

Assembly passes adoption package

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A split Assembly today signed off on a set of bills that would overhaul aspects of the state's adoption system.

The eight-bill package stemmed from an adoption task force commissioned last year and chaired by freshman Rep. Barbara Dittrich, who said she learned through the process that there was no "quick and easy fix" to the ails of the adoption system.

But the Oconomowoc Republican touted the package as a "tiny step forward" towards making Wisconsin an "adoption-friendly state."

But Rep. Lisa Subeck, the vice-chair of the task force, said the package was "derailed by the Speaker of the Assembly."

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The Madison Dem said she believed task force members "got partway there" and were "acting in good faith on both sides of the aisle," only to see the proposals be "taken out of the hands of the task force" and changed without input before circulation.

"I did not actually see the version of the bill that was sent out with my name on it," Subeck said, adding she still had "grave concerns" about a number of the proposals.

Rep. David Crowley, a Milwaukee Dem who served on the panel, also knocked the package. He said the bills would have a "disproportionate effect" on the black community.

"More punitive measures do not help us out," he said.

The initial set of proposals came under fire from witnesses ranging from officials with the state's court system to public defenders to DCF officials, who raised concerns during public hearings in both the Assembly and Senate that the proposals presented serious due process, equal protection and other issues.

But at an executive session, Dems on the Assembly panel reviewing the package lauded their GOP colleagues for adding amendments they said strengthened the proposals. All but one won bipartisan support in committee.

The package includes:

*AB 559, which would eliminate the right to a jury trial in involuntary termination of parental rights proceedings, as well as modify and expand the grounds for involuntary TPR. An amendment added in December scaled back and modified the grounds for involuntary TPR created by the bill and mandated a warning be sent to parents who are on track for involuntary TPR. The bill passed 61-37 on a largely party-line vote with Dem Rep. Steve Doyle supporting it and GOP Reps. John Nygren and Shae Sortwell voting against it.

*AB 560, which would allow involuntary termination of parental rights if a child is in continuing need of protection or services because they have been placed out of home for 15 of the previous 22 months. An amendment tweaked the bill to make it more compliant with the federal Indian Child Welfare Act and Wisconsin Indian Child Welfare Act, among other things. The proposal passed via voice vote.

*AB 561, which established legally enforceable post-adoption contracts between a birth parent and a proposed adoptive parent. The bill was amended to ensure ICWA and WICWA compliance and make the contract unenforceable during the period in which the adopted child has been placed outside the adoptive parent's home. The Assembly approved the measure by voice vote.

*AB 562, which was designed to make foster parents and group homes parties to change of placement proceedings and allows them to review copies of all records relating to the child. An amendment would allow foster parents access to counsel but removes language making such access a right, require counsel to inform foster parents of the penalties for disclosing the child's confidential records and ensure ICWI and WICWI compliance, among other things. The bill passed via voice vote.

*AB 563, which originally was designed to require permanency plans be provided to

foster parents and foster children 12 and older. The proposal was changed and would now require a child's out-of-home care provider to be given a wide swath of information, including medical, school and child wellbeing records. It passed by voice vote.

*AB 564, which was designed to expand the eligibility for adoption assistance for "special needs adoptions." Lawmakers tacked on an amendment to allow the Joint Finance Committee to transfer funds from the Department of Children and Families appropriation account to another account controlled by the agency that subsidizes adoption assistance. The measure passed by voice vote.

*AB 565, which originally aimed to create a four-month window for relatives to request a child be placed with them. An amendment stripped out the four-month provision and instead would require placement preference to be given to a foster parent or physical custodian who cared for the child for nine months or more. The proposal passed 64-34 with Doyle and fellow Dem Rep. Amanda Stuck joining all Republicans in support.

*AB 566, which sought to allow a petition to terminate parental rights to be filed if it is alleged a child is in need of protective services. An amendment changed the language surrounding the filing from "petition" to "motion." The measure passed by voice vote.

The bills now head to the Senate, where they have been given a public hearing but still remain in committee.

Read the bills:

*AB 559, <https://docs.legis.wisconsin.gov/2019/proposals/reg/asm/bill/ab559>

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*AB 563, <https://docs.legis.wisconsin.gov/2019/proposals/reg/asm/bill/ab563>

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*AB 565, <https://docs.legis.wisconsin.gov/2019/proposals/reg/asm/bill/ab565>

*AB 566, <https://docs.legis.wisconsin.gov/2019/proposals/reg/asm/bill/ab566>