1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

2. CERTIFICATION OF COMPLIANCE WITH THE OPEN MEETINGS LAW

3. MEETING AGENDA

4. PUBLIC COMMENTS

5. MINUTES FROM PREVIOUS MEETING
   a. County Board 1-16-20

6. APPOINTMENTS
   a. Appoint William Lewis to the Sawyer County Housing Authority for a five-year term.

7. ZONING COMMITTEE CHAIR REPORT
   a. Zone District Map Amendment RZN#20-001, Staff Report CB, Trossen RZN#20-001, Trossen Resolution signed

8. PUBLIC SAFETY COMMITTEE CHAIR REPORT
   a. Criminal Justice Coordinating Council Update
   b. Joint Powers Agreements for Bass Lake and Stone Lake in Washburn County Joint Powers Agreement Bass Lake and Stone Lake in Washburn County

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Chair Tweed Shuman called the January meeting of the Sawyer County Board of Supervisors to order. Roll call was as follows (x indicates present) 

- 01 - Dale Schleeter – T Lenroot W 1, T Hayward W 7, C Hayward W 5 and 6
- 02 - Kathy McCoy – T Lenroot W 2, T Round Lake W 1
- 03 - Tweed Shuman – T Hayward W 1 and 2
- 04 – Troy Morgan – T Hayward W 3 and 4
- 05 – James H. Schlender Jr. – T Hayward W 5 and 6
- 06 – Marc D. Helwig – C Hayward W 1 and 2
- 07 - Thomas W. Duffy – C Hayward W 3 and 4
- 08 - Bruce Paulsen – T Bass Lake W 1 and 2
- 09 - Brian Bisonette – T Bass Lake W 3 and 4
- 10 – Elaine Nyberg – T Sand Lake, T Edgewater W 1
- 11 - Jim Bassett – T Edgewater W 2, T Bass Lake W 5, T Hayward W 8, T Meteor, T Couderay, V Couderay
- 12 – Dawn Petit – T Spider Lake, T Round Lake W 2, T Winter W 1
- 13 - Ron Kinsley – T Hunter, T Radisson W 1, T Ojibwa W 1, V Radisson
- 14 – Ron Buckholtz – T Radisson W 2, T Ojibwa W 2, T Weirgor, V Exeland, T Meadowbrook
- 15 – Helen Dennis – T Winter W 2, T Draper, V Winter

The agenda for the meeting was presented as follows:

- Call to Order, Roll Call, Pledge of Allegiance
- Certification of Compliance with the Open Meetings Law
- Meeting Agenda
- Public Comments
- Minutes from Previous Meetings: December 19, 2019
- Namekagon Transit Update – Discussion only
- Resolution to adopt the Sawyer County Library Service Plan 2019-2024 – Discussion and possible action
- Zoning Committee Chair Report
  - Rezone request #19-017, Mark and Nancy Phillips
  - Rezone request #19-019, Bear Paw LLC
  - Resolution for Moose Lake Dam Failure Analysis—discussion and possible action
  - Resolution for Upper Brunet Dam Failure Analysis—discussion and possible action
  - Totagatic Dam Failure Analysis Resolution – discussion and possible action
  - Resolution to amend Sawyer County Floodplain Ordinance Section 1.5 (2) (b) – discussion and possible action
- Public Safety Committee Chair report
  - Joint Powers Agreements – discussion and action
Criminal Justice Coordinating Council Update

Second Sawyer County Circuit Court

Finance Committee recommendation to the County Board for questions to be answered before any other fiscal action is taken-discussion and possible action

Public Safety Committee Resolution with no recommendation-discussion and possible action

Public Works Committee Chair Report

Land, Water, and Forest Resources Committee Chair Report

Resolution to Increase 2020 Budget to continue scanning Zoning Department Permits-discussion and possible action

2020 Forestry Work Plan and Partnership meeting minutes-discussion and possible action

Event Fee Resolution-discussion and possible action

Voluntary Contribution Resolution-discussion and possible action

Fee for Commercial Activities-discussion and possible action

Health and Human Services Board Chair Report

Finance Committee Chair Report

Economic Development & UW Extension Committee Chair Report

County Administrator’s Report

Correspondence, reports from conferences and meetings, other matters for discussion only

Motion by Duffy, 2nd by Helwig, to approve the minutes from the December 19, 2019 meeting. Motion carried

Namekagon Transit Manager Karen Melasecca provided a presentation to the Board on various bus schedules throughout Sawyer County. The schedules are available in pamphlet form and on the website at Namekagontransit.com. Individuals not on a published route can call Namekagon Transit at 715-634-6633 or 866-295-9599 to schedule a ride.

Northern Waters Library Service Director Sherry Machones and Sherman & Ruth Weiss Community Library Director Molly Lank-Jones requested approval of Resolution #2020-01 adopting the Sawyer County Library Service Plan 2019-2024. Motion by Kinsley, 2nd by Schleeter, to approve the Resolution. Motion by Paulsen, 2nd by Duffy, to amend the appointments to the Library Board of Trustees from the Sawyer County Board appoint one seat to the nine-member board to appointing up to five members. Motion to amend failed. Original motion carried

Zoning Committee Chair Ron Buckholtz reported to the Board.

Zoning Administrator Jay Kozlowski presented Rezone #2019-017, Mark & Nancy Phillips request to rezone 4.64 acres out of 29.82 total acres currently zoned Forestry 1 to Residential/Recreational 2, Town of Hunter. Motion by Buckholtz, 2nd by Petit, to approve Resolution #2020-02. Motion carried, Bassett abstained
Kozlowski presented Rezone #2019-019, Bear Paw LLC request to rezone 6 acres from Residential/Recreational 1 to Residential/Recreational 2, Town of Edgewater. Motion by Bassett, 2nd by Petit, to approve Resolution #2020-03. Motion carried.

Kozlowski presented three resolutions for dam failure analysis on Moose Lake Dam, Upper Brunet Dam, and Totagatic Dam.

Motion by Bassett, 2nd by Buckholtz, to approve Resolution #2020-04 for the Moose Lake Dam failure analysis. Motion carried.

Motion by Petit, 2nd by Paulsen, to approve Resolution #2020-05 for the Upper Brunet Dam failure analysis. Motion carried.

Motion by Buckholtz, 2nd by Duffy, to approve Resolution #2020-06 for the Totagatic Dam failure analysis. Motion carried.

Motion by Dennis, 2nd by Petit, to approve Resolution #2020-07 to amend Sawyer County Floodplain Ordinance Section 1.5 (2) (b). Motion carried.

Public Safety Chair James Schlender presented the Joint Powers Agreements for the 911 Emergency System. Motion by McCoy, 2nd by Dennis, to approve the agreements within Sawyer County. Motion carried.

Schlender updated the Board on the Criminal Justice Coordinating Council.

Finance Committee Chair Bruce Paulsen presented a list of questions from the Finance Committee. Motion by Morgan, 2nd by Petit, to get answers to the questions before taking any fiscal action, send the questions to the committees of jurisdiction: Finance and Public Safety, and have the committees report back to County Board. Roll Call vote on motion to send questions to Public Safety and Finance was as follows: Kinsley – yes; Buckholtz – no; Dennis – no; Schleeter – yes; McCoy – no; Shuman – yes; Morgan – yes; Schlender – yes; Helwig – no. Duffy – yes; Paulsen – yes; Bisonette – yes; Nyberg – no; Bassett – yes; Petit – yes. The motion carried with 10 voting yes and 5 voting no.

Motion by Petit, 2nd by Schlender, to reconsider the previous motion. Roll Call vote to reconsider was as follows: Buckholtz – yes; Dennis – yes; Schleeter – yes; McCoy – yes; Shuman – yes; Morgan – yes; Schlender – yes; Helwig – yes. Duffy – yes; Paulsen – yes; Bisonette – yes; Nyberg – yes; Bassett – yes; Petit – yes; Ron Kinsley – yes. The motion carried with 15 voting yes and 0 voting no.

Judge John Yackel, Criminal Justice Coordinator Diane McNamer, and Tenth District Court Administrator Christopher Channing provided discussion and answers to the list of questions from the Finance Committee. Written responses will also be provided to the Board.
Motion by Schlender, 2nd by McCoy, to table indefinitely the Resolution addressing the requirements needed for a second circuit court judge for Sawyer County and the need for additional state support. Motion carried

Public Works Committee Chair Ron Kinsley reported to the Board.

Motion by Helwig, 2nd by Bassett to approve Resolution #2020-08 authorizing an increase to the 2020 Sawyer County Land Information Grant Budget for Document Scanning. Motion carried

Motion by Nyberg, 2nd by Schlender, to approve the Sawyer County Forestry Department Annual Work Plan for 2020 and the 2019-20 Sawyer County Forest and Wisconsin DNR Annual Partnership Meeting minutes. Motion carried

Supervisor Paulsen reviewed event fees participant data and the financial impact of the Birkie in Sawyer County. Motion by McCoy, 2nd by Nyberg, to not approve the Resolution to not charge an event fee for use of the County Forest Trails. Roll Call vote to not approve the resolution was as follows: Dennis – absent; Schleeter – no; McCoy – yes; Shuman – yes; Morgan – no; Schlender – abstain; Helwig – yes. Duffy – no; Paulsen – no; Bisonette – no; Nyberg – yes; Bassett – no; Petit – yes; Ron Kinsley – no. Buckholtz – no. The motion failed with 5 voting yes and 8 voting no.

Motion by McCoy, 2nd by Helwig, to send the resolution back to Land, Water, and Forest Resource Committee to clean up. Roll Call vote was as follows: McCoy – yes; Shuman – yes; Morgan – no; Schlender – yes; Helwig – yes. Duffy – no; Paulsen – no; Bisonette – yes; Nyberg – yes; Bassett – yes; Petit – yes; Ron Kinsley – yes. Buckholtz – yes. Dennis – absent; Schleeter – no; Motion carried with 10 voting yes and 4 voting no.

