County Departments of Community Programs Directors  
County Departments of Developmental Disabilities  
Services Directors  
County Departments of Human Services Directors  
County Departments of Social Services Directors  
Licensing Chiefs/Section Chiefs  
Tribal Chairpersons/Human Services Facilitators

From: William R. Fiss   
Interim Administrator

As part of the federal Children and Family Service Review (CFSR), the Department of Health and Family Services (DHFS), Division of Children and Family Services (DCFS), has been working on ways to address barriers to identifying and involving non-custodial parents, alleged fathers, and relatives as resources for children.

Research shows that children who are removed from the caregivers and placed into out-of-home care often experience loss and trauma as a result of being separated from their family. When children are able to stay connected to their families they experience more placement stability and shorter stays in out-of-home care. In addition, by including the natural support systems, families are provided more lasting supports and children have better long-term outcomes when the child welfare system is no longer involved.

The attached policy was developed by the Program Enhancement Plan (PEP) Out-of-Home Care Committee and provides minimum standards, guidance and tools which will assist agencies in identifying, locating and involving non-custodial parents, alleged fathers and relatives as resources for children, particularly children who have been removed from the home.

REGIONAL OFFICE CONTACT: Area Administration

CENTRAL OFFICE CONTACT: Out of Home Care Section Chief  
Division of Safety and Permanence  
Bureau of Permanence and Out of Home Care  
608-422-6930

MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>

Attachment: Practice Guide for Locating and Involving Non-Custodial Parents, Alleged Fathers and Relatives

**PRACTICE GUIDE FOR LOCATING AND INVOLVING NON-CUSTODIAL  
PARENTS, ALLEGED FATHERS, AND RELATIVES**

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## **Purpose**

Wisconsin law requires that when children are placed in out-of-home care, placement with a relative must be considered, and, if a child is not placed with a relative, the reason(s) for non-placement must be documented in the permanency plan. When a child is being removed from his or her home, caseworkers have a responsibility to search out and locate relatives and make attempts to involve them in the child's life either as a placement or as a resource and potential future placement.

This policy provides minimum standards, guidance, and tools which will assist agencies in identifying, locating, and involving non-custodial parents, alleged fathers, and relatives as resources for children, especially children who have been removed from their homes.

## **Concurrent Permanency Planning**

Concurrent permanency planning allows caseworkers to simultaneously plan to achieve a permanence goal (e.g., reunify the family) while implementing an alternative permanent goal for a child. Identifying, locating, and involving family members is consistent with and supports concurrent permanency planning for a child. When non-custodial parents, alleged fathers, and relatives are located early in a case, subsequent moves for children in the event reunification is ruled out as a permanency goal can be reduced.

The requirements of this policy are contained in the boxes below.

### **Applicability**

Agencies must assure that the actions of their staff and contracted provider staff complies with this policy.

This policy applies to cases in which a child has been recommended for out-of-home placement or placed in out-of-home care by an agency or the court. The purpose of this policy is to assist agencies in determining if there are non-custodial parents, alleged fathers, or other relatives who could be appropriately involved in the child's case either as resources or placement options for the child and family. Particular attention must be made to identify and involve individuals who may assert parental claims regarding a child so that they are afforded due process in cases involving their children and so placements and permanency plans are not disrupted for children in care if a parent or other relative is subsequently identified.

In addition, this policy may be useful when a child remains in the family home under a CHIPS order. Relatives and parents can be a resource for a family, such as providing respite care while the case is open and when the agency is no longer involved with the family.

## **Diligent Efforts to Search for Non-Custodial Parents, Alleged Fathers or Relatives**

A diligent search for non-custodial parents, alleged fathers, and relatives includes the identification, consideration, and determination of non-custodial parents, alleged fathers, and

relatives either as resources or placement options for children and families. The identification of relatives should begin at access and continue through initial assessment and ongoing case management. Identifying and locating relatives should begin when a caseworker is considering or recommending out-of-home care for the child, which will allow better planning for the child's transition. For example, in cases where it is likely that the parent will be incarcerated, when a voluntary placement agreement appears to be ineffective, or when based on the family's history with child protective services removal seems likely, the caseworker should speak with the parent or legal guardian about relatives who might be a resource for the child. Talking with parents regarding their preference for placement of their child, should that become necessary, is often more effective than waiting until the child is removed.

