

1 **AN ACT** *to create* 48.546 and 938.546 of the statutes; **relating to:** creating a family
2 treatment court grant program in the department of children and families and making
3 an appropriation.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council’s Study Committee on Problem–Solving Courts, Alternatives, and Diversions.

4 **SECTION 1.** 48.546 of the statutes is created to read:

5 **48.546 Family treatment court grant program.** (1) The department of children and
6 families shall make grants to counties to enable them to establish and operate programs which
7 develop intake and court procedures that screen, assess, and give new dispositional
8 alternatives for children whose parents have problems related to the use of alcohol beverages,
9 controlled substances or controlled substance analogs, have mental health needs, or both, and
10 who come within the jurisdiction of a court assigned to exercise jurisdiction under this chapter
11 and ch. 938. The programs shall have, as a goal, improving child well–being and the welfare
12 of participants’ families by meeting the comprehensive needs of participants and promoting
13 family reunification wherever possible.

COMMENT: SECTION 2 of this draft includes the goal of meeting “a juvenile’s need for care and treatment, consistent with the prevention of delinquency ...” for grants administered under the Juvenile Justice Code. Should there be comparable language for grants administered under the Children’s Code?

14 (2) The department of children and families shall make the grants for the program under
15 this section from the appropriations under s. 20.437 []. The department of children and

1 families shall collaborate with the department of health services and the department of
2 corrections in establishing this grant program.

COMMENT: The committee should discuss a funding source and amount for the family treatment court grant program. Does it make sense for the Department of Children and Families to collaborate with both the Department of Health Services and Department of Corrections on this grant program?

3 (3) The program shall do all of the following:

4 (a) Establish eligibility criteria for a person's participation.

5 (b) Provide services that are consistent with evidence-based practices in substance
6 abuse and mental health treatment [utilize providers certified by the department of health
7 services,] and provide intensive case management.

COMMENT: Are all service providers certified by the Department of Health Services?

8 (c) Provide a multidisciplinary screen for the program. The screen shall be used to
9 determine whether or not a child's parent or parents are in need of an alcohol or other drug
10 abuse or mental health assessment. The screen shall also include indicators that screen parents
11 and their children for:

12 1. Abuse of alcohol beverages, controlled substances or controlled substance analogs.

13 2. Family dysfunction.

14 3. School, truancy or work problems.

15 4. Mental health problems.

16 5. Delinquent or criminal behavior patterns.

17 (d) Provide holistic treatment to its participants and provide them services that may be
18 needed, as determined under the program, to eliminate or reduce their use of alcohol or other
19 drugs, improve their mental health, facilitate their gainful employment or enhanced education

1 or training, provide them stable housing, facilitate family reunification, ensure payment of
2 child support [and increase the payment of other court-ordered obligations].

COMMENT: The committee should discuss whether the family treatment court grant recipient should be working to increase the payment of other court-ordered obligations.

3 (e) Integrate all mental health, substance abuse, and other services provided to program
4 participants by state and local government agencies and other organizations. The program
5 shall require regular communication among a participant's mental health and substance abuse
6 treatment providers, human services worker, probation officer, other service providers, the
7 case manager, the court, the guardian ad litem, and any person designated under the program
8 to monitor the person's compliance with his or her obligations under the program.

9 (4) A county that receives a grant under this section shall create an oversight committee
10 to advise the county in developing, implementing, administering and evaluating its program.
11 Each committee shall consist of one or more circuit court judges; the district attorney; the state
12 public defender; county agencies responsible for providing social services, including services
13 relating to alcohol and other drug addiction, child welfare, mental health, and the Wisconsin
14 Works program; the departments of children and families and health services; private social
15 services agencies; and substance abuse treatment providers.

16 (5) In implementing a program that meets the requirements of sub. (3), a county
17 department may contract with or award grants to a religious organization under s. 59.54 (27).