Motion by McCoy, 2nd by Kinsley, to deny the resolution requesting those that use the Sawyer County forest motorized and non-motorized trails to voluntarily contribute to the Sawyer County Resource Development Fund. Roll Call vote was as follows: Shuman – no; Morgan – no; Schlender – no; Helwig – no. Duffy – no; Paulsen – no; Bisonette – no; Nyberg – yes; Bassett – no; Petit – no; Ron Kinsley – yes. Buckholtz – no. Dennis – absent; Schleeter – no; McCoy – yes. Motion failed with 3 voting yes and 11 voting no.

Motion by Helwig, 2nd by Bassett, to approve Resolution # 2020-09 changing “silent sports” to “trail using”. Roll Call vote was as follows: Morgan – yes; Schlender – yes; Helwig – yes. Duffy – yes; Paulsen – yes; Bisonette – yes; Nyberg – no; Bassett – yes; Petit – yes; Ron Kinsley – yes. Buckholtz – yes. Dennis – absent; Schleeter – yes; McCoy – no. Shuman – yes; Motion carried with 12 voting yes and 2 voting no.

Motion by Helwig, 2nd by Bassett to approve the resolution authorizing Sawyer County to charge a fee for commercial activities conducted on Sawyer County parkland zoned commercial. Motion by McCoy, 2nd by Nyberg, to table the resolution until the MOU is complete.
Roll Call vote was as follows: Schlender – yes; Helwig – no; Duffy – no; Paulsen – no; Bisonette – no; Nyberg – yes; Bassett – no; Petit – no; Ron Kinsley – no. Buckholtz – no. Dennis – absent; Schleeter – no; McCoy – yes. Shuman – yes; Morgan – no. Motion failed with 4 voting yes and 10 voting no.

Motion by McCoy, 2nd by Nyberg, to amend the original motion to have permits approved by the Land, Water, and Forest Resource Committee. Roll Call vote was as follows: Helwig – yes. Duffy – no; Paulsen – no; Bisonette – yes; Nyberg – yes; Bassett – no; Petit – no; Ron Kinsley – yes. Buckholtz – no. Dennis – absent; Schleeter – yes; McCoy – yes. Shuman – yes; Morgan – no; Schlender – yes. Motion carried with 8 voting yes and 6 voting no.

Roll Call Vote on original motion with amendment was as follows: Duffy – yes; Paulsen – yes; Bisonette – yes; Nyberg – yes; Bassett – yes; Petit – yes; Ron Kinsley – yes. Buckholtz – yes. Dennis – absent; Schleeter – yes; McCoy – yes. Shuman – yes; Morgan – yes; Schlender – yes; Helwig – yes.

Health and Human Services Chair McCoy reported to the Board

Economic Development & UW Extension Committee Chair Duffy reported to the Board. The Sawyer County Fair is holding a Fair Social Saturday, 5 – 8, at Flat Creek.

Sawyer County Administrator reported to the Board. The Administrator’s report is attached to the agenda on the website.

Adjourned 10:17 pm

Audio of the County Board meeting is on the website.

Minutes prepared by Carol Williamson
Rezone Request
STAFF REPORT FOR COUNTY BOARD
Prepared By: Jay Kozlowski

File: # RZN 20-001

Applicant:
John Trossen
N1806 Linn Road
Lake Geneva, WI 53147

Property Location & Legal Description:
The NE ¼ of the SW ¼ and Part of the NW ¼ of the SE ¼ ; S35, T41N, R07W; Parcel #024-741-35-3101; Zoned Forestry One (F-1) and Agricultural Two (A-2); 45.95 Total Acres. Purpose of the request is to rezone 22.35 acres from Forestry One (F-1) to Agricultural Two (A-2); 23.6 is existing Agricultural Two (A-2). 9805N County Hwy A

Request: Rezone 22.35 acres of from F-1 to A-2 for additional livestock (Bison) units.

Summary of Request & Project History:
The applicant(s) are requesting to rezone the back half of the existing 45.95 acre property. As per the A-2 zone district which is in intended to provide for light and hobby farming, a permitted use is keeping of livestock not to exceed 15 animal units (1000 pound = 1 AU) per gross 40 acres. A male bison can weigh anywhere from 1000 pounds to 2000 pounds with females around 1000 pounds. If we take the average of male bison of 1500 pounds the applicant on what is currently zoned A-2 could only have 8.85 AU or 6 bison. With the proposed request the applicant would be allowed 17.23 AU or 12 bison unless it can be demonstrated that that average weight of these animals is less than the 1500 pounds used in this example. Please note that when calculating number of animals based on AU you would round up.

This would be a permitted use per this zone district and would not require additional Conditional Use Permits.

Additional Information/details:
See attached additional maps included in this packet. There are several properties within this immediate area already zoned A-2. The Town of Round as part of their comprehensive plan shows this subject rezone request area on their future map as forestry. However, immediately to the north of this property it does show future expansion of agriculture which is currently zoned F-1.
This potential rezone to Agricultural Two would be approximately 400’ from the Chief River. However, the applicant as stated that the majority of the bison grazing areas would be located further to the East. The USDA as part of the NRCS does show this area as prime farmland and farmland of statewide importance.

**Town Board Information and Zoning Committee Public Hearing Information:**

There was 10 opinion letters sent out. 4 were returned all with no objections.

At the Town Board meeting on January 9, 2020 request was approved.

At the Sawyer County Zoning public hearing meeting on January 17, 2020 it was recommended for approval to County Board by a vote of 5-0 with the findings of facts determined as:

1. It would not be damaging to the rights of others or property values
2. It would not be detrimental to ecology, wild life, wetlands or shorelands.
3. It would create an air quality, water supply, or pollution problem.
4. It would not destroy prime agricultural lands.
5. It would be compatible with the surrounding uses and the area.
SUBJECT: Change In Zone District Application

TO: Sawyer County Zoning and Conservation Administration
10610 Main Street, Suite 49
Hayward, WI 54843
E-mail: kathy.marks@sawyercountygov.org

Owner: John Tressen
Address: 9805 N County Highway A
Hayward, WI 54843
Email: JohnTressen@608telecom.net
Phone: 762-348-0933

Property description:
NE to SW part N1/2 SE corner Section 35 Township 4N Range 7W

20.35 ACRES SUBJECT TO RECONED, 23.4 ACRES IS A-2

Change from District: to District: F1 to A-2

Purpose of request: Keep additional livestock units (Bison)

Public Hearing: 1-17-20

* Signature of property owner(s). The above hereby make application for a change in zone district and the above certify that the listed information and intentions are true and correct. The above person hereby gives permission to access the property for onsite inspections.

Name & Address of Agent:

Phone: Email:

Fee: $300.00
Real Estate Sawyer County Property Listing

Description
- Tax ID: 26355
- PIN: 57-024-2-41-07-35-3 01-000-000010
- Legacy PIN: 024741353101
- Map ID: 91
- Municipality: (024) TOWN OF ROUND LAKE
- Description: NESW & PRT NWSE
- Recorded Acres: 45.950
- Zoning: (A-2) Agricultural Two, (F-1) Forestry One
- ESN: 404
- Tax Districts:
  - State of Wisconsin
  - Sawyer County
  - Town of Round Lake
  - Hayward Community School District
  - Technical College

Ownership
- Tax ID: 26355
- PIN: 57-024-2-41-07-35-3 01-000-000010
- Legacy PIN: 024741353101
- Map ID: 91
- Municipality: (024) TOWN OF ROUND LAKE
- Description: NESW & PRT NWSE
- Recorded Acres: 45.950
- Zoning: (A-2) Agricultural Two, (F-1) Forestry One
- ESN: 404
- Tax Districts:
  - State of Wisconsin
  - Sawyer County
  - Town of Round Lake
  - Hayward Community School District
  - Technical College

Property Assessment
- 2019 Assessment Detail
  - Code
    - Acres
    - Land
    - Imp.
    - G4-AGRICULTURAL 21,000 2,800 0
    - G8-AGRICULTURAL 24,950 18,700 0
  - Forest
  - Total: 19,600 21,500 9.7%

Recorded Documents
- TRUSTEES DEED
  - Date Recorded: 9/3/2013
  - 387056

Property History
- N/A
Chapter 8.3 - Future Land Use

Data Sources: Town of Round Lake, Northwest Regional Planning Commission, Wisconsin Department of Natural Resources (Wetlands), Sawyer County (NR115 buffer)
SAWYER COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. ________

Case #20-001  Owner Name John Trossen

RESOLUTION TO AMEND SAWYER COUNTY OFFICIAL ZONING MAP

WHEREAS, Wisconsin law permits Sawyer County (the “County”) to adopt certain zoning ordinances and amend its existing zoning ordinances, including amendments to the County’s official zoning map;

WHEREAS, the owner of real property located at The NE 1/4 of the SW 1/4 and Part of the NW 1/4 of the SE 1/4; S35, T41N, R07W; Parcel #024-741-35-3101; Zoned Forestry One (F-1) and Agricultural Two (A-2); Rezone 22.35 acres of the 45.95 Total Acres (the “Property”), and as more fully described as set forth in Exhibit A, which is attached hereto and incorporated herein, requested a rezoning of the Property’s zoning designation from F-1 Forestry One to A-2 Agricultural Two (the “Zoning Designation Amendment”);

WHEREAS, the Sawyer County Zoning Committee (the “Zoning Committee”), at its meeting on January 17, 2020, reviewed the proposed Zoning Designation Amendment for the Property;

WHEREAS, the Zoning Committee voted to recommend approval/denial of the proposed Zoning Designation Amendment to the Sawyer County Board of Supervisors (“County Board”); as determined by findings of Fact included as Exhibit B.

