

Division of Safety and Permanence

DSP Numbered Memo Series 2025-26

November 21<sup>st</sup>, 2025

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  
Private Child Placing Agencies  
Residential Care Center Providers  
Shelter Care Providers  
Transition Resource Agency Partners  
Tribal Chairpersons

From: John Elliott  
Administrator



Re: **Expanded Independent Living (IL) Program Eligibility**

## PURPOSE

The purpose of this memo is to communicate DCF's expansion of existing independent living (IL) program eligibility, specific to which youth discharging from court-ordered out of home care (OHC) are IL eligible. Effective 10/25/2025, in addition to youth who meet existing eligibility criteria, youth who exit from a court-ordered IL eligible placement type to a [s. 48.9795, Wis. Stats., guardianship, or a guardianship under a substantially similar tribal law](#), on or after age 16 qualify for IL services up to age 23. At this time, DCF is making no other changes to IL program eligibility.

## BACKGROUND

Eligibility criteria for youth to qualify for IL supports and services while in court-ordered OHC remains unchanged. As stated in Wisconsin's [Independent Living Eligibility Guide](#):

- Youth between the ages of 14 and 17.5 are eligible for services while in OHC after they have attained a total of six months in an IL eligible court-ordered OHC placement, for as long as they remain in an IL eligible court-ordered OHC placement; and
- Any youth who turns 17.5 while in an IL eligible court-ordered OHC placement, or who is 17.5 or older when entering an IL eligible court-ordered OHC placement, is automatically eligible for IL services while in OHC, regardless of the length of time in placement. Youth remain eligible for as long as they remain in an IL eligible court-ordered OHC placement.

The child welfare agency (CWA) serving the young person is responsible for fulfilling IL requirements while a youth is IL eligible and still in OHC.

Current IL policy directs that youth eligibility for IL supports and services post discharge is contingent on the youth first being IL eligible while in OHC and discharging to an eligible setting. These include:

1. Discharge from a court-ordered IL eligible OHC placement at age 18 or older (“age out”); or
2. Discharge from a court-ordered IL eligible OHC placement by being adopted on or after age 16; or
3. Discharge from a court-ordered IL eligible OHC placement by exiting to a [s. 48.977, Wis. Stats., guardianship, or a guardianship under a substantially similar tribal law](#), on or after age 16. This applies to both youth in subsidized and unsubsidized guardianships.

Youth eligible via one of these conditions qualifies for Wisconsin’s regional IL services provided by [contracted Transition Resource Agencies \(TRAs\)](#).

Effective 10/25/2025, youth eligibility for Wisconsin’s IL program via exiting to guardianship is expanded to include youth who discharge from a court-ordered IL eligible placement type to a [s. 48.9795, Wis. Stats., guardianship, or a guardianship under a substantially similar tribal law](#), on or after age 16. Youth who discharge via this condition on or after the effective date will be IL eligible.

This expansion is permissible per the federal [John H. Chafee Act](#), which defines IL program eligibility, scope, requirements, flexibilities, and funding.

## **POLICY AND PROCEDURE REQUIREMENTS**

Effective 10/25/2025, youth discharging from a court-ordered IL eligible placement type to a [s. 48.9795, Wis. Stats., guardianship, or a guardianship under a substantially similar tribal law](#), on or after age 16 are considered eligible for Wisconsin’s IL program and may engage in TRA IL services as they wish; participation remains voluntary. These youth shall qualify for IL supports and services just as youth who discharge from a court-ordered IL eligible placement type to a [s. 48.977, Wis. Stats., guardianship, or a guardianship under a substantially similar tribal law](#), on or after age 16 qualify. There shall be no difference for those youth seeking independent living services. DCF will revise IL supportive and guidance documents to reflect this program eligibility expansion.

## **eWiSACWIS DOCUMENTATION**

DCF will update eWiSACWIS IL eligibility logic to designate youth discharging from a court-ordered IL eligible placement type to a [s. 48.9795, Wis. Stats., guardianship, or a guardianship under a substantially similar tribal law](#), on or after age 16 as IL eligible. This includes any necessary updates to relevant eWiSACWIS reporting.

Child welfare agency staff documenting youth discharge from care to guardianship shall choose to which guardianship type (s. 48.977, Wis. Stats., s. 48.9795, Wis. Stats., or a substantially similar tribal law) the youth transitioned. Doing so is already required as a result of updates made to the eWiSACWIS guardianship discharge options in June 2024.

## ACTION SUMMARY

All IL partners – both at CWA and TRA service levels – shall be aware of this program eligibility expansion and abide by all IL requirements and best practices. These are defined both in [Wisconsin's Ongoing Service Standards](#) and guidance documents available on the [IL Worker Information page](#), including the [CWA and TRA IL roles and responsibilities](#) overview.

The specific services and supports available to the IL-eligible population will vary based on agency program structure and availability of funds. As with all IL services after a young person is discharged from care, youth engagement is voluntary, and service provision is guided by the young adult's wants, needs, resources, eligibility for other supportive services, and more. Other aspects of IL program eligibility and operations remain the same. Additional IL information and updated resource materials are available on the [IL Worker Information page](#).

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CENTRAL OFFICE CONTACT: DCF Independent Living Coordinator  
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MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>