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Governor Scott Walker
Secretary Eloise Anderson

Division of Milwaukee Child
Protective Services

DATE: June 1, 2016
TO: DMCPs Staff, Saint A, Children's Hospital of Wisconsin Community Services
CC: Staff Attorney, Sara Scullen; Permanency Counselor, Sara Koeferl
FROM: Robin Joseph, Ph.D., Administrator
Division of Milwaukee Child Protective Services (DMCPs)
RE: Guardianship Policy

The [DMCPs Guardianship Policy](#) (attached) has been issued to clarify access workers, Initial Assessment Specialists (IAS), and ongoing Case Manager's (CM) responsibilities in the transfer, revision and termination of legal guardianship under [§48.977](#) Wis. Stats. (for children who are in need of Child in Need of Protection or Services (CHIPS)), and under [§54 of Wis. Statutes](#).

This Guardianship Policy replaces the previous 2011 policy titled "Termination of Legal Guardianship." This policy is more comprehensive than previous versions describing the process for each type of guardianship petition Under Chapters 48 and 54, the roles and responsibilities of all parties (including the Initial Assessment Specialist, ongoing Case Manager, Guardian ad Litem, Attorneys, etc.), the subsidized guardianship process, and when home studies are required by DMCPs.

Important updates for DMCPs Access and Initial Assessment Units include:

- Home studies should occur in some circumstances (see page 2 of the Guardianship policy for more information). Home studies should not occur whenever they are requested at the point of Access.
- When a home study is conducted by DMCPs, the IAS must fax/email the results of the home study to Sara Koeferl, Milwaukee Children's Court Permanency Counselor, and confirm the petition for guardianship is filed at court.
- If a transfer of guardianship is essential to confirming a child's safety, then the IAS must confirm the guardianship petition has been filed and granted to the identified safe caregiver.
- If child abuse and neglect (CAN) is alleged and interest in guardianship is expressed on the same Access call, the CAN allegation should be addressed before a home study is done and before a guardianship petition is filed.

An overview of the policy will be provided at the DMCPs July All Staff Meeting. Supervisors and Program Managers must review the policy with their staff during supervision or team meetings and ensure it is understood by Friday, July 8. Separate meetings will occur with the DMCPs Access Unit and Child Welfare Unit to provide detailed information about the guardianship policy and to answer questions. Special attention should be given to understanding the types of guardianship that can be pursued under Chapters 48 and 54 of Wisconsin Statutes and the conditions that must be met to pursue each type. A job aid is attached to provide guidance at the point of Access regarding information collection and screening.

Attachment: [DMCPs Guardianship Policy](#)
[Guardianship Screening Job Aid](#)

DMCPs Memos, Policies and Procedures: http://dcfweb/mcw/procedure_manual/default.htm

CC: Staff Attorney, Sara Scullen; Permanency Counselor, Sara Koefel