WHEREAS, the County Board determined, at its meeting on February 20, 2020, that adopting the proposed Zoning Designation Amendment for the Property is warranted to protect the health, welfare and safety of its citizens.

NOW, THEREFORE BE IT RESOLVED, by the Sawyer County Board of Supervisors approves the following:

1. **Amendment to Official Zoning Map.** The Property’s zoning designation shall be amended to Agricultural Two (A-2).

2. **Additional Actions.** The Sawyer County Department of Zoning and Conservation Administrator (or his/her designee) shall take all necessary steps to ensure that the amendment adopted herein is completed.
This Resolution is recommended for adoption by the Sawyer County Board of Supervisors at its meeting on February 20, 2020 by this Sawyer County Zoning Committee on this January 17, 2020.

Ron Buckholtz, Chairman
Bruce Paulsen, Vice-Chairman

James Bassett, Member
Elaine Nyberg, Member

Troy Morgan, Member
Dawn Petit, Alternate Member

This Resolution is hereby adopted by the Sawyer County Board of Supervisors this 20th day of February, 2020.

Tweed Shuman, Sawyer County Board of Supervisors Chairman
Carol Williamson, County Clerk
EXHIBIT A

Property Description

The NE ¼ of the SW ¼ and Part of the NW ¼ of the SE ¼; S35, T41N, R07W; Parcel #024-741-35-3101; Zoned Forestry One (F-1) and Agricultural Two (A-2); 45.95 Total Acres. Purpose of the request is to rezone 22.35 acres from Forestry One (F-1) to Agricultural Two (A-2); 23.6 is existing Agricultural Two (A-2), for additional livestock (Bison) units.

Case #RZN 20-001

Owner: John Trossen
EXHIBIT B

Findings of Fact

1) It would not be damaging to the rights of others or property values. It would not be detrimental to ecology, wildlife, wetlands or shorelands.

2) It would not create an air quality, water supply, or pollution problem.

3) It would not destroy prime agricultural lands.

4) It would be compatible with the surrounding uses and the area.
JOINT POWERS AGREEMENT
SAWYER COUNTY 911 EMERGENCY SYSTEM

WHEREAS, Sawyer County and the municipalities located within the boundaries of Sawyer County have implemented an Emergency 911 System for the purposes of providing emergency services to residences and visitors of these municipalities, including fire fighting, law enforcement, ambulance, medical and other emergency services; and

WHEREAS, Sec. 256.35(9), Wis. Stats., “Joint Powers Agreement,” requires that in implementing a 911 system which has been done in Sawyer County, municipalities shall annually enter into Joint Powers Agreement, which Agreement shall be applicable on a daily basis and which shall provide that if an emergency services vehicle is dispatched in response to a request through the Sawyer County 911 System, such vehicle shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle’s normal jurisdictional boundaries.

THEREFORE, in consideration of the mutual promises, agreements, and conditions contained herein, it is hereby jointly agreed between Sawyer County and the Town of Bass Lake, “municipality,” as follows:

1. That effective January 1, 2020, this agreement shall, thereafter, be applicable on a daily basis from said date through December 31, 2020.

2. That if an emergency services vehicle operated by the municipality, or operated by an agency with which the municipality contracts for that particular emergency service, is dispatched in response to a request through the Sawyer County 911 System, such vehicle (whether owned and operated by the municipality or by the agency) shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle’s normal jurisdictional (or as defined by contract) boundaries.

3. That a copy of this agreement shall be filed with the State Department of Justice, as required by Sec. 256.35(9)(c) Wis. Stats.

SAWYER COUNTY (dispatching agency)

By: ____________________________________________
    (County Clerk)

Date: ___________________________________________

Town of Bass Lake (participating agency)

By: ____________________________________________
    (President/Chairperson/Mayor)

Date: ___________________________________________
JOINT POWERS AGREEMENT
SAWYER COUNTY 911 EMERGENCY SYSTEM

WHEREAS, Sawyer County and the municipalities located within the boundaries of Sawyer County have implemented an Emergency 911 System for the purposes of providing emergency services to residences and visitors of these municipalities, including fire fighting, law enforcement, ambulance, medical and other emergency services; and

WHEREAS, Sec. 256.35(9), Wis. Stats., “Joint Powers Agreement,” requires that in implementing a 911 system which has been done in Sawyer County, municipalities shall annually enter into Joint Powers Agreement, which Agreement shall be applicable on a daily basis and which shall provide that if an emergency services vehicle is dispatched in response to a request through the Sawyer County 911 System, such vehicle shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle’s normal jurisdictional boundaries.

THEREFORE, in consideration of the mutual promises, agreements, and conditions contained herein, it is hereby jointly agreed between Sawyer County and the Town of Stone Lake, “municipality,” as follows:

1. That effective January 1, 2020, this agreement shall, thereafter, be applicable on a daily basis from said date through December 31, 2020.

2. That if an emergency services vehicle operated by the municipality, or operated by an agency with which the municipality contracts for that particular emergency service, is dispatched in response to a request through the Sawyer County 911 System, such vehicle (whether owned and operated by the municipality or by the agency) shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle’s normal jurisdictional (or as defined by contract) boundaries.

3. That a copy of this agreement shall be filed with the State Department of Justice, as required by Sec. 256.35(9)(c) Wis. Stats.

SAWYER COUNTY (dispatching agency)

By: ____________________________
    (County Clerk)

Date: ____________________________

Town of Stone Lake (participating agency)

By: ____________________________
    (President/Chairperson/Mayor)

Date: ____________________________
State of Wisconsin
Department of Natural Resources

To the Honorable:

County Board of Sawyer County, Wisconsin.

Ladies & Gentlemen:

In accord with section 26.12(3) and section 26.14(3) of the Wisconsin Statutes we recommend the following persons to act as authorized emergency fire wardens for the prevention and suppression of forest fires in this county for the year 2020 and ask your approval of this organization list.

EMERGENCY FIRE WARDENS

MILLER, Jim 13394W Trepania Rd., Hayward, WI 54843
LCO Fire Dept. for town of Bass Lake

BEARHART, Henry, 9790N CTH K Hayward, WI, 54843
LCO Conservation for town of Hayward

DINEEN, Dan, 10592W Omaha Rd., Radisson, WI 54867
DJ Mart for town of Radisson

BYRNE, Carey 6317 W State Rd 27, Stone Lake, WI 54876
DJ Mart for town of Sand Lake

JONES, Pat, 12272N Upper “A” Rd, Hayward, WI 54843
Happy Hooker Bait and Tackle for town of Spider Lake

VOSBERG, Brian, Hayward, WI 54843
(USFS) Forest Service Ranger Station
604 Nyman Ave. Hayward, WI 54843 for town of Hunter

RABUCK, Jennifer, Hayward, WI 54843
(USFS) Forest Service Ranger Station
604 Nyman Ave. Hayward, W for town of Hunter

Park Falls, Wisconsin Department of Natural Resources

1-16-2020 (Date)

By: Arch Forester/Ranger

By: County Board Chairperson
Resolution for Sawyer County Authorizing for Participation in the
MUNICIPAL DAM GRANT PROGRAM

WHEREAS, SA WYER COUNTY owns UPPER BRUNET DAM and requests financial
assistance under s. 31.385 and s. 227.11, Wis. Stats., and ch. NR 335, Wis. Adm. Code, for the
purpose of dam REPAIR AND MODIFICATION; and

WHEREAS, the state share for such a project may not exceed 50 percent (50%) of the first
$400,000.00 of total eligible project costs nor 25 percent (25%) of the next $800,000.00 of total
eligible project costs;

NOW, THEREFORE, BE IT RESOLVED, that SA WYER COUNTY HEREBY AUTHORIZES
Joy Kozlowski, Zoning and Conservation Administrator to:
• Submit an application to the DNR for financial aid under ch. NR 335, Wis. Adm. Code;
• sign grant agreement documents;
• take all necessary action to complete the project associated with any grant agreement;
and
• submit reimbursement claims along with necessary supporting documentation.

BE IT FURTHER RESOLVED THAT SA WYER COUNTY agrees to pay a share of
the eligible costs which is equal to the total project cost minus the state share.

This Resolution is recommended for adoption by the Sawyer County Land, Water, and Forest
Resource Committee this 12th day of F e b r u a r y, 2020 to the Sawyer County Board of Supervisors
at its meeting on this 30th day of F e b r u a r y, 2020

Bruce Paulsen, Chairman

James Basset, Member

Marc Helwig, Member

This Resolution is hereby adopted by the Sawyer County Board of Supervisors this ___ day of
______, 20___. By a vote of: ________ in favor ________ against ________ abstain

Tweed Shuman,
Sawyer County Board of Supervisors Chairman

Carol Williamson,
County Clerk
161 AGREEMENT

THIS AGREEMENT, is made and entered into this February 29, 2020 and ending on February 28, 2022, by and between SAWYER COUNTY HEALTH AND HUMAN SERVICES, (hereinafter referred to as “the COUNTY”), and the LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS (hereinafter referred to as "the TRIBE").

WITNESSETH:

1. Purpose. It is the purpose of this agreement to clarify relationships between the Tribe and the County in providing for the health, safety, and welfare of Indian children residing on the Lac Courte Oreilles Reservation; to provide and improve systems for services, referral and mutual assistance between the Tribe and County; and to establish procedures and standards under which the parties shall implement the provisions of 1983 Wisconsin Act 161, while being consistent with the purpose and definitions within the Lac Courte Oreilles Band of Lake Superior Chippewa Indians Tribal Code of Law (LCOTCL) – Children’s Code and other applicable state statutes. Delinquency cases as defined in ss. 938.12 are not provided for under this agreement.