### **Non-Custodial Parents and Alleged Fathers**

#### **When Diligent Efforts to Search for Non-Custodial Parents and Alleged Fathers Are Required**

Diligent efforts to search for non-custodial parents and alleged fathers must be initiated or continue at the following points in a case.

- When it is likely that a child will be placed in out-of-home care.
- When the child is placed in out-of-home care on either an emergency basis or with planning.
- When it is likely that the child's placement will change.
- When a concurrent permanency goal is established.
- When reunification is no longer the primary goal.
- When a child is determined to be subject to ICWA, active efforts to locate and involve relatives must be made.

Diligent efforts to search for non-custodial parents and alleged fathers should be ongoing for children who are in out-of-home care.

#### **Diligent Efforts to Search for Non-Custodial Parents and Alleged Fathers– Best Practice**

Non-custodial parents and alleged father searches should include, but are not limited to the following actions.

In all situations, including emergency situations:

- If the parent, legal guardian, or caretaker of the child can be identified and is present, ask him or her to identify and provide the whereabouts of the non-custodial parent or alleged father.
- Ask the child, if appropriate, to identify and provide the whereabouts of the non-custodial parent or alleged father.

As the case progresses, as part of continuing efforts to search:

- Check the family's agency record, including eWiSACWIS, for non-custodial parent and alleged father identification and whereabouts.

- Check the Department of Workforce Development, Bureau of Child Support's KIDS system for identification or location of a non-custodial parent or alleged father. See Appendix 2.
- Consult the identified tribe of an Indian child for information on non-custodial parents and alleged fathers.
- Ask the reporter of a child abuse and neglect referral received by Access.
- Ask the school the child attends or previously attended to see if there are additional emergency contacts listed of which the agency is unaware.
- Check the CARES system records if your agency has an information sharing agreement with your local CARES agency. CARES issues Wisconsin Works (W-2), Food Share, Medicaid, and Child Care benefits.
- Contact neighbors at a last known address to see if they have current location information.
- Ask at county jails.
- Research CCAP (Consolidated Court Automation Project): <http://wcca.wicourts.gov/index.xsl>
- Submit an inquiry to the Prison Inmate Locator System through the Department of Corrections (DOC): <http://www.vinelink.com/offender/searchNew.jsp?siteID=50001>

Caseworkers should be aware that there are confidentiality restrictions on the use of information in a case record, either on paper or in eWiSACWIS and in KIDS. Please review DCFS Numbered Memo 2004-13B and Information Memo 2006-19 for additional information.

When seeking information from people or resources outside their case, caseworkers must continue to maintain confidentiality about the identity and circumstances of the children and families with whom they are working. This may make it more difficult to obtain information, because the other person is reluctant to share information unless he or she knows how it will be used. Nevertheless, confidentiality requirements must be followed. Please also review the section below, "When Agencies Identify or Locate Relatives Without the Assistance of the Parent".

## Relatives

### **When Diligent Efforts to Search for Relatives Are Required**

Diligent efforts to search for relatives must be initiated or continue at the following points in a case:

- When it is likely that a child will be placed in out-of-home care with someone other than a fit and willing relative.
- When the child is placed in out-of-home care with someone other than a fit and willing relative on either an emergency basis or with planning.
- When it is likely that the child's placement will change to a non-relative placement.
- When paternity is adjudicated or acknowledged.
- When a concurrent permanency goal is established.
- When reunification is no longer the primary goal.
- When a child is determined to be subject to ICWA, active efforts to locate and involve relatives must be made.

Relatives may not be able to act as a placement, temporary or permanent, but they may have the ability to be a less formal resource for the child and a connection that will last beyond the child's involvement in the child welfare system. Therefore, relative searches should continue until the caseworker believes that the child's needs have been met or could be met by the relatives who have been located.

