

Expanding the Kinship Definition

Including Like-Kin

Kinship caregivers play a vital role in supporting families. Kinship caregivers ensure that when children are not able to safely remain in their family's home, that they are instead placed with individuals who know and love them.

Current state statute limits who is considered a 'relative.' This impacts who a child can **be placed** with, and impacts the **support** the individual can receive through the Kinship Care program. Creating an expanded definition of "kinship care provider" as proposed in the bill would ensure that individuals with a significant emotional relationship to a child or family would also be considered eligible for a kinship care payment. This definition would apply to both voluntary and court-order kinship cases. The bill would add a definition of "like-kin" to state statute, which would also allow child welfare agencies to consider like-kin caregivers as a long-term placement option when children are removed from their parent's care.

Proposed statutory language:

48.57 (3m) (a) 2. "Kinship care provider" means a relative other than a parent, an extended family member*, as defined in s. 48.028 (2) (am), or like-kin:

- 48.02 (12c) "Like-kin" means an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship... For an Indian child, "like-kin" includes individuals identified by the child's tribe according to tribal tradition, custom or resolution, code, or law.

48.02 (15) of the statutes is amended to read: 48.02 (15) "Relative" means a parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, first cousin once removed...

* Per s. 48.028 (2)(am), an extended family member means a person who is defined as a member of an Indian child's extended family by the law or custom of the Indian child's tribe or, in the absence of such a law or custom, a person who has attained the age of 18 years and who is the Indian child's grandparent, aunt, uncle, brother, sister, brother-in-law, sister-in-law, niece, nephew, first cousin, 2nd cousin, or stepparent.





Samantha

Five year-old Samantha is being removed from her mother, Crystal's, care.

While Crystal has no family that could take Samantha, Samantha's family friend Mary is ready and willing to take placement. Samantha is a regular at Mary's home and often comes over for sleepovers. Mary hasn't missed a birthday or school event since Samantha was born. While Samantha calls Mary "Auntie Mary," they are not blood relatives.

Under current Wisconsin law, Mary would not be considered a long-term placement option and would receive no financial support because she is not considered a "relative."

Instead, Samantha may be placed with a family she doesn't know.



Joey

Joey (age 16) lives with his dad, Jerome. Jerome is checking himself into a residential drug treatment program, following becoming addicted to opioids while recovering from back surgery.

While he is away, Jerome wants to be sure Joey is able to stay somewhere safe with someone he already knows. Jerome reaches out to his best friend, Michael. Joey has been around Michael his whole life, and thinks of Michael's children as his close friends.

Under current Wisconsin law, Michael, the close family friend, would not receive financial support while caring for Joey because he is not considered a relative. Joey may need to be placed in a group care facility if Michael cannot meet his needs without financial support.