Wisconsin Department of Administration
Division of Executive Budget and Finance
DOA-2048 (R10/2000)

Fiscal Estimate — 2001 Session

☒ Original ☐ Updated

☐ Corrected ☐ Supplemental

LRB Number – 0609/3	Amendment Number if Applicable
Bill Number AB 54	Administrative Rule Number

Subject

Relinquishing Custody of a Newborn Child

Fiscal Effect

State: ☐ No State Fiscal Effect

Check columns below only if bill makes a direct appropriation
or affects a sum sufficient appropriation.

☐ Increase Existing Appropriation   ☐ Increase Existing Revenues
☐ Decrease Existing Appropriation   ☐ Decrease Existing Revenues
☐ Create New Appropriation

☐ Increase Costs — May be possible to absorb within agency's budget.
  ☐ Yes   ☐ No

☐ Decrease Costs

Local: ☐ No Local Government Costs

1. ☐ Increase Costs
   ☐ Permissive   ☐ Mandatory
2. ☐ Decrease Costs
   ☐ Permissive   ☐ Mandatory

3. ☐ Increase Revenues
   ☐ Permissive   ☐ Mandatory
4. ☐ Decrease Revenues
   ☐ Permissive   ☐ Mandatory

5. Types of Local Governmental Units Affected:
   ☐ Towns   ☐ Villages   ☐ Cities
   ☐ Counties   ☐ Others _____
   ☐ School Districts   ☐ WTCS Districts

Fund Sources Affected	Affected Chapter 20 Appropriations
☐ GPR ☐ FED ☐ PRO ☐ PRS ☐ SEG ☐ SEG-S	

Assumptions Used in Arriving at Fiscal Estimate

This bill permits a parent who expresses no intent to return to relinquish custody of a newborn child to a law enforcement officer, hospital staff person, etc. That person must then deliver the newborn child to an intake worker within 24 hours. A parent who relinquishes his or her newborn has the right to leave at any time and to remain anonymous. A juvenile court is also permitted to grant an involuntary termination of parental rights (TPR) over the newborn child on the grounds that custody of the newborn child has been relinquished.

It is impossible to predict the impact of this bill upon circuit court operations. While this could reduce the number of contested TPR's it may also complicate TPR proceedings for the juvenile court as well as future adoption proceedings. It is unclear if the juvenile court will be able to know if the person is the actual parent of the newborn child, if the person is married or what the recourse would be if the parent changes his or her mind later. The juvenile court also is presently required to obtain certain medical and genetic information about the child from both parents for future adoptive parents. It is unclear how this would be accomplished under this new TPR proceeding.

Long-Range Fiscal Implications

Prepared By: Sheryl Gervasi	Telephone No. 266-6984	Agency Director of State Courts Office
Authorized Signature	Telephone No.	Date (mm/dd/ccyy) 02/15/01