2. Definitions. As used in this agreement, the following terms shall have the meanings specified herein:

a. “L.C.O.” or “Lac Courte Oreilles”: Unless stated otherwise in this agreement, said term shall refer to the Lac Courte Oreilles Band of Lake Superior Chippewa Indians and all its agencies, employees, agents and representatives.

b. “Independent investigation” is an investigation conducted by an entity other than the Tribe or the County in accordance with the procedures set forth in Subsection 4(h), and shall occur:

   i) Regarding the Tribe, when the subject of any investigation is any employee of the LCO Tribal Court, Law Enforcement Department, Lac Courte Oreilles Band of Lake Superior Chippewa Office of the Attorney General, Indian Child Welfare Department or any member of the Tribal Governing Board; or the subject of the investigation involves any other situation that the Director determines may present a conflict, subject the LCO Indian Child Welfare Department to improper influence or create the perception of a lack of independence on the part of the LCO Indian Child Welfare Department.

   ii) Regarding the County, when a report of alleged maltreatment or threatened harm is received and any of the below listed agents or employees of the county department is the subject of the report or;

   iii) The agency determines that because of the relationship between the agency and the subject of the report, there is a substantial probability that the agency would not conduct an unbiased investigation; a request is made to the investigating agency to conduct the intake screening decision and the initial assessment, if necessary. Agents or employees of the county:

   a. Health and Human Services Employee
   b. Sawyer County Law Enforcement Employee
3. **Preventive Services.** It is mutually understood and agreed that Tribal and County Health & Human Services staff shall meet at least every other month, on a day and time to be determined, for the following purposes:

   a. Identify Tribal families living on the Reservation who may be in need of services by the parties to this agreement;

   b. Review the case status of Tribal families living on the Reservation who are being provided services by either Tribal or County staff;

   c. Coordinate services provided to Tribal families living in Sawyer County by either Tribal or County staff, in order to assure that all appropriate services are in fact being provided, to identify the primary service provider, and to establish a case plan for provision of services;

   d. Review and revise, as appropriate, any established case plan for Tribal families living on the Reservation;

   e. Review adherence to and compliance with this agreement and review new cases;

   f. Perform any and all other functions mutually agreed upon by the social services staff of the parties.

4. **Protective Services Investigations.** It is mutually understood and agreed by the parties hereto that the following procedures shall be exclusively utilized in the investigation of matters concerning the possible existence of child abuse and/or neglect involving a child residing on the Tribe’s Reservation:

   a. **24-Hour Availability.** Both the Tribe and County shall provide 24 hour availability of staff for conducting emergency investigations. In the event either Party makes an emergency placement without the other Party’s involvement, the placing Party shall contact the other Party as soon as possible following placement, but in no event longer than within twenty four (24) hours. This includes weekends and holidays.

   b. **Joint Investigation.** It shall be the priority of the parties to conduct joint protective services investigations, unless such investigation is not practicable after diligent attempts to contact the other party compatible with the nature and time constraints of appropriate investigation. Joint investigations shall not be required where the Tribe chooses to investigate a complaint of neglect under provision 4(g) of this agreement which the County previously determines does not meet the definition of neglect contained in Sec. 48.981(1)(d), Wis. Stats. When the Tribe investigates a complaint, the Tribe shall provide the County with all case worker summaries related to the investigation as soon as possible after completion, except where the Tribe, pursuant to tribal policy, investigates a complaint which the County has screened out. The County shall provide written findings to the other party within sixty (60) days of investigation by the WISACWIS electronic reporting document and send a copy to the Tribe.
1. Exchange of Investigatory Information and Documentation. Whenever the Tribe and the County are conducting a joint investigation, a party shall engage in an exchange of information and documentation when requested by the other party. This includes, but is not limited to, school records, medical records, and law enforcement records.

c. Child Welfare Complaint Received by County. Upon receipt of a child welfare complaint of suspected child abuse or neglect, indicating that a child may be a "minor-in-need-of-care," the County shall immediately contact the Tribe, but in no event longer than 24 hours after receipt. The parties shall thereafter determine the mechanism by which an investigation in accordance with Sec. 48.981, Wis. Stats., shall proceed.

d. Immediate Danger: Unavailability. If either party cannot be contacted after all reasonable efforts have been made, and the party is in receipt of information which gives cause to believe that a child may be in immediate danger, the County shall proceed to investigate under the provisions of sec. 48.981, Wis. Stats., and the Tribe shall continue to investigate under the LCO Children's Code. Notice of cause to believe that the child is in immediate danger shall be conveyed to the other party as soon as practicable, and shall in no event be conveyed more than 24 hours thereafter, excluding weekends and holidays. The investigating party or parties shall, within three (3) working days of referral, provide to the other party written findings, including the intake form and protective plan.

e. Non-Emergency; Unavailability. If either party cannot be contacted after all reasonable efforts have been made, and the party is in receipt of intake information which gives cause to believe that a child may be a "minor-in-need-of-care," that party shall proceed to investigate the child's circumstances. The written initial intake findings of such an investigation shall be conveyed to the other party as soon as practicable, and shall in no event be conveyed more than 72 hours thereafter, excluding weekends and holidays.

f. Abuse or Neglect Complaint Received by Tribe. The Tribe shall immediately, upon receipt of complaint, inform the County of all complaints alleging abuse or neglect of a child residing on the Reservation. The parties shall thereafter determine the mechanism by which an investigation in accordance with sec. 48.981, Wis. Stats., shall proceed.

g. Child Welfare Complaint Received by Tribe. The Tribe may request the assistance of the County in investigation of any child welfare cases of a child residing on the Reservation. When the matter being investigated does not meet the state statutory definition of abuse or neglect, codified at Wis. Stat. Ann. Sec. 48.981(1)(d), the parties acknowledge that tribal law and customs govern the determination.

h. "Independent Investigation": When a situation meets the definition of an independent investigation, it shall be required that the Tribe designate another Tribe to handle their portion of the investigation and the County appoint another County pursuant to their Interagency agreement to handle their portion of the investigation. The designated Tribe and County shall work in cooperation to complete said investigation and provide their findings to the parties of this Agreement.
5. **Standards for Conducting Protective Services Investigations.** It is mutually understood and agreed by the parties that the actions of the County under Section 4, above, are subject to the requirements of sec. 48.981, Wis. Stats., and the State/County contract. The County shall complete a WISACWIS electronic reporting form on all cases reported or referred to it by the Tribe.

It is further mutually understood and agreed that the actions of the Tribe under Section 4, above, are subject to the provisions of Title XII – Chapter 1, LCOTCL – Children’s Code. The Tribe further agrees to assist the County in complying with the applicable state law.

6. **Tribal Court Orders.** It shall be agreed that the Tribal Court Order for each case will specify the following:
   A. Continued placement of the child in his or her home would be contrary to the welfare of the child.
   B. Reasonable efforts to prevent the removal of the child from the home were made or that reasonable or active efforts were not possible prior to the removal of the child from his or her home and must be made no later than sixty (60) days from the date of the child’s removal from home.
   C. At L.C.O. Tribal Court Judicial Status Review hearings, reasonable efforts were made to achieve the goal of the child’s permanency plan, unless the return of the child to the home is not the goal of the permanency plan because any of the circumstances specified in Wis. Stat. 48.355 (2d)(b) 1.-5. apply. (Appendix A).
   D. Care and Placement responsibility is with LCO Indian Child Welfare Department.
   E. The Placement is the least restrictive placement consistent with the needs of the child.

   LCO Tribal Court shall forward to the Agency Designee of Sawyer County Health & Human Services copies of petition, court notice, court order and pre-dispositional report. Indian Child Welfare Department shall forward to the County copies of the permanency plan, and independent living plan.

7. **Emergency Placement by County.** In the event that a protective services investigation is performed by the County under the circumstances specified in Section 4, above, and further, that such investigation reveals that a child is in immediate danger from his or her surroundings, the County may remove said child and place him or her temporarily in accordance with the placement provisions of the Wisconsin Indian Child Welfare Act, 48.028(7)(b).

   i) the home of an extended family member of the Indian child;
   ii) a foster home or treatment foster home licensed, approved, or specified by the Indian child’s tribe; or
   iii) an Indian foster home or treatment foster home licensed or approved by the department, a county department, or a child welfare agency; or
   iv) a group home or residential care center for children and your approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the needs of the Indian child.
It is mutually understood and agreed that in making an emergency placement, the County shall exercise such authority only through such personnel that have been designated by Sawyer County Health & Human Services. The Tribe shall be notified of such designated personnel.

The County further agrees to inform the Tribe of any such emergency placement no more than 24 hours thereafter, excluding weekends and holidays.

8. **Placements by Tribe.**

   a. It is mutually understood and agreed that all involuntary placements, other than those occurring under Section 7, above, of Indian children residing on the Tribe’s Reservation shall be made by the Tribe. In making any out-of-home placement, the Tribe shall place the child with one of the following:

   i) the home of an extended family member of the Indian child;

   ii) a foster home or treatment foster home licensed, approved, or specified by the Indian child’s tribe; or

   iii) an Indian foster home or treatment foster home licensed or approved by the department, a county department, or a child welfare agency; or

   iv) a group home or residential care center for children approved by department and the Indian tribe or operated by an Indian organization that has a program suitable to meet the needs of the Indian child; or

   v) A licensed foster home in which payment for placement is made at the uniform foster care rate; or

   vi) A licensed group home, upon written execution of a purchase of services contract between the County and the facility.

   b. In a tribal foster care placement, the Tribe agrees to contact the Department of Children & Families Interstate Compact Office on the placement of children in cases where children are referred for tribal placement across state lines. The Tribe will work cooperatively with the County to assure Tribal children are afforded protection through the Compact. If the Tribe places the child out of state with another tribe there is no need to contact the Department of Children & Families Interstate Compact Office, unless there is funding through the state and in that instance, the Office must be contacted. Additionally, both the Tribe and County agree to complete the requisite Tribal ICPC placement documentation.

