

1 **AN ACT** *to create* 48.546 and 938.546 of the statutes; **relating to:** creating family
2 treatment court and juvenile treatment court grant programs in the department of
3 children and families and making 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. The draft creates a family treatment court grant program under the Children’s Code, to be administered by the Department of Children and Families (DCF) and operating within the children’s courts. It also creates a similar program under the Juvenile Justice Code for juvenile courts.

The family treatment court grant program, created under the Children’s Code, will screen, assess, and give new dispositional alternatives for parents whose children have come under the jurisdiction of children’s court, if those parents have problems related to mental illness or substance abuse. DCF must make grants available to counties for treatment court programs. Programs that receive grants must establish eligibility criteria for participation, provide evidence–based treatment services, and integrate all services provided to program participants by various governmental and non–governmental entities. The draft also requires projects to submit data to DCF which must be analyzed annually by DCF. DCF must also, every five years, prepare a comprehensive report of the program.

The juvenile treatment court grant program, created under the Juvenile Justice Code, will screen, assess, and give new dispositional alternatives for juveniles who have problems related to mental illness or substance abuse. In all other respects the program is very similar to the family treatment court grant program.

Funding for this program is within the limits of available funding from the appropriation that is used to fund both the family alcohol and other drug abuse pilot program under s. 48.547, stats., and the juvenile alcohol and other drug abuse pilot program under s. 938.547, stats. The appropriation is federally funded for specific, limited term projects, to be expended as local assistance for the purposes specified.

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

2 **48.546 Family treatment court grant program. (1)** The department of children and
3 families shall make grants available to counties to enable them to establish and operate
4 programs which develop intake and court procedures that screen, assess, and give new
5 dispositional alternatives for parents whose children have come under the jurisdiction of a
6 court assigned to exercise jurisdiction under this chapter, due to a parental problem related to
7 mental illness or to substance abuse. The programs shall have, as a goal, improving child
8 well-being and the welfare of participants' families by meeting the comprehensive needs of
9 participants and promoting family reunification wherever possible.

10 **(2)** The department of children and families shall make the grants for the program under
11 this section within the availability of funding under s. 20.437 (1) (mb). The department of
12 children and families shall collaborate with the department of health services and the director
13 of state courts in establishing this grant program.

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

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

16 (b) Provide services that are consistent with evidence-based practices in treatment
17 services needed by program participants, including substance abuse treatment, mental health
18 treatment, and intensive case management.

19 (c) Provide a multidisciplinary screen for the program.

20 (d) Provide a holistic and trauma-informed approach to treatment to its participants and
21 provide them services that may be needed, as determined under the program.

22 (e) Integrate all services provided to program participants by state and local government
23 agencies and other organizations. The program shall require regular communication among
24 a participant's treatment providers, other service providers, the court and court personnel, and

1 any person designated under the program to monitor the person's compliance with his or her
2 obligations under the program and to the court.

3 (4) A county that receives a grant under this section shall create an oversight committee
4 to advise the county in developing, implementing, administering and evaluating its program.

5 (5) A county that receives a grant under this section shall submit data requested by the
6 department of children and families to the department of children and families each quarter.
7 The department of children and families may request any data regarding the program funded
8 by the grant that is necessary to evaluate the program and prepare the reports under subs. (6)
9 and (7).

10 (6) The department of children and families shall, annually, analyze the data submitted
11 under sub. (5) and prepare a progress report that evaluates the effectiveness of the program.
12 The department of children and families shall make the report available to the public.

13 (7) The department of children and families shall, every 5 years, prepare a
14 comprehensive report that analyzes the data it receives under sub. (6), and shall submit the
15 report to the chief clerk of each house of the legislature for distribution to the legislature under
16 s. 13.172 (2).

17 (8) Two or more counties may jointly apply for and receive a grant under this section.
18 If counties submit a joint application, they shall include with their application a written
19 agreement specifying each county's role in developing, administering, and evaluating the
20 program. The oversight committee established under sub. (4) shall consist of representatives
21 from each county.

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

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

1 **938.546 Juvenile treatment court grant program.** (1) The department of children
2 and families shall make grants available to counties to enable them to establish and operate
3 programs which develop intake and court procedures that screen, assess, and give new
4 dispositional alternatives for juveniles who come under the jurisdiction of a court assigned to
5 exercise jurisdiction under this chapter, and have problems related to mental illness or to
6 substance abuse. The programs shall have, as a goal, improving juvenile well-being by
7 meeting the comprehensive needs of juveniles and a juvenile's need for care and treatment,
8 and for accountability and rehabilitation, consistent with the prevention of delinquency.

9 (2) The department of children and families shall make the grants for the program
10 within the availability of funding under s. 20.437 (1) (mb). The department of children and
11 families shall collaborate with the department of health services, the department of
12 corrections, and the director of state courts in establishing this grant program.

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

14 (a) Establish eligibility criteria for a juvenile's participation.

15 (b) Provide services that are consistent with evidence-based practices in treatment
16 needed by participants, including substance abuse treatment, mental health treatment, and
17 intensive case management.

18 (c) Provide a multidisciplinary screen for the program.

19 (d) Provide a holistic and trauma-informed approach to treatment to its participants and
20 provide them services that may be needed, as determined under the program.

21 (e) Integrate all services provided to program participants, by state and local
22 government agencies and other organizations. The program shall require regular
23 communication among a participant's treatment providers, other service providers, the court

1 and court personnel, and any person designated under the program to monitor the juvenile's
2 compliance with his or her obligations under the program and with the court's order.

3 (4) A county that receives a grant under this section shall create an oversight committee
4 to advise the county in developing, implementing, administering and evaluating its program.

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

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

13 (7) The department of children and families shall, every 5 years, prepare a
14 comprehensive report that analyzes the data it receives under sub. (6). The department of
15 children and families shall submit the report to the chief clerk of each house of the legislature
16 for distribution to the legislature under s. 13.172 (2).

17 (8) Two or more counties may jointly apply for and receive a grant under this section.
18 If counties submit a joint application, they shall include with their application a written
19 agreement specifying each county's role in developing, administering, and evaluating the
20 program. The oversight committee established under sub. (4) shall consist of representatives
21 from each county.

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

24 (END)