When evaluating a relative as a placement for a child or sibling group the child's best interest should be of paramount concern. Caseworkers should consider whether the relative could keep the children near the other parent if reunification is the goal; whether the child has a relationship with the relative; whether placement with the relative would keep the child in his or her community or school system; whether the relative has the capacity to meet the child's needs; if this is a sibling group, the capacity of the relative to accept all of them and meet their needs; if this is not the child's first placement, whether the child has a bonded relationship with his or her foster family.

If a child remains in out-of-home care, the agency and court should review the appropriateness of renewing the relative search during a change of placement, the Permanency Plan Hearing or the Permanency Plan Administrative Review. When reviewing decisions about placing with a relative, caseworkers should focus on the best interests of the child and determine whether any circumstances have changed that would now make placement with a relative an appropriate option for the child.

Caseworkers should also ask relatives whether they would like to be contacted if there is a change in circumstances for a child. To assist in that discussion, Appendix 4 contains the form, Relative Notification Acknowledgement, which gathers information about why the relative cannot be a placement option at the time he or she is contacted and whether he or she wants to be contacted in the future regarding either out-of-home placement or adoption. It also informs the relative that the agency is not obligated to move a child if a relative requests placement and that

foster parents, after six months, may have an independent interest in the child's placement. This form could assist in documenting situations such as an out-of-state relative who is willing to accept the child, but because the permanence goal is reunification that placement would not be appropriate, or a relative who is recovering from an illness, but is willing to be a placement resource when he or she recovers.

When evaluating placement alternatives, consideration should be given to how long the child has been in his or her current placement, whether the child has bonded with the foster family, whether the child has an established relationship with an interested appropriate relative, and whether the relative has shown some commitment to the child while the child is in out-of-home care, even if he or she could not accept the child in their home.

### **Diligent Efforts to Search for Relatives – Best Practice**

Relative searches should include, but are not limited to the following actions:

Immediately and in all cases:

- If the parent, legal guardian, or caretaker of the child can be identified and is present, ask him or her, to identify and provide the whereabouts of relatives.
- Ask the child, if appropriate, to identify and provide the whereabouts of other relatives.

As the case progresses, as part of continuing efforts to search:

- Check the family's agency record, including eWiSACWIS, for relative identification and whereabouts.
- Consult the identified tribe of an Indian child for information on relatives.
- Use search engines approved by the agency.
- Ask the reporter of a child abuse and neglect referral received by Access.
- Ask the school the child attends or previously attended to see if there are additional emergency contacts listed of which the agency is unaware.
- Check the CARES system records if your agency has an information sharing agreement with your local CARES agency. CARES issues Wisconsin Works (W-2), Food Share, Medicaid, and Child Care benefits.
- Contact neighbors of a last known address to see if they have current location information.
- CCAP (Consolidated Court Automation Project): <http://wcca.wicourts.gov/index.xsl>

Caseworkers should be aware that there are confidentiality restrictions on the use of certain information in a case record. Please review DCFS Numbered Memo 03-13B for additional information.

When seeking information from people or resources outside their case, caseworkers must continue to maintain confidentiality about the identity and circumstances of the children and families with whom they are working. This may make it more difficult to obtain information, because the other person is reluctant to share information unless he or she knows how it will be used. Nevertheless, confidentiality requirements must be followed. Please also review the



section below, “When Agencies Identify or Locate Relatives Without the Assistance of the Parent”.

Appendix 3 contains a form, “Relative Search Record”, which is a tool to be used in the child’s paper file as a quick summary of relatives who have been identified and contacted and includes a place to note whether the Indian Child Welfare Act (ICWA) applies to the child. Since relative searches may occur over many months, this brief reference tool may be helpful.

### **Support of Relative Caretakers**

Once the agency has succeeded in locating and involving relatives as either temporary or permanent placements, agency support for these caretakers is important. Services such as counseling or other mental health services for the child, transportation, respite care for the child, targeted funding to meet the needs of the child, etc., should be explored as a means of supporting and encouraging the involvement of relatives as out-of home-care providers.