   The County recognizes the Tribe’s sovereignty and agrees to accept the Tribe’s judgment as to the appropriateness of placement and availability of resources in cases where the Compact is employed.

9. **Requisites of Tribal Monitoring of Out-of-Home Placements.** In monitoring and providing services to children who have been placed elsewhere than the home of their parent or "relative", the Tribe shall appoint a case manager and shall establish and carry out the following procedures:

   a. Case Plan. A case plan shall be established which conforms to the provisions of Sec. 48.33(1)(2)(4)(5) (a copy of which is attached as Appendix A). The Tribe shall provide a copy of said plan to the County.
b. Permanency Plan. A permanency plan for each child in out-of-home placement shall be established which conforms to the provisions of sec. 48.38(4), Wis. Stats. The Tribe shall provide a copy of said plan to the County within sixty (60) days after the child’s removal from home, if the permanency plan is not included in the pre-dispositional report.

i. A Judicial hearing shall be held every year and a judicial status review or an administrative review shall be held within every six months of the judicial hearing. The conduct of the judicial review or administrative review shall conform to the provisions of the Title VII - Chapter 1 - LCOTCL - Children’s Code (a copy of which is attached as Appendix B) and Wisconsin Statutes relating to permanency planning. The County shall be provided a copy of the original petition upon which the case is based at the same time it is filed with the Tribal Court. The Tribal Court will furnish the County with any notice of hearing which is issued and a copy of any order resulting from said hearing with the statutory provisions related to permanency planning.

ii. In the case of a child who has been in foster care under the responsibility of the State for 15 of the most recent 22 months, or, if a court of competent jurisdiction has determined a child to be an abandoned infant (as defined under the Tribe’s law) or has made a determination that the parent has committed murder of another child of the parent, committed voluntary manslaughter of another child of the parent, aided or abetted, attempted, conspired or solicited to commit such a murder or such a voluntary manslaughter, or committed a felony assault that has resulted in serious bodily injury to the child or to another child of the parent, the Tribe shall file a petition to terminate the parental rights of the child’s parents unless:

a. the child is being cared for by a relative;

b. the Tribe has documented in the court report a compelling reason for determining that filing such a petition is not in the best interests of the child; or

c. the Tribe or such other agency as is primarily responsible for providing services to the child and the family has not provided to the family of the child, consistent with the time period in the child’s permanency plan, such services necessary for the safe return of the child to the child’s home, if reasonable efforts are required by the court order or permanency plan.

c. Independent Living Plan. For persons aged 14 ½ years and over, the case plan shall describe the services provided to assist the child in making the transition from substitute care to independent living. The independent living plan drafted by the LCO Indian Child Welfare Department shall comply with Wis. Stat. 48.38 (4)(h).

d. In all out of home placements a face to face contact with the child by the case worker shall take place every calendar month. LCO ICW shall make all face to face contacts for cases in LCO Tribal Court. Whenever an LCO Indian Child Welfare Department worker makes contact with the child(ren), the worker’s contacts shall be documented in WISACWIS within twenty (20) calendar days of the contact. LCO Indian Child Welfare Department shall provide this service
for tribal children placed out of home under a Tribal Court Order. In the event the Tribe is unable to effectuate face to face contact in a given month, the Tribe shall notify the County Child Protection Unit Supervisor by the 20th of that Month.

e. Child and Adolescent Needs and Strengths (C.A.N.S.) need to be filled out before placement is determined, if possible, and must be filled out within thirty (30) days of placement and another C.A.N.S. shall be filled out every six months thereafter of continued out of home placement. The County and LCO worker shall cooperatively fill out these forms.

10. Notice to County of Tribal Placements.

a. The Tribe further agrees to notify the County’s Department of Health & Human Services within 24 hours of making any out-of-home placement of a child residing on the Reservation, and to provide written notice of such placement within three (3) days thereafter.

b. When the Tribe provides the Tribal Court with notice of change in placement a copy of said notice shall be sent to the County.

c. The Tribe will similarly notify the County of the termination of any out-of-home placement. Included in the written notice, when a non-relative placement is made or terminated by an order of the Tribal Court, shall be a copy of the Court's order.

11. Funding for Out-of-Home Placements Made by Tribe. Payment by the County for the care and support of Reservation-resident Indian children placed by the Tribe in homes other than those of the parent or custodian shall be made in the following circumstances:

a. Placement with Relative. The Tribal agency shall make Kinship Care payments for children placed by the Tribal Court with a relative of said children. For purposes of this section, Relative is defined by s.48.57(3m) of Kinship Care. (A copy of the provision is attached as Appendix B.)

b. Placement in Foster Home. The County shall make foster care payments for children placed by the Tribal Court in the licensed foster home, when such placement is pursuant to an order of the Tribe’s Tribal Court in a "minor-in-need-of-care" proceeding. (See also 11.(d)(i).)

c. Financial Eligibility. Payment by the County pursuant to this section shall apply only to those children placed by the Tribe who do not have the financial resources with which to pay for such care, and who meet the eligibility criteria of federal and Wisconsin law. The Tribal Court may determine the financial ability of the child's parent or other legally responsible person to contribute to the child's support. The Tribe may refer collections of child support to the County. Sawyer County shall receive a copy of the court order.

d. Documentation Required for Payment. No funds will be expended by C.A.N.S. for the care of children placed by the Tribe for which case and permanency plans have not been provided within the time periods specified in Section 8(a) and (b) and 9, above, or for which a copy of a required order of the Tribal Court is not provided. The C.A.N.S. shall also be provided to county for rate assessment.

1. In an emergency out of home placement by the Tribe, to reimburse the foster parents a Sawyer County juvenile intake worker must make a written determination, with copies
to the Tribe, that the out of home placement meets the standards set forth in Wis. Stat. 48.205 or 938.205. If a difference of opinion exists between the Tribe and Sawyer County then refer to Section 21.

12. **Tribal Title IV-E Agency accepting placement from Wisconsin Title IV-E Agency.** If the Tribe agrees to receive placement, care and supervision authority of a tribal member child, both the Tribe and the County agree to abide by the procedural and documentary requirements set out in DCF Memorandum DCF-F-16-E (R. 08/2013). (Appendix C).

13. **Financial Limitations on Funding.** It is mutually understood and agreed that payment for placement under section 11, above, is subject to the following conditions.

   a. Foster Care Payment. Payment by the County for placement of a Native American child living on the Reservation in a foster home under section 11(b), above, is contingent upon available federal and Wisconsin funds. The County will inform the Tribe as necessary of the status of available funds for foster care payment. State funds cannot be expended for a child who is not a resident of Sawyer County.

   b. County Fund Limit. It is further understood that the County commits no funds for out-of-home placement payments other than those designated as matching funds for foster care in the annual fiscal year budget of the County.

14. **Amount of Financial Support Available to Caretakers.** The parties understand and agree that any and all payments made by the County under Section 11 and 12, above, shall be in the amount determined by Wisconsin payment guidelines, as such are established from time to time and also as determined by supplemental and exceptional guidelines as determined by the County worker, LCO worker and foster parent. The supplemental rate is established through the use of the Child & Adolescent Needs and Strengths tool (CANS). The exceptional rate is established through State guidelines. Any dispute with regard to the payment guidelines shall be resolved pursuant to paragraph 21 of this document. (A copy of CANS tool is Appendix D).

15. **Procedural Requisites for Tribal Out-of-Home Placements.** It is mutually understood and agreed that out-of-home placements made by the Tribe, and for which the County is providing financial support, shall be subject to the following administrative prerequisites:

   a. Case Record. The County shall complete JD-1718 Financial Information Form and shall establish a case record. Tribe agrees to assist the County in carrying out this responsibility. (The referenced forms are attached in Appendix E).

   b. Preventive Services Provided. In all initial placements funded under Sections 11(b) and 12(a) and (b), above, the following findings shall be made by the Tribal Court;

      i. That the child required to be placed is a "minor-in-need-of-care";
      ii. Continued placement of the child in his or her home would be contrary to the welfare of the child.
      iii. Reasonable efforts to prevent the removal of the child from the home were made.
iv. Reasonable efforts were made to achieve the goal of the child’s permanency plan, unless return of the child to the home is the goal of the permanency plan and at any L.C.O. Tribal Court Judicial Status Review hearings reasonable efforts were made to achieve the goal of the child’s permanency plan, unless the return of the child to the home is not the goal of the permanency plan because any of the circumstances specified in Wis. Stat. 48.355 (2d)(b) 1.-5. apply (attached).

v. That, in addition, the above determinations be supported by the filing of a written report submitted by the Indian Child Welfare Department.

16. **Information Cooperation and Consultation.** It is further mutually agreed that the following types of information will be provided by each party to the other, as circumstances arise:

a. Licensed Foster Homes. The parties shall furnish to each other a complete list of all licensed foster homes, and a copy of the license issued to each foster home, a copy of the foster home application, the foster home study, and criminal background checks, and shall update such listing as is necessary in order to maintain its currency.


c. License Revocation. The parties shall furnish to each other written notice of any revocation of a license issued to a foster home, and the effective date of such revocation.

17. **Confidentiality.** It is mutually understood and agreed that all information concerning child custody proceedings shall be kept confidential, and that such information shall be revealed, to the extent not prohibited by applicable Tribal, federal or Wisconsin law, only to those persons who require such information in order to exercise rights secured by the Indian Child Welfare Act or recognized by this agreement. It is further understood that County and Tribal workers shall make every effort to conceal the purpose of their physical presence in places that may breach confidentiality (i.e. schools or workplaces).

