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Governor Scott Walker
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Division of Safety and Permanence
Bureau of Milwaukee Child Welfare

DATE: April 3, 2015

TO: All BMCW Contracted Agencies

CC: All BMCW Staff
Assistant District Attorney Elisabeth Mueller

FROM: Mary Pat Bohn 
Acting Director, Bureau of Milwaukee Child Welfare (BMCW)

RE: Extension of Out-of-Home Care – Requesting a Court Hearing and Attachment A

This memo outlines contracted case management staff (CM) requirement to request a court hearing for youths who are eligible for services beyond the age of 18 through 21 as outlined in the *Extension of Out-of-Home Care policy*. Each youth eligible under the *Extension of Out-of-Home Care policy* will have a scheduled court hearing to preserve the youth's rights and access to services regardless if he/she intends to sign the Voluntary Transition to Independent Living Agreement (VTILA) (DCF-F-5030) and/or are requesting an extension or not. The CM should reference the *Division of Safety and Permanence Numbered Memo Series 2014-06 December 4, 2014: Extension of Out-of-Home Care policy* and *Wisconsin State Statutes 48.366 and/or 938.366*. This process has been developed in collaboration with the Children's Court Center District Attorney's (DA) Office.

The CM must complete the *Court Report for Extension of Dispositional Order – Child in OHC (CFS-2110)* document in eWiSACWIS and submit to the DA's Office 60 days prior to the court order expiring and/or youth's 18th/19th birthday regardless if the youth has indicated he/she will sign a VTILA and/or are requesting their order to be extended or terminated.

REQUESTING AN EXTENSION OF THE CHIPS PETITION

The *Court Report for Extension of Dispositional Order – Child in OHC* document must be completed and submitted to the DA's office for every youth eligible for *Extension of Out-of-Home policy* who is requesting their Dispositional Order be extended (regardless of a desire to remain in out-of-home care).

NOT REQUESTING AN EXTENSION (AND/OR SIGNING A VTILA)

The CM must complete the *Court Report for Extension of Dispositional Order – Child in OHC* document (*Legal Action: CHIPS Petition*) and submit to the DA's Office 60 days prior to the court order expiring and/or youth's 18th/19th birthday. *Court Report for Extension of Dispositional Order – Child in OHC* document must be completed and submitted to the DA's office for every youth eligible for *Extension of Out-of-Home policy* who is intending to sign the VTILA and/or requesting that their Dispositional Order be terminated and/or not extended.

Please see *Attachment A BMCW Memo for Extension of Out-of-Home Care April 2015* for an example of how to complete the *Court Report for Extension of Dispositional Order – Child in OHC* document for youth indicating he/she does not want the Dispositional Order extended. There are specific sections that must provide updated information and other sections where a standard statement can be used to indicate that the youth does not want his/her Dispositional Order extended, therefore the section is not applicable.

Please select the applicable statement:

Only applicable for youth who are not pursuing an extension of their Dispositional Order.

{Insert Name} is eligible for Extension of Out-of-Home Care as defined by Wisconsin State Statute 48.366; however {Insert Name} is requesting to be discharged from out-of-home care and is indicating to the agency that he/she does not want his/her Dispositional Order extended beyond the age of 18/19 through 21 through a court order or VTILA. The agency is requesting the court to schedule a hearing for this matter.

Only applicable for youth who have indicated they will sign a VTILA.

{Insert Name} is eligible for Extension of Out-of-Home Care as defined by Wisconsin State Statute 48.366; however, {Insert Name} has indicated that she/he will sign a Voluntary Transition to Independent Living Agreement (VTILA) (DCF-F-5030). The agency is requesting the court to schedule a hearing for this matter.

In the event the youth changes his/her mind and wants to pursue an Extension of the Dispositional Order prior to the court hearing; the CM should make every effort to prepare the a new Court Report for Extension of Dispositional Order – Child in OHC document with updated information (all sections must be completed) for the scheduled court hearing. The CM must contact the assigned ADA and youth's Public Defender as soon as possible to inform them of the youth's change in his/her decision.