### **Identifying, Locating, and Involving Fathers**

Fathers may be overlooked if efforts are not taken to establish paternity or involve them in the child’s case. It is critical to identify and locate fathers early in the process of providing services to a family for the following reasons:

- Fathers have the right to be involved with their children, to receive services, and to make decisions about their children.
- Fathers have rights and responsibilities related to the care of their children, including financial responsibilities.
- Identification and location of a father may increase the relative placement options and resources for the child.
- It enables the agency to gather information, such as physical or mental health histories or social history about the paternal relatives.
- To avoid disruption of foster or adoptive placements when fathers or tribes are not notified early.

Fathers can be classified into two categories: fathers who are known or thought to be known; and fathers who are unknown. The category fathers who are known or thought to be known includes fathers who are presumed, acknowledged, adjudicated, and some alleged. Fathers who are unknown include unnamed individuals and may include some alleged fathers when there are multiple possible fathers.

### **Father's Paternity Has Not Been Established**

When the identity and whereabouts of the father are unknown, diligent efforts to identify and locate the father must include:

- Checking the child's birth certificate to see if there is a person listed as the father and follow up with location efforts if a father is listed on the birth certificate.
- Checking the Paternal Interest Registry in the Department of Health and Family Services, Division of Children and Family Services. See DCFS Info Memo 2006-10 on deadlines for registration and notice to registered or unregistered fathers.
- As directed by local agency policy, checking the KIDS system using the child's name, Social Security Number, or other specific identifying information that will most effectively select the correct child. See DCFS Information Memo 2006-19.
- Asking the mother, child, if appropriate, and relatives who the father is believed to be and any known information including location of conception or any identifying characteristics.
- Following up with efforts to locate individuals identified.

It may also include requesting paternity testing through the child support agency, if a father is identified and located.

Continue trying to locate fathers even if the case reaches the point where the permanence goal becomes adoption, and a petition for termination of parental rights is being filed. If the caseworker learns new information about the child's father or possible father, that information must be pursued.

### **When a Parent or Legal Guardian Objects to a Relative or Parent Search**

Parents or legal guardians may object to the placement of a child with a relative. After evaluation of the parent's objections, the caseworker may still place the child with the relative after the safety of the home has been assessed and confirmed and required background checks have been completed. The parent should be informed that they may express their objections to the Juvenile Court judge at either the temporary custody or change in placement hearing.

### **When a Parent Refuses to Provide Information about a Parent or Relatives**

If a parent is refusing to provide any information about the non-custodial parent or relatives, the caseworker must conduct the activities required under Diligent Efforts to Search for Non-Custodial Parents and Alleged Fathers or Relatives.

If the court agrees, it may be most effective to have the judge question the parent or legal guardian during the temporary physical custody hearing, or when the parent first appears in court. The caseworker may want to involve the Guardian ad Litem in seeking information.

If a parent continues to refuse to provide any information about a non-custodial parent or other relatives, the caseworker must consult with the Corporation Counsel or District Attorney to determine the appropriateness of having the court order the parent or legal guardian to provide the information.

When safety concerns for the parent, legal guardian or child appear to be involved, please see the information below on information obtained from the KIDS system when there is a Family Violence Indicator on the KIDS file.

### **When Search Is Not Required**

Wisconsin law allows parents to anonymously relinquish custody of a newborn. The statute, s. 48.195, Stats., is often referred to as the Safe Haven law. A parent must meet the following statutory requirements in order to relinquish his or her child under the Safe Haven law: the infant must be less than 72 hours old, must be turned over to a law enforcement officer, an emergency medical technician, or a hospital staff member, who subsequently must turn the child over to a court intake worker. A parent who chooses to anonymously relinquish his or her infant under s. 48.195, Stats. may refuse to provide any identifying information unless the person accepting the infant believes that the infant was abused or neglected, or the parent is being coerced or induced into relinquishing his or her infant. If an agency is working with an infant who was anonymously relinquished under s. 48.195, Stats., the agency will not be able to search for or locate the non-custodial parents or relatives.