18. **Contact Persons.** All notices or contacts required by this agreement to be provided to the Tribe shall be directed to the Director of the LCO Indian Child Welfare Department. All notices or contacts required under this agreement to be provided to the County shall be directed to the Agency Designee of the County’s Health and Human Services.

19. **Inter-Agency Training.** It is recognized that the County and Tribal Human Service Departments have unique functions and responsibilities. In order to alleviate potential misunderstandings and difficulties arising from their unique perspectives, the two departments agree to provide ongoing inter-agency training of their staff. This training will consist of a review of the Title VII – Chapter 1 - LCOTCL – Children’s Code and procedures, Indian Child Welfare Act, Wisconsin Indian Child Welfare Act, cultural issues which affect investigations, an overview of the Wisconsin Children's Code and procedures, investigation techniques and protocols, and State and Federal Standards for substitute care funding. The training may be provided by appropriate staff of the two departments or by outside trainers and workshops. There shall be at least one inter-agency training per year.
20. **Jurisdiction and Resulting Responsibilities.** It is mutually understood that the Tribe has exclusive court jurisdiction of all child custody proceedings, pursuant to its resumption of said jurisdiction under the procedure established in the Indian Child Welfare Act, 25 U.S.C. Sec. 1918. The County recognizes the Tribe’s sovereignty and agrees to accept the Tribe’s judgment as to the appropriateness of placement, subject to availability of resources. The County will afford full faith and credit to Tribal Court Orders.

It is further understood that the County has responsibility for Reservation-resident Indian Children in juvenile delinquency proceedings under Wisconsin Law which are not child custody proceedings.

21. **Modification and Term Agreement.**

   a. Modification. This Agreement may be modified as mutually agreed upon by the parties, and such modification may be initiated by either party.

   b. Term. The term of this Agreement shall be from February 29, 2020 through February 28, 2022.

   c. Extension/Renewal. The Agreement may be renewed thereafter by mutual agreement of the parties for a term not exceeding one (1) year at a time.

   d. Expiration without Mutual Agreement. If this Agreement expires prior to the Parties mutual agreement to renew, this Agreement shall continue in full effect until the Parties either a) agree mutually agree to renew or b) execute a new agreement.

22. **Violation and/or Interpretation of Agreement.** The parties acknowledge that instances of disagreement as to the terms of this Agreement may arise and that circumstances may occur in which one Party believes the other to have violated its terms.

   It is mutually understood and agreed that the Parties will attempt to resolve such matters at the lowest possible level, within the following described framework:

   a. Between the Sawyer County Social Worker and LCO Indian Child Welfare Worker;

   b. Between the Sawyer County Department of Health and Human Services Supervisor and the Lac Courte Oreilles Indian Child Welfare Supervisor.

   c. Between the Sawyer County Department of Health and Human Services Director and the Lac Courte Oreilles Indian Child Welfare Director;

   d. Between the Sawyer County Health and Human Services Board and the Lac Courte Oreilles Executive Director;

   e. Between the Sawyer County Board of Supervisors and the Lac Courte Oreilles Tribal Governing Board;

   f. Pursuant to the Wisconsin Department of Children and Families Policy Regarding Consultation with Wisconsin’s Indian Tribes, Section V. “Resolution of Issues.” (Appendix F).
Throughout the resolution process, the parties are free to consult with their legal counsel and with staff of the Wisconsin Department of Children and Families.

**LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS**

Dated: ____________________  
By: ____________________

Louis Taylor, Chairman  
LCO Tribal Governing Board

**SAWYER COUNTY**

Dated: ____________________  
By: ____________________

Tweed Shuman, Chairman  
Sawyer County Board of Supervisors

**LCO INDIAN CHILD WELFARE DEPARTMENT**

Dated: 1-7-2020  
By: ____________________

Tibissum Rice  
Director

**SAWYER COUNTY HEALTH AND HUMAN SERVICES**

Dated: 01-07-2020  
By: ____________________

Paul Grahovac  
Director

**ACKNOWLEDGED AND REVIEWED:**

Tanya Cornelius  
Tribal Liaison  
Wisconsin Department of Children and Families
of the unborn child. An order under this paragraph may include
an order to participate in mental health treatment, anger manage-
ment, individual or family counseling or prenatal development
training or education and to make a reasonable contribution, based
on ability to pay, for the cost of those services.

5. Placement. Designate one of the following as the place-
ment for the adult expectant mother:
(a) The home of an adult relative or friend of the adult expec-
tant mother.
(b) A community-based residential facility, as defined in s.
50.01 (1g).

4. Special treatment or care. (a) If the adult expectant
mother is in need of special treatment or care, as identified in an
evaluation under s. 48.295 and the report under s. 48.33, the judge
may order the adult expectant mother to obtain the special treat-
ment or care. If the adult expectant mother fails or is financially
unable to obtain the special treatment or care, the judge may order
an appropriate agency to provide the special treatment or care.
If a judge orders a county department under s. 51.42 or 51.437 to
provide special treatment or care under this paragraph, the provi-
sion of that special treatment or care shall be subject to conditions
specified in ch. 51. An order of special treatment or care may not include an order for the administration of psy-
chotropic drugs.
(b) Payment for any special treatment or care that relates to
alcohol and other drug abuse services ordered under par. (a) shall be
in accordance with s. 48.361.
(c) Payment for any services provided under ch. 51 that are
ordered under par. (a), other than alcohol and other drug abuse
services, shall be in accordance with s. 48.362.

5. Alcohol or drug treatment or education. (a) If the report
prepared under s. 48.33 (1) recommends that the adult expec-
tant mother is in need of treatment for the use or abuse of
alcohol beverages, controlled substances or controlled sub-
stance analogs and its medical, personal, family or social effects,
the court may order the adult expectant mother to enter an outpatient
alcohol and other drug abuse treatment program at an approved
treatment facility. The approved treatment facility shall, under the
terms of a service agreement between the approved treatment
facility and the county in a county having a population of
750,000 or less, or with the written and informed consent of the adult
expectant mother, report to the agency primarily responsible for
providing services to the adult expectant mother as to whether the
adult expectant mother is cooperating with the treatment and
whether the treatment appears to be effective.
(b) If the report prepared under s. 48.33 (1) recommends that the
adult expectant mother is in need of education relating to the use
of alcohol beverages, controlled substances or controlled sub-
stance analogs, the court may order the adult expectant mother
to participate in an alcohol or other drug abuse education program
approved by the court. The person or agency that provides the
education shall, under the terms of a service agreement between
the education program and the county in a county having a popula-
tion of less than 750,000 or the department in a county having a
population of 750,000 or more, or with the written informed consent of the adult
expectant mother, report to the agency primarily responsible for
providing services to the adult expectant mother as to whether the
adult expectant mother is cooperating with the treatment and
whether the treatment appears to be effective.
(c) Payment for any treatment or education ordered under this
subsection in counties that have an alcohol and other drug abuse pro-
gram under s. 48.547 shall be in accordance with s. 48.361.

6. Inpatient alcohol or drug treatment. (a) If, based on an
evaluation under s. 48.295 and the report under s. 48.33, the judge
finds that the adult expectant mother is in need of inpatient
treatment for her habitual lack of self-control in the use of alcohol,
controlled substances or controlled substance analogs, exhibited
to a severe degree, that inpatient treatment is appropriate for the
adult expectant mother's needs and that inpatient treatment is
the least restrictive treatment consistent with the adult expectant
mother's needs, the judge may order the adult expectant mother
to enter an inpatient alcohol or other drug abuse treatment pro-
gram at an inpatient facility, as defined in s. 51.01 (10). The inpa-
tient facility shall, under the terms of a service agreement between
the inpatient facility and the county in a county having a popula-
tion of less than 750,000 or the department in a county having a
population of 750,000 or more, or with the written and informed
consent of the adult expectant mother, report to the agency primar-
ily responsible for providing services to the adult expectant
mother as to whether the adult expectant mother is cooperating
with the treatment and whether the treatment appears to be effec-
tive.
(b) Payment for any treatment ordered under par. (a) shall be
in accordance with s. 48.361.

7. Services for child when born. If it appears that the
unnamed child may be born during the period of the disposi-
tional order, the judge may order that the child, when born, be provided
any services or care that may be ordered for a child in need of pro-
tection or services under s. 48.345.


48.35 Effect of judgment and disposition. (1) The
disposition shall employ those means necessary to maintain
and protect the well-being of the child or unborn child which are
the least restrictive of the rights of the parent and child, of the
rights of the parent and child expectant mother or of the rights of
the adult expectant mother, and which assure the care, treatment
and rehabilitation of the child and the family, of the child expectant
mother, the unborn child and the family or of the adult expectant
mother and the unborn child, consistent with the protection of the
public. When appropriate, and, in cases of child abuse or neglect
or unborn child abuse, when it is consistent with the best interest
of the child or unborn child in terms of physical safety and physi-
ical health, the family unit shall be preserved and there shall be a
policy of transferring custody of a child from the parent or of plac-
ing an expectant mother outside of her home only when there is
no less drastic alternative. If there is no less drastic alternative for
a child than transferring custody from the parent, the judge shall
consider transferring custody to a relative whenever possible.

(2) Content of order; copy to parent. (a) In addition to the
order, the judge shall make written findings of fact and conclu-
sions of law based on the evidence presented to the judge to sup-
port the disposition ordered, including findings as to the condition and need for special treatment or care of the child or expectant mother if an examination or assessment was conducted under s. 48.295. A finding may not include a finding that a child or an expectant mother is in need of psychotropic medications.

