


To: DCF Area Administrators
Child Placing Agency Directors
Child Welfare Agency 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
Group Home Providers
Tribal Social Service/Indian Child Welfare Directors
Private Child Placing Agencies
Residential Care Center Providers
Shelter Care Providers
Tribal Chairpersons

From: Fredi-Ellen Bove 
Administrator

Re: Changes to Definition of Relative for Notification and Placement Consideration

PURPOSE

2015 WI Act 101 was signed into law on November 11, 2015 and takes effect immediately. The Act modifies existing state laws in Ch. 48 and 938 based on new federal requirements in the Preventing Sex Trafficking and Strengthening Families Act (H.R. 4980).

BACKGROUND

The Preventing Sex Trafficking and Strengthening Families Act of 2014 amends the Title IV-E foster care program to address a number of different issues including expanding the relative notification requirements when a child has been placed in out-of-home care.

This bill expands the list of the individuals required to be notified that a child has been placed in out-of-home care to include a parent of a sibling of the child who has legal custody of that sibling. This information is in addition to the requirements set forth in DSP Memo Series 2009-10.

POLICY AND PROCEDURE REQUIREMENTS

Under the Preventing Sex Trafficking and Strengthening Families Act the notice agencies are required to provide within 30 days after a child's removal from the custody of the parent must include the parent of a sibling of the child who has legal custody of that sibling. The agency must provide information regarding options to become a placement for the child or otherwise participate in the child's life.

Under Act 101 the definition of "relative" in § 48.21(5)(e)1 & 938.21(5)(e)1 has been expanded to include:

- a parent of a sibling of the child who has legal custody of that sibling

Additionally, a parent of a sibling of the child who has legal custody of that sibling has been added to the definition of "relative" under § 48.02(15) & 938.02(15).

The Locating and Involving Non-Custodial Parents, Alleged Fathers, and Relatives policy will be updated in the Ongoing Services when the other pending legislation related to the Preventing Sex Trafficking and Strengthening Families Act are enacted.

eWiSACWIS DOCUMENTATION

The new category of relative has been added into the eWiSACWIS Relative Search page from which the form Notification of the Removal of a Child from the Custody of His or Her Parent and Placement into Out-of-Home Care, DCF-F-2473-E is completed.

ACTION SUMMARY

The application of the statutory change first applies to a placement of a child made on the effective date of the legislation.

REGIONAL OFFICE CONTACT: DCF Area Administrator

CENTRAL OFFICE CONTACT: Out of Home Care Specialist
Division of Safety and Permanence
Bureau of Permanence and Out of Home Care
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MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>