However, if there is reason to believe that the infant is an Indian child, agency staff should identify and contact the tribe with which the child is or may be affiliated. The Indian Child Welfare Act, 25 U.S.C. 1913(a) , provides that any consent to an out of home placement or termination of parental rights by a parent or Indian custodian that occurs before the birth of the child or within ten days of the birth of the child is not a valid consent. The United States Supreme Court in, Mississippi Choctaw Indian Tribe v. Holyfield, 490 U.S. 30 (1989), states:

Nor can the result be any different simply because the twins were “voluntarily surrendered” by their mother. Tribal jurisdiction under 1911(a) was not meant to be defeated by the actions of individual members of the tribe, for Congress was concerned not solely about the interest of Indian children and families, but also about the impact on the tribes themselves of the large numbers of Indian children adopted by non-Indians. ...

In addition, it is clear that Congress’ concern over the placement of Indian children in non-Indian homes was based in part on evidence of the detrimental impact on the children themselves of such placements outside their culture. Congress determined to subject such placements to the ICWA’s jurisdictional and other provisions, even in cases where the parent consented to an adoption, because of concerns going beyond the wishes of individual parents. (Holyfield at pp. 49-50)

More information on this issue will be provided at a later date.

## **When Agencies Identify or Locate Relatives Without the Assistance of the Parent**

Agencies may learn about relatives or fathers from a source other than the parent or legal guardian. Agencies are sometimes contacted by individuals who identify themselves as a relative and ask that the child be placed with them or ask to have contact with the child. Schools, churches, or others with knowledge about the family may provide names of relatives, and the child may offer the name of someone that he or she identifies as a relative.

When an agency identifies or locates a relative without the assistance or knowledge of a parent or legal guardian, the agency must:

- Document whatever information is offered regarding the identification and location of the non-custodial parent or relative.
- Not disclose confidential information about the child or family, including whether there is an open child welfare case.
- Notify the parent that the information has been received and consult with the parent regarding involvement of the non-custodial parent or relative.
- Verify independently that the individual is a non-custodial parent or relative before considering the relative or non-custodial parent as a placement option.

## **KIDS Family Violence Indicator**

The Division of Children and Family Services and the Department of Workforce Development have entered into a Data Exchange and System Access Agreement governing access to KIDS by child welfare staff and eWiSACWIS by child support staff. The Division recommends that child welfare agencies enter into agreements with local child support agencies to allow access to systems and information within the parameters of the state agencies' agreement.

Within the Agreement is a provision regarding the KIDS Family Violence Indicator, which is placed on a KIDS participant record when a claim or finding of good cause for noncooperation with child support is entered in the KIDS system, or if a temporary restraining order or injunction has been entered to protect the participant, or if the child support agency has reason to believe that releasing the information might result in physical or emotional harm to the participant. The indicator will appear on all case screens. If the indicator is on the case record, information about the protected individuals may not be published, used, transmitted, or otherwise shared without first removing all information about location, employment, or other information identifying the whereabouts of the protected individuals.

Therefore information about parents and, by extension, relatives of those parents that is obtained from a KIDS record containing a Family Violence Indicator, cannot be used if it violates the privacy protections. If the information about a parent or relative is obtained from an independent source, then the caseworker should determine and consider the reasons a Family Violence Indicator is present in the KIDS case record and how that may impact the safety and well-being of the child and family.

## Documenting Diligent Efforts to Search

Under Wisconsin law, certain information regarding placement of a child with a relative or with the family of a sibling must be documented in the permanency plan. Those items are noted below. Other information identified below must be documented somewhere in the child's case record; compiling it and updating it within the permanency plan is acceptable.