(b) The court order shall be in writing and shall contain:

1. The specific services to be provided to the child and family, to the child's expectant mother and family, or to the adult expectant mother and, if custody of the child is to be transferred to effect the treatment plan, the identity of the legal custodian.

1m. A notice that the child's parent, guardian, or legal custodian, the child, if 14 years of age or over, the expectant mother, if 14 years of age or over, or the unborn child's guardian ad litem may request an agency that is providing care or services for the child or expectant mother or that has legal custody of the child to disclose to, or make available for inspection by, the parent, guardian, legal custodian, child, expectant mother, or unborn child's guardian ad litem the contingency record or information received by the agency about the child or expectant mother as provided in s. 48.78 (2) (ag) and (aj).

2. If the child is placed outside the home, the name of the place or facility, including transitional placements, where the child will be cared for or treated, except that if the placement is a foster home and if the name and address of the foster parent is not available at the time of the order, the name and address of the foster parent shall be furnished to the court and the parent within 21 days after the order. If, after a hearing on the issue with due notice to the parent or guardian, the judge finds that disclosure of the identity of the foster parent would result in imminent danger to the child or the foster parent, the judge may order the name and address of the prospective foster parents to be withheld from the parent or guardian.

2m. If the adult expectant mother is placed outside her home, the name of the place or facility, including transitional placements, where the expectant mother shall be treated.

3. The date of the expiration of the court's order.

4. If the child is placed outside the child's home, a designation of the amount of support, if any, to be paid by the child's parent, guardian or trustee, specifying that the support obligation begins on the date of the placement, or a referral to the county child support agency under s. 59.53 (5) for establishment of child support.

4m. If the child is placed outside the home and if the child's parent has not already provided a statement of income, assets, debts and living expenses to the county department or, in a county having a population of 750,000 or more, the department under s. 48.30 (6) (b) or (c) or 48.31 (7) (b) or (c), an order for the parent to provide that statement to the county department or, in a county having a population of 750,000 or more, the department by a date specified by the court. The county department or, in a county having a population of 750,000 or more, the department shall provide, without charge, to the parent a form on which to provide that statement. The county department or, in a county having a population of 750,000 or more, the department shall provide, without charge, to the parent a form on which to provide that statement, and the parent shall provide that statement on that form. The county department or, in a county having a population of 750,000 or more, the department shall use the information provided in the statement to determine whether the department may claim federal foster care and adoption assistance reimbursement under 42 USC 672 (a) (2) or 679a (2) (m) (3) (A) for providing care for the child.

5. For a child placed outside his or her home pursuant to an order under s. 48.345, a permanency plan under s. 48.35 if one has been prepared.

6. If the child is placed outside the home, a finding that continued placement of the child in his or her home would be contrary to the welfare of the child, a finding as to whether the county department, the department, in a county having a population of 750,000 or more, or the agency primarily responsible for providing services under a court order has made reasonable efforts to prevent the removal of the child from the home, while asserting that the child's health and safety are the paramount concern, unless the court finds that any of the circumstances specified in sub. (2d) (b) 1. to 5. applies, and, if a permanency plan has previously been prepared for the child, a finding as to whether the county department, department, or agency has made reasonable efforts to achieve the permanency goal of the child's permanency plan, including, if appropriate, through an out-of-state placement. The court shall make the findings specified in this subdivision on a case-by-case basis based on circumstances specific to the child and shall document or reference the specific information on which those findings are based in the court order. A court order that merely references this subdivision without documenting or referencing that specific information in the court order or an amended court order that retroactively corrects an earlier court order that does not comply with this subdivision is not sufficient to comply with this subdivision.

6g. If the child is placed outside the home under the supervision of the county department or, in a county having a population of 750,000 or more, the department, in a county having a population of 750,000 or more, the department as required under 42 USC 672 (a) (2) and assigning the county department or department primary responsibility for providing services to the child.

6m. If the child is placed outside the home in a placement recommended by the agency designated under s. 48.33 (1), a statement that the court approves the placement recommended by the agency or, if the child is placed outside the home in a placement other than a placement recommended by that agency, a statement that the court has given bona fide consideration to the recommendations made by the agency and all parties relating to the child's placement.

6p. If the child is placed outside the home and if the child has one or more siblings, as defined in s. 48.38 (4) (br) 1., who have also been placed outside the home, a finding as to whether the county department, the department in a county having a population of 750,000 or more, or the agency primarily responsible for providing services under a court order has made reasonable efforts to place the child in a placement that enables the sibling group to remain together, unless the court determines that a joint placement would be contrary to the safety or well-being of the child or any of those siblings, in which case the court shall order the county department, department, or agency to make reasonable efforts to provide for frequent visitation or other ongoing interaction between the child and the siblings, unless the court determines that such visitation or interaction would be contrary to the safety or well-being of the child or any of those siblings.

6r. If the court finds that any of the circumstances specified in sub. (2d) (b) 1. to 5. applies with respect to a parent, a determination that the county department, department, or agency to make reasonable efforts to provide for frequent visitation or other ongoing interaction between the child and the siblings, unless the court determines that such visitation or interaction would be contrary to the safety or well-being of the child or any of those siblings.
vicious order in the proceeding unless a change in circumstances warrants new findings.

4. A statement of the conditions with which the child or expectant mother is required to comply.

(c) If school attendance is a condition of an order under par. (b) 7., the order shall specify what constitutes a violation of the condition and shall direct the school board of the school district in which the child is enrolled or the governing body of the private school, as defined in s. 115.001 (3d), in which the child is enrolled, or shall request the governing body of the tribal school in which the child is enrolled, to notify the county department that is responsible for supervising the child or, in a county having a population of 750,000 or more, the department within 5 days after any violation of the condition by the child.

(cm) 1. Subject to subd. 2., the court shall order the county department, the department in a county having a population of 750,000 or more, or the agency primarily responsible for providing services to the child under the dispositional order to conduct a diligent search in order to locate and provide notice of the information specified in s. 48.21 (5) (e) 2. a. to e. to all relatives of the child named under s. 48.335 (6) and to all adult relatives, as defined in s. 48.21 (5) (e) 1., of the child within 30 days after the child is removed from the custody of the child’s parent unless the child is returned to his or her home within that period. The court may also order the county department, department, or agency to conduct a diligent search in order to locate and provide notice of that information to all other adult individuals named under s. 48.335 (6) within 30 days after the child is removed from the custody of the child’s parent unless the child is returned to his or her home within that period. The county department, department, or agency may not provide that notice to a person named under s. 48.335 (6) or to an adult relative if the county department, department, or agency has reason to believe that it would be dangerous to the child or to the parent if the child were placed with that person or relative.

2. Subdivision 1. does not apply if the search required under subd. 1. was previously conducted and the notice required under subd. 1. was previously provided under s. 48.21 (5) (e) 2.

(d) The court shall provide a copy of a dispositional order relating to a child in need of protection or services to the child’s parent, guardian, legal custodian, or trustee, to the child through the child’s counsel or guardian ad litem, to the child’s court-appointed special advocate, and, if the child is an Indian child who has been removed from the home of his or her parent or Indian custodian and placed outside that home, to the Indian child’s Indian custodian and tribe. The court shall provide a copy of a dispositional order relating to an unborn child in need of protection or services to the expectant mother, to the unborn child’s guardian ad litem, to the parent, guardian, legal custodian, or trustee of a child expectant mother, and, if the expectant mother is an Indian child, to the expectant mother’s Indian custodian and tribe.

(2b) Concurrent Planning. (a) In this subsection, “concurrent planning” means appropriate efforts to work simultaneously towards achieving more than one of the permanency goals listed in s. 48.38 (4) (f) 1. to 5. for a child who is placed in out-of-home care and for whom a permanency plan is required under s. 48.38 (2).

(b) A county department, the department, in a county having a population of 750,000 or more, or the agency primarily responsible for providing services to a child under a court order shall determine, in accordance with standards established by the department, whether to engage in concurrent planning. If, according to those standards, concurrent planning is required, the county department, department, or agency shall engage in concurrent planning unless the court or permanency review panel determines under s. 48.38 (5) (e) 5m. that concurrent planning is inappropriate.

(2e) Reasonable Efforts Standards. (a) When a court makes a finding under sub. (2) (b) 6. as to whether the county department, the department, in a county having a population of

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750,000 or more, or the agency primarily responsible for providing services to the child under a court order has made reasonable efforts to prevent the removal of the child from his or her home, while assuring that the child’s health and safety are the paramount concerns, the court’s consideration of reasonable efforts shall include, but not be limited to, whether:

1. A comprehensive assessment of the family’s situation was completed, including a determination of the likelihood of protecting the child’s health, safety and welfare effectively in the home.
2. Financial assistance, if applicable, was provided to the family.
3. Services were offered or provided to the family, if applicable, and whether any assistance was provided to the family to enable the family to utilize the services. Examples of the types of services that may have been offered include:
   a. In-home support services, such as homemakers and parent aides.
   b. In-home intensive treatment services.
   c. Community support services, such as child care, parent skills training, housing assistance, employment training, and emergency mental health services.
   d. Specialized services for family members with special needs.
4. Monitoring of client progress and client participation in services was provided.
5. A consideration of alternative ways of addressing the family’s needs was provided, if services did not exist or existing services were not available to the family.

(b) When a court makes a finding under sub. (2) (b) 6. as to whether the county department, department, in a county having a population of 750,000 or more, or agency primarily responsible for providing services to the child under a court order has made reasonable efforts to achieve the permanency goal of the permanency plan, the court’s consideration of reasonable efforts shall include the considerations listed under par. (a) 1. to 5. and whether visitation schedules between the child and his or her parents were implemented, unless visitation was denied or limited by the court.

