



DIVISION OF CHILDREN AND FAMILY SERVICES

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Department of Health and Family Services

Date: October 14, 2004

To: Russ Whitesel
Senior Staff Attorney
Legislative Council

From: Mark S. Mitchell, Manager
Child Welfare Policy Development Section
Bureau of Programs and Policies

Re: DHFS Presentation to Guardianship and Custody Study Committee

Thanks for your recent letter, Russ. In response, I am providing you with the following materials in advance of our presentation on October 20, 2004:

- One page summary of subsidized guardianship program
- Excerpt from federal waiver terms and conditions
- Summary of subsidized guardianship program requirements
- 2003 Senate Bill 488

With regard to the attached Senate Bill 488, because the legislative session ended shortly after the bill was drafted we never requested some changes that we would like to see included in the bill. These are:

- At least a temporary continuation of any subsidized guardianship payment to a subsequent guardian in the event the current guardian dies or becomes incapacitated
- Allow full faith and credit for any tribal guardianship for purposes of the subsidy payment (since the guardianship would not have occurred pursuant to s. 48.977, Stats.)
- Allow a half-sibling of a child who is a relative of a Kinship Caregiver to be included in payments to the caregiver even if the child is not related to the caregiver (this is included because it may be a factor in reducing the number of subsidized guardianships)

I will let you know later today by e-mail who the specific presenters will be. Thanks very much, Russ.

c: Mark Campbell, BPP
Therese Durkin, OLC
Bill Fiss, DCFS
Ron Hermes, DHFS
Kitty Kocol, DCFS
John Tuohy, OPEP