### Documentation Requirements

The following actions must be documented in the case record when conducting a non-custodial parent, alleged father, and relative search for children placed in out-of-home care:

- Identification of non-custodial parents and maternal and paternal relatives. [Required to comply with s. 48.38(4)(bm), Stats.]
- Efforts to locate, contact, and involve relatives, including their response to involvement as a resource or placement option.
- Statement as to the availability and suitability of each relative as a placement resource for the child and, if the child is not placed with the relative, the reasons why the placement with the relative is not safe or appropriate. [s. 48.38(4)(bm), Stats.]
- Statement as to the availability and suitability of the families of siblings as a placement resource for the child, and, if the child is not placed with the sibling family, the reasons why the placement is not safe or appropriate. [s. 48.38(4)(br), Stats.]
- Efforts to establish paternity.
- Refusal of parents or legal guardians to provide information regarding relatives or to give consent for relative searches to be conducted.
- The justification for choosing a relative placement over the objections of a parent or legal guardian must be documented in a case note in the agency electronic record for the child.
- Documentation of the good cause showing made to support the agency's failure to follow the placement preferences set forth by the Indian Child Welfare Act.

Documentation of diligent and active efforts to search for non-custodial parents, alleged fathers, and relatives may be critical in an action to terminate parental rights to demonstrate that the agency made diligent or active efforts to locate, involve, and place a child with a non-custodial father, an alleged father, or a relative.

## GLOSSARY

**“Acknowledged father”** means a man who has filed an acknowledgment of paternity of a child with the State Registrar under s. 69.15(3)(b)3., Stats. This requires that both the mother and father sign a statement acknowledging paternity on a form provided by the State Registrar. If a parent is under the age of 18 years, the parent of that mother or father must also sign. The filed statement acknowledging paternity is a conclusive determination and has the same effect as a judgment of paternity. [Ref. s. 767.62, Stats.]

Note: The acknowledgement form is entitled “Wisconsin Voluntary Paternity Acknowledgment”. Filing a correctly completed form with the State Registrar will result in the father’s name being added to the child’s birth certificate. The State Registrar manages the Vital Records Section of the Department’s Bureau of Health Information and Policy.

**“Adjudicated father”** means a man whom the court has determined to be the father through a judicial process, and has entered an order or judgment of paternity. [Ref. s. 767.51, Stats.]

**“Alleged father”** means a man whom the mother states she believes is the father or a man who claims he is the father of a child but has not been legally determined to be the father.

**“Fit and willing relative”** means a relative, as defined in s. 48.02(15) Stats., of the child who successfully completes a background check under s. 48.685, Stats., who has expressed a willingness to provide care for the child until the child is 18 years of age, who has the physical, emotional, and mental capacity to provide for the child until the child’s 18<sup>th</sup> birthday, and who has the willingness and capacity to protect the child from maltreatment.

**“Indian child”** means any unmarried person who is under age eighteen years of age and is either:

- (a) A member of a federally recognized Indian tribe, band, or community, or
- (b) Is both eligible for membership in a federally recognized tribe, band, or community and is the biological child of a member of the tribe, band, or community.

**“KIDS”**, is the child support information management system operated by the Wisconsin Department of Workforce Development, Division of Child Support. Child welfare agency staff should consult DCFS Information Memo 2006-19 for guidance regarding access to KIDS for child welfare purposes. KIDS automatically accesses a large number of state and federal databases on a regular and frequent basis to update information. KIDS can provide information on the identification and location of parents, including alleged fathers. See Appendix 2 for a listing of databases accessed by KIDS.

**“Parent”**, as defined in s. 48.02(13) Stats., means either a biological parent, a husband who has consented to the artificial insemination of his wife under s. 891.40, or a parent by adoption. If the child is a non-marital child who is not adopted or whose parents do not subsequently intermarry under s. 767.60, “parent” includes a person acknowledged under s. 767.62 (1) or a substantially similar law of another state or adjudicated to be the biological father. “Parent” does not include any person whose parental rights have been terminated.

For an Indian child, a **“parent”** means any biological parent or parents of an Indian child, any Indian person who has lawfully adopted an Indian child, including adoptions under tribal law or custom, or other person considered to be a parent under such definition of the affected tribe. “Parent” does not include the unwed father where paternity has not been acknowledged or established by court order. (25 USC 1903, ICWA)

**“Presumed father”** means a man assumed to be the father because he was married to the mother at the time of the birth of the child, or they were subsequently married after the birth of the child but had a relationship with one another during the time the child was conceived. The presumption of paternity can be rebutted. [Ref. s. 891.41(2), Stats.]

