



DALE KOOYENGA

STATE REPRESENTATIVE • 14th ASSEMBLY DISTRICT

(608) 266-9180
FAX: (608) 282-3614
Toll-Free: (888) 534-0014
Rep.Kooyenga@legis.wi.gov

P.O. Box 8952
Madison, WI 53708-8952

October 28, 2015

TO: Assembly Committee on Children and Families

FR: Representative Dale Kooyenga
14th Assembly District

RE: AB 339 subsidized guardianship

Thank you for holding a hearing on this important issue.

Assembly Bill 339, and its companion Senate Bill 253, are bills which allow children over the age of 14 the ability to clearly express their desire to have their foster parents serve a role in their life which resembles more of a parental relationship than a foster care relationship. However, under current law foster parents are not eligible for subsidized guardianship, even if they have developed a family-like relationship with the youth. Counties have expressed frustration over the inability to approve foster parents as subsidized guardians due to the definition of "like-kin" in current state statute.

The bill provides another option for these children because adoption may be perceived by an older child (over 14) as disrespectful to their biological parent(s). We would like to allow for a middle ground which is consistent with numerous other states.

A relative or person who has a family-like relationship with a child or the child's family before a child is placed in out-of-home care may be approved as the child's subsidized guardian. Modifying the definition of "like-kin" will provide other alternatives for children to be placed in permanent homes through subsidized guardianship.

These proposed changes will allow a person who has developed a significant emotional, familial relationship with a child or the child's family during the child's placement in out-of-home care to be eligible for monthly subsidized guardianship payments. When a foster parent becomes a subsidized guardian, the parent no longer receives an out-of-home care payment and instead receives a subsidized guardian payment, which is roughly equivalent. As a result, DCF anticipates minimal fiscal impact.

Again, thank you for your attention to this matter and I urge your support of this bill.



DEVIN LEMAHIEU

STATE SENATOR

Testimony on AB 339 RE: Subsidized Guardianship October 28, 2015

Thank you Chairwoman Rodriguez and Members of the Assembly Committee on Children and Families for holding this hearing on Assembly Bill 339. I apologize that I am unable to appear in person today, but I hope that you will consider my written testimony.

Under current law, foster parents are not eligible for subsidized guardianship, even if they have developed a significant emotional relationship with the youth, due to the definition of "like-kin" within state statute. This bill will allow children over the age of 14 the ability to express their desire to have their foster parents serve in a role which resembles more of a parental relationship than a foster care relationship.

Assembly Bill 339 will allow a person who develops a family like relationship with the child or the child's family after the child is in out-of-home care to obtain a subsidized guardianship status. Modifying current law will include changing the definition of "like-kin" to include foster parents under specific circumstances: placement with a fit and willing relative is deemed not in the child's best interest, the relationship with the youth must have been at least two years and the child has been placed in out-of-home care for 15 out of the last 22 months.

The changes in this bill will bring us in line with numerous other states and will improve alternative placement options. Having a significant emotional relationship with a child, as stated in the bill is a key factor for child development. Subsidized guardianship will give children a sense of permanency ensuring that children are able to thrive in an environment where they are set up for success in life.

Thank you for your consideration on Assembly Bill 339



201 East Washington Avenue, Room G200
P.O. Box 8916
Madison, WI 53708-8916
Telephone: 608-266-8684
Fax: 608-261-6972

Governor Scott Walker
Secretary Eloise Anderson
Secretary's Office

Date: October 28, 2015
To: Members of the Assembly Committee on Children and Families
From: Fredi-Ellen Bove, Administrator, Division of Safety and Permanence
Re: Department Position on AB 339 – In Support

Representative Rodriguez and Assembly Committee on Children and Families,

Thank you for the opportunity to testify on AB 339. My name is Fredi Bove and I am the Administrator for the Division of Safety and Permanence at the Wisconsin Department of Children and Families (DCF).

First, I wish to express the Department's deep appreciation for the individuals who support and care for children in need through guardianship. These individuals are often family members who step forward to assist a child of another family member when the child welfare system is involved. The Department's goal is that all children including those in guardianship thrive in safe, stable and nurturing families.

Wisconsin enacted statewide subsidized guardianship in 2012 to strengthen guardianship as an option for children exiting the child welfare system to achieve permanent and loving homes. Under the subsidized guardianship program, to help support the child guardians are eligible to receive a monthly payment from the Department of Children and Families based on the child's needs, similar to the monthly Adoption Assistance payments parents who adopt children through the public child welfare system are eligible to receive.

Through the operation of the Subsidized Guardianship program over the past three years, we have learned some barriers still exist for achieving permanence. Under current law, a relative or a person with a "like-kin" relationship that develops prior to the child's placement in out-of-home care, can become a subsidized guardian if he/she meets all eligibility criteria. The relative or person with a "like-kin" relationship are required to become a licensed foster parent, which includes passing background and physical home checks, and have out-of-home care responsibility for the child through an out-of-home care court order for at least six months.

Current law allows those who develop a "like-kin" relationship during the child's time in out-of-home placement to become guardians but does not allow them to become subsidized guardians. If these caring adults need financial support or health insurance to continue caring for the child, the child must remain in out-of-home care. In these cases, the child does not achieve the certainty of a permanent home, and the child welfare caseworkers and court system must continue to carry out case management, court reviews, and related meetings and documentation, despite the fact that a guardian who is committed to the child is available.

The bill enables individuals who develop a familial or “like-kin” relationship with the child or child’s family while the child is in out-of-home care to be eligible for subsidized guardianship if they meet all eligibility criteria for subsidized guardianship. Once they become subsidized guardians, permanency is achieved for the child, the case can be closed, and the child welfare and court systems are no longer required to undertake workload related to the case.

In summary, the proposed bill improves the subsidized guardianship program and allows more children to achieve permanency by recognizing the deep and lasting relationships that can develop with caregivers while children are in out-of-home care.

The Department thanks Representative Kooyenga and Senator LeMahieu for authoring this bill and thanks the Chair for holding a hearing. We thank the Committee for your consideration of the Department’s comments and appreciate the Committee’s commitment to support positive outcomes for vulnerable children and families in our state. I am pleased to answer any of your questions.