



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1780/P2

EHS:cdc

DOA:.....Richter, BB0434 - CHIPS parent counsel pilot extension

FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Representation of parents in CHIPS proceedings

Under current law, a parent is generally not entitled to representation by a public defender in a proceeding under the Children's Code in which a child is alleged to be in need of protection or services (CHIPS). However, a pilot program that began in 2018 requires the state public defender to assign counsel to any nonpetitioning parent in these cases in the counties of Brown, Outagamie, Racine, Kenosha, and Winnebago. This five-county pilot program is set to expire after June 2025. This bill extends the expiration date of the pilot program to December 31, 2026.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.233 (2) of the statutes is amended to read:

48.233 (2) This section does not apply to a proceeding commenced on or after ~~June 2025~~ January 1, 2027 under s. 48.13.

SECTION 2. 48.233 (3) of the statutes is amended to read:

48.233 (3) The state public defender may promulgate rules necessary to implement the pilot program established under sub. (1). The state public defender may promulgate the rules under this subsection as emergency rules under s. 227.24. Notwithstanding s. 227.24 (1) (a) and (3), the state public defender is not

BILL**SECTION 2**

required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until ~~four~~ years after June 30, 2021 January 1, 2027.

SECTION 3. 48.233 (4) of the statutes is amended to read:

48.233 (4) By January 1, ~~2025~~ 2027, the department and the state public defender shall each submit a report to the joint committee on finance, and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3), regarding costs and data from implementing the pilot program under sub. (1).

****NOTE: Originally this report would have been due six months before the end of the pilot program but as drafted will be due when the program expires. Let me know if you would like a different due date.

(END)