**“Relative”**, as defined in s. 48.02(15), Stats., means a parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, second cousin, nephew, niece, uncle, aunt, stepuncle, stepaunt, or any other person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any person named in this subsection, even if the marriage is terminated by death or divorce.

Note: “Fit and willing relative” is defined above.

For an Indian child, a **“Relative”** also includes members of the extended family as defined by the law or custom of the Indian child’s tribe or, in the absence of such law or custom, shall be the person who has reached the age of eighteen and who is the Indian child’s grandparent, aunt or uncle, brother or sister, brother-in-law, sister-in-law, niece or nephew, first or second cousin, or stepparent (25 USC 1903, ICWA).

**”Sibling”** means a person who is a brother or sister of the child, whether by blood, marriage, or adoption including a person who was a brother or sister of a child before the person was adopted or parental right to the person were terminated. [Ref. s. 48.38(4)(br), Stats.] This definition is for the purpose of placement in out-of-home care or placement for adoption.

## APPENDICES

### APPENDIX 1

#### CHAPTER 48 SECTIONS WHICH ADDRESS CONNECTIONS WITH RELATIVES:

- s. 48.345(3)(a) – Identifies appropriate placements for a child who has been adjudicated a child or unborn child in need of protection or services. The paragraph identifies exceptions to placement with a parent or other relative. The first placement alternative is in the “home of a parent or other relative of the child”.
- s. 48.345(4)(a) – If the child or unborn child has been adjudicated to be a child in need of protection or services and the court finds that rehabilitation or the treatment and care of a child cannot be accomplished by a voluntary agreement with the parents, then the court may transfer legal custody to "a relative of the child", or DHFS, a county agency, or a licensed child welfare agency.
- s. 48.355(1) – Dispositional Order – Intent. If there is not a less drastic alternative for a child than transferring custody from the parent, the judge shall consider transferring custody to a relative whenever possible.
- s. 48.38(4)(bm) – Content of the Permanency Plan – The permanency plan must address the agency's ability to place the child with fit and willing relative and, if the child is not placed with the relative, a statement as to why placement with the relative is not safe or appropriate.
- s. 48.38(4)(br) – Content of the Permanency Plan – The permanency plan must address the availability of a safe and appropriate placement with a fit and willing foster parent, adoptive parent, or proposed adoptive parent of a sibling of the child. If the child is not placed with the sibling, a statement as to why the placement with the family of the sibling is not safe or appropriate.
- s. 48.417(2)(a) – Among the grounds for not filing a required termination of parental rights petition are that the child is placed with a fit and willing relative.
- s. 48.833 - Placement of children for adoption. The agencies shall consider the availability of placement with a relative of the child who is identified in the permanency plan or who is otherwise known to the agency.
- s. 48.834(2) – Agencies shall consider the availability of placement with the adoptive parent or proposed adoptive parent of a sibling of the child who is identified in the permanency plan or who is otherwise known to the agency.
- 48.835 – Provisions specific to placement of children with a relative for adoption.



## SEARCH TOOLS

Each agency may want to identify the search tools it approves for use and place links to those tools under the County Messages section of the Outliner in e-WiSACWIS.

### Wisconsin Resources

The following databases are accessed by **the KIDS system**:

#### State sources:

- Center for health statistics (birth records only)
- Department of Corrections
- Department of Natural Resources
- Department of Transportation (driver's license file)
- Unemployment Division – wage data
- Unemployment Division – unemployment insurance payment data
- Worker's Compensation Division – worker's compensation claim
- Human Services Reporting System
- State directory of new hires
- In-state financial institution data match

#### Federal sources, used only when KIDS is actively looking for someone:

- Federal parent locator system which includes: Social Security Administration, Department of Defense, Internal Revenue Service, Department of Veteran Affairs, Selective Service System, National Personnel Records Center, Federal Bureau of Investigation
- Multi-state financial institution data match

