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November 14, 2012

## Department of Health and Human Services

..... promoting healthy and responsible families.

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Dear Members of the Special Committee on Permanency for Young Children in the Child Welfare System

RE: Proposals to Revise Certain Grounds for Involuntary Termination of Parental Rights (TPR)

This letter addresses Oconto County's suggestions for revisions to the Wisconsin Statutes concerning involuntary termination of parental rights (TPR).

We support the recommended revisions outlined in Memo No. 4, dated September 27, 2012. However, we do not believe that your recommendations go far enough.

The major issue surrounding the TPR statutes involves the option for a jury trial. It is our understanding that the State of Wisconsin is among a handful of states that still allow for a jury trial for TPR. It has been Oconto County's experience that a jury is much more lenient and sympathetic to a parent than an experienced Juvenile Court Judge. The elimination of jury trials would expedite permanency for many of the children our Department of Health and Human Services work with.

We would be supportive of conditional TPRs, such as, allowing continued contacts with the biological parent(s) or periodic visitation.

The other major issue is the length of time it takes to process a TPR in the Court system. The constant delays, postponements and continuances go on and on. The child's permanency plan is put on hold for months, maybe even for a year. Attorneys and the Court should not be allowed to delay, postpone or continue a TPR process unless exigent conditions exist.

These delays in the TPR process are discouraging and emotionally charged for the child, the prospective permanent placement, as well as Health and Human Services staff. It is frustrating when the best interests of the child are ignored to accommodate someone's scheduling conflicts. TPR proceedings should be put on a "fast-track" and not be treated as a typical juvenile court proceeding.

Children want, and need, a permanent home. Currently, the system does not support that goal.  
Thank you for taking the time to read this.

Sincerely,

Greg Benesh, Deputy Director

(on behalf of the Oconto County Health and Human Services Board of Directors)