


To: DCF/DMCPS Administrator
DCF Area Administrators
Child Placing Agency Directors
Child Welfare Agency Directors
County Departments of Community Programs 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: Subsidized Guardianship Policy

PURPOSE

The purpose of this memo is to notify agencies of updates to Subsidized Guardianship Policy to include requirements adopted by Permanent Rule for Ch. DCF 55 Admin. Code that is effective June 1, 2017.

BACKGROUND

On February 4, 2016, the Governor signed 2015 Wisconsin Act 129, which conforms state statutes with the new federal requirements under H.R. 4980, the Federal Preventing Sex Trafficking and Strengthening Families Act of 2014. The Act provides that upon the death or incapacity of a subsidized guardian, states are required to continue monthly subsidized guardianship payments to a successor guardian if the prospective successor guardian was named in the guardian's subsidized guardianship agreement entered into before the guardian's death or incapacity and other eligibility conditions are met. The changes adopted in Permanent Rule of Ch. DCF 55 Admin. Code set forth requirements for Successor Guardianship as described in the Preventing Sex Trafficking and Strengthening Families Act and 2015 WI Act 129.

2015 Wisconsin Act 143 provides that a guardian may also be a person who has a significant emotional relationship with the child or the child's family and who, during the child's placement in out-of-home care, developed a relationship with the child that is similar to a familial relationship. The rules add the following requirements to the definition of "like-kin":

- The person is a foster parent who has had a relationship with the child for at least 2 years.
- The child is 14 years of age or older.
- The child has been in out-of-home care for 15 out of the last 22 months.
- The agency or court determines that placement with a fit and willing relative is not in the child's best interest.

POLICY AND PROCEDURE REQUIREMENTS

All of the changes outlined above have been included in Ch. DCF 55 Admin. Code, Subsidized Guardianship Policy and other resources specific to Subsidized Guardianship. DCF collaborated with the Wisconsin Child Welfare Professional Development System (WCWPDS) to develop a web based Subsidized Guardianship training. This training is located on the WCWPDS website and includes updated information specific to changes in policy and procedure. Additionally, a new Subsidized Guardianship Worker Desk Guide was developed and includes language specific to the updated requirements.

eWiSACWIS DOCUMENTATION

eWiSACWIS has been updated for all functionality related to the changes to the Ch. DCF 55 Admin. Code.

ACTION SUMMARY

The updates included in the Permanent Rule are effective June 1, 2017. The Subsidized Guardianship Policy, web based training and worker desk guide including those updates are attached to this memo.

REGIONAL OFFICE CONTACT: DCF Area Administrator

CENTRAL OFFICE CONTACT: Program and Policy Analyst
Out-of-Home Care Section
(608) 422-6751

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

Attachments

Subsidized Guardianship Policy
<https://dcf.wisconsin.gov/files/cwportal/sg/pdf/policy.pdf>

Subsidized Guardianship Web Based Training
<https://wcpds.wisc.edu/web-based-courses/subsidized-guardianship/>

Subsidized Guardianship Desk Guide
<https://dcf.wisconsin.gov/cwportal/sg/>

Subsidized Guardianship Administrative Rule
http://docs.legis.wisconsin.gov/code/admin_code/DCF/021_099/55