#### Sources also available to search through KIDS:

- National directory of new hires
- Federal child support case registry

In addition to the searches available through KIDS, other resources of valuable information include, but are not limited to:

- The reporter of a child abuse and neglect referral received by Access.
- The school the child attends or previously attended to see if there are additional emergency contacts listed of which the agency is unaware.
- Check the CARES system records if your agency has an information sharing agreement with your local CARES agency. CARES issues Wisconsin Works (W-2), Food Share, Medicaid, and Child Care benefits.
- Contact neighbors of a last known address to see if they have current location information.
- County jails.
- CCAP (Consolidated Court Automation Project): <http://wcca.wicourts.gov/index.xsl>

- Prison Inmate Locator System through the Department of Corrections (DOC):  
<http://www.vinelink.com/offender/searchNew.jsp?siteID=50001>

## **National Resources**

### People Searches

Private eye – <http://www.privateeye.com>

White pages -<http://www.whitepages.com> can do reverse searches on this one

Zaba people and public information search – <http://www.zabasearch.com/> free

Intelius – <https://www.intelius.com/>

Social security death index

Online Wisconsin death records and indexes – <http://www.deathindexes.com/wisconsin/>

Background checks: <http://www.ussearch.com>

Sex offender search: <http://offender.doc.state.wi.us/public/>

### **Records Searches**

Records.com - <http://www.records.com/> (this is public records)

Search systems – <http://www.searchsystems.net/> (this is public records)

Netro online – [http://netronline.com/public\\_records.htm](http://netronline.com/public_records.htm) (this is public records)

Employers

Landlords

Voter registration

Vital records

The Division of Probation and Parole

Child support enforcement

Motor vehicles administration

Utility companies

Law enforcement agencies

Unemployment office

Health departments

Bureau of Immigration

Veteran's Administration

Military locator services

Hunting and fishing licensing bureau

### **Other Helpful Tools:**

Family Group Conferencing

**RELATIVE SEARCH RECORD**

**NAME OF FAMILY:** \_\_\_\_\_

**AGENCY CASE NUMBER:** \_\_\_\_\_

**NAME OF CHILD (REN)    DOES ICWA APPLY?    HOW WAS ICWA STATUS VERIFIED?**


**RELATIVE PLACEMENT OPTIONS: 1. RELATIVE/KINSHIP CARE    2. RELATIVE FOSTER CARE  
3. GUARDIANSHIP**

<b>DATE OF CONTACT</b>	<b>NAME, ADDRESS, PHONE # OF RELATIVE CONTACTED</b>	<b>TYPE OF CONTACT (PHONE, LETTER, FACE-TO-FACE)</b>	<b>NAME OF CHILD(REN) DISCUSSED</b>	<b>RELATIVE PLACEMENT OPTIONS DISCUSSED (USE ABOVE CODES)</b>	<b>REASON FOR DECISION TO PLACE OR NOT TO PLACE</b>	<b>NAME OF AGENCY WORKER</b>

RELATIVE NOTIFICATION ACKNOWLEDGMENT

Date:

Name:

Address:

Phone number:

Our family is unable to take placement of: \_\_\_\_\_ DOB: \_\_\_\_\_ for foster care.

We can not take placement because:

We could take placement with the following changes in our circumstances or the child's circumstances:

I do not wish to be contacted again regarding placement \_\_\_\_\_

I would like to have contact if in the child's/children's best interest  
Yes \_\_\_\_\_ No \_\_\_\_\_

\*I do wish to be contacted if adoption becomes an option \_\_\_\_\_  
I do not wish to be contacted if adoption becomes an option \_\_\_\_\_

Thank you,  
Sincerely,

Name printed: \_\_\_\_\_

Name signature: \_\_\_\_\_

Date: \_\_\_\_\_

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

\*\*If a child is in a foster home for over 6 months and is doing well, the Department is not obligated to consider you as a placement resource if the foster family would like permanent placement through adoption. The Department is not obligated to move a child if it is not in their best interest or if you are unable to meet the standards for an adoptive resource, cannot be licensed, or have a permanent bar to licensure according to statutes and foster care licensing rules.