18 (6) A county that receives a grant under this section shall submit data requested by the
19 department of children and families to the department of children and families each month.
20 The department of children and families may request any data regarding the project funded
21 by the grant that is necessary to evaluate the project and prepare the reports under subs. (6)
22 and (7).

1 (7) The department of children and families shall, annually, analyze the data submitted
2 under sub. (5) and prepare a progress report that evaluates the effectiveness of the grant
3 program. The department of children and families shall make the report available to the public.

4 (8) The department of children and families shall, every 5 years, prepare a
5 comprehensive report that analyzes the data it receives under sub. (6). The department of
6 children and families shall include in this comprehensive report a cost benefit analysis of the
7 grant program and shall submit the report to the chief clerk of each house of the legislature
8 for distribution to the legislature under s. 13.172 (2).

9 (9) Two or more counties may jointly apply for and receive a grant under this section.
10 If counties submit a joint application, they shall include with their application a written
11 agreement specifying each county department's role in developing, administering, and
12 evaluating the program. The oversight committee established under sub. (3) shall consist of
13 representatives from each county.

14 (10) The department of children and families shall assist a county receiving a grant
15 under this section in obtaining funding from other sources for its program.

16 **SECTION 2.** 938.546 of the statutes is created to read:

17 **938.546 Family treatment court grant program.** (1) The department of children and
18 families shall make grants to counties to enable them to establish and operate programs which
19 develop intake and court procedures that screen, assess, and give new dispositional
20 alternatives for children whose parents have problems related to the use of alcohol beverages,
21 controlled substances or controlled substance analogs, have mental health needs, or both, and
22 who come within the jurisdiction of a court assigned to exercise jurisdiction under this chapter
23 and ch. 938. The programs shall have, as a goal, improving juvenile well-being and the
24 welfare of participants' families by meeting the comprehensive needs of participants and a

1 juvenile's need for care and treatment, consistent with the prevention of delinquency and
2 promoting family reunification wherever possible.

3 (2) The department of children and families shall make the grants for the program under
4 this section from the appropriations under s. 20.437 []. The department of children and
5 families shall collaborate with the department of health services and the department of
6 corrections in establishing this grant program.

COMMENT: The committee should discuss a funding source and amount
for the family treatment court grant program.

7 (3) The program shall do all of the following:

8 (a) Establish eligibility criteria for a person's participation.

9 (b) Provide services that are consistent with evidence-based practices in substance
10 abuse and mental health treatment [utilize providers certified by the department of health
11 services,] and provide intensive case management.

COMMENT: Are all service providers certified by the Department of
Health Services?

12 (c) Provide a multidisciplinary screen for the program. The screen shall be used to
13 determine whether or not a child's parent or parents are in need of an alcohol or other drug
14 abuse or mental health assessment. The screen shall also include indicators that screen parents
15 and their children for:

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17 2. Family dysfunction.

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19 4. Mental health problems.

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3 drugs, improve their mental health, facilitate their gainful employment or enhanced education
4 or training, provide them stable housing, facilitate family reunification, ensure payment of
5 child support [and increase the payment of other court-ordered obligations].

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10 case manager, the court, the guardian ad litem, and any person designated under the program
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22 department of children and families to the department of children and families each month.

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2 by the grant that is necessary to evaluate the project and prepare the reports under subs. (6)
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7 (8) The department of children and families shall, every 5 years, prepare a
8 comprehensive report that analyzes the data it receives under sub. (6). The department of
9 children and families shall include in this comprehensive report a cost benefit analysis of the
10 grant program and shall submit the report to the chief clerk of each house of the legislature
11 for distribution to the legislature under s. 13.172 (2).

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13 If counties submit a joint application, they shall include with their application a written
14 agreement specifying each county department's role in developing, administering, and
15 evaluating the program. The oversight committee established under sub. (3) shall consist of
16 representatives from each county.

17 (10) The department of children and families shall assist a county receiving a grant
18 under this section in obtaining funding from other sources for its program.

COMMENT: This SECTION creates a family treatment court grant program
in the Juvenile Justice Code.

19 (END)