(2d) Reasonable Efforts Not Required. (a) In this subsection:

1. “Aggravated circumstances” include abandonment in violation of s. 948.20 or in violation of the law of any other state or federal law if that violation would be a violation of s. 948.20 if committed in this state, torture, chronic abuse and sexual abuse.
2. “Sexual abuse” means any of the following:
   a. A violation of s. 940.225, 944.30 (1m), 948.02, 948.025, 948.03, 948.031, 948.05, 948.051, 948.055, 949.06, 949.085, 949.09 or 949.10.
   b. A violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.
   c. A violation of the law of any other state or federal law if that violation would be a violation listed under subd. 2. a. or b. if committed in this state.

(b) Notwithstanding sub. (2) (b) 6., the court is not required to include in a dispositional order a finding as to whether the county department, department, in a county having a population of 750,000 or more, or agency primarily responsible for providing services under a court order has made reasonable efforts with respect to a parent of a child to prevent the removal of the child from the home, while assuring that the child’s health and safety are the paramount concerns, or a finding as to whether the county department, department, or agency has made reasonable efforts with respect to a parent of a child to achieve the permanency goal of returning the child safely to his or her home, if the court finds any of the following:

1. That the parent has subjected the child to aggravated circumstances, as evidenced by a final judgment of conviction.
2. That the parent has committed, has aided or abetted the commission of, or has solicited, conspired, or attempted to com-
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mit, a violation of s. 940.01, 940.02, 940.03, or 940.05 or a violation of the law of any other state or federal law, if that violation would be a violation of s. 940.01, 940.02, 940.03, or 940.05 if committed in this state, as evidenced by a final judgment of conviction, and that the victim of that violation is a child of the parent.

1. That the parent has committed a violation of s. 940.19 (3), 1985 Stats., a violation of s. 940.19 (2), (4), or (5), 940.025 (1) or (2), 940.02 (1) or (2), 940.025, 940.03 (2) (a), (3) (a), or (5) (a) 1., 2., or 3., or 940.085 or a violation of the law of any other state or federal law, if that violation would be a violation of s. 940.19 (2), (4), or (5), 940.025 (1) or (2), 940.02 (1) or (2), 940.025, 940.03 (2) (a), (3) (a), or (5) (a) 1., 2., or 3., or 940.085 if committed in this state, as evidenced by a final judgment of conviction, and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child of the parent.

3m. That the parent has committed a violation of s. 948.051 or a violation of the law of any other state or federal law, if that violation would be a violation of s. 948.051 if committed in this state, as evidenced by a final judgment of conviction, and that the victim of that violation is a child of the parent.

4. That the parental rights of the parent to another child have been involuntarily terminated, as evidenced by a final order of a court of competent jurisdiction terminating those parental rights.

5. That the parent has been found under s. 48.13 (2m) to have relinquished custody of the child under subd. 1. when the child was 72 hours old or younger, as evidenced by a final order of a court of competent jurisdiction making that finding.

(bm) The court shall make a finding specified in par. (b) 1. to 5. on a case-by-case basis based on circumstances specific to the child and shall document or reference the specific information on which that finding is based in the dispositional order. A dispositional order that merely references par. (b) 1. to 5. without documenting or referencing that specific information in the dispositional order, as an amendment to a previous order that retroactively corrects an earlier dispositional order that does not comply with this paragraph, is not sufficient to comply with this paragraph.

(c) If the court finds that any of the circumstances specified in par. (b) 1. to 5. applies with respect to a parent, the court shall hold a hearing under s. 48.19 (1) (a) when the child was 72 hours old or younger, as evidenced by a final order of a court of competent jurisdiction making that finding.

(d) This subsection does not affect the requirement under sub. (2) (b) 6c. that the court include in a dispositional order removing an Indian child from the home of his or her parent or Indian custodian and placing the child outside that home a finding that active efforts under s. 48.028 (4) (d) 2. have been made to prevent the breakup of the Indian child’s family and that those efforts have proved unsuccessful.

(2e) PERMANENCY PLANS; FILING; AMENDED ORDERS; COPIES.

(a) If a permanency plan has not been prepared at the time the dispositional order is entered, or if the court orders a disposition that is not consistent with the permanency plan, the agency responsible for preparing the plan shall prepare a permanency plan that is consistent with the order or revise the permanency plan to conform to the order and shall file the plan with the court within the time specified in s. 48.38 (5). A permanency plan filed under this paragraph shall be made a part of the dispositional order.

(b) Each time a child’s placement is changed under s. 48.32 or 48.357, a trial reunification is ordered under s. 48.358, a consent decree is revised under s. 48.32, or a dispositional order is revised under s. 48.363 or extended under s. 48.365, the agency that prepared the permanency plan shall revise the plan to conform to the order and shall file a copy of the revised plan with the court. Each plan filed under this paragraph shall be made a part of the court order.

(c) If the court or the agency that prepared the permanency plan shall furnish a copy of the original plan and each revised plan to the child’s parent or guardian, to the child or the child’s counsel or guardian ad litem, to the child’s court-appointed special advocate and to the person representing the interests of the public.

(2m) TRANSITIONAL PLACEMENTS. The court order may include the name of transitional placement(s), but may not designate a specific time when transitions are to take place. The procedures of ss. 48.357 and 48.365 shall govern when such transitions take place. However, the court may place specific time limitations on interim arrangements made for the care of the child or for the treatment of the expectant mother pending the availability of the dispositional placement.

(3) PARENTAL VISITATION. (a) Except as provided in par. (b), if, after a hearing on the issue with due notice to the parent or guardian, the court finds that it would be in the best interest of the child, the court shall make a finding as to whether parental visitation will be in the best interest of the child.

(b) 1. Except as provided in subd. 2., the court may not grant visitation under par. (a) to a parent if the parent has been convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the second-degree intentional homicide, of the child’s other parent, and the conviction has not been reversed, set aside or vacated.

2. Except as provided in subd. 2., if a parent who is granted visitation rights with a child under par. (a) is convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the second-degree intentional homicide, of the child’s other parent, and the conviction has not been reversed, set aside or vacated, the court shall issue an order prohibiting the parent from having visitation with the child on petition of the child, the guardian or legal custodian of the child, a person or agency bound by the dispositional order or the district attorney or corporation counsel of the county in which the dispositional order was entered, or on the court’s own motion, and on notice to the parent.

2m. Subdivisions 1. and 2m. do not apply if the court determines by clear and convincing evidence that the visitation would be in the best interests of the child. The court shall consider the wishes of the child in making that determination.

(4) TERMINATION OF ORDERS. (a) Except as provided under s. 48.368, an order under this section or s. 48.357 or 48.365 made before the child attains 18 years of age that places or continues the placement of the child in his or her home shall terminate one year after the date on which the order is granted unless the judge specifies a shorter period of time or the judge terminates the order sooner.

(b) Except as provided under s. 48.368, an order under this section or s. 48.357 or 48.365 made before the child reaches 18 years of age that places or continues the placement of thechild in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, or in a supervised independent living arrangement shall terminate on the latest of the following dates, unless the judge specifies a shorter period of time or the judge terminates the order sooner:

1. The date on which the child attains 18 years of age.

2. The date that is one year after the date on which the order is granted.

3. The date on which the child is granted a high school or high school equivalency diploma or the date on which the child attains 19 years of age, whichever occurs first, if the child is a full-time student at a secondary school or its vocational or technical equivalent and is reasonably expected to complete the program before attaining 19 years of age.

4. The date on which the child is granted a high school or high school equivalency diploma or the date on which the child attains 21 years of age, whichever occurs first, if the child is a full-time student at a secondary school or its vocational or technical equivalent and if an individualized education program under s. 115.787 is in effect for the child. The court may not grant an order that terminates as provided in this subdivision unless the child is 17 years of age or older when the order is granted and the child, or the child’s guardian on behalf of the child, agrees to the order. At any time after the child attains 18 years of age, the child, or the child’s
(2) In performing the functions specified in sub. (1) the county department may avail itself of the cooperation of any individual or private agency or organization interested in the social welfare of children and unborn children in the county.

(2m) A county department, as soon as practicable after learning that a person who is receiving child welfare services under sub. (1) from the county department has changed his or her county of residence, shall provide notice of that change to the county department of the person’s new county of residence or, if that new county of residence is a county having a population of 750,000 or more, the department. The notice shall include a brief, written description of the services offered or provided to the person by the county department and the name, telephone number, and address of a person to contact for more information.

(3) (a) From the reimbursement received under s. 46.495 (1) (d), counties may provide funding for the maintenance of, any county department and the name, telephone number, and address of a person to contact for more information.

1. Is 18 years of age or older;
2. Is enrolled in and regularly attending a secondary education classroom program leading to a high school diploma;
3. Received funding under s. 48.569 (1) (d) or under s. 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday; and
4. Is living in a foster home, group home, residential care center for children and youth, subsidized guardianship home, qualifying residential family-based treatment facility, or a similar facility regulated in another state or in a supervised independent living arrangement.

(b) The funding provided for the maintenance of a child under par. (a) shall be in an amount equal to that which the child would receive under s. 48.569 (1) (d) if the child were 17 years of age.

(3m) (a) In this subsection:
1. “Child” means a person under 18 years of age. “Child” also includes a person 18 years of age or over, if any of the following applies:
   a. The person is under 19 years of age, is a full-time student in good academic standing at a secondary school or its vocational or technical equivalent, and is reasonably expected to complete his or her program of study and be granted a high school or high school equivalency diploma.
   b. The person is under 21 years of age, the person is a full-time student in good academic standing at a secondary school or its vocational or technical equivalent, an individualized education program under s. 115.787 is in effect for the person, and the person is placed in the home of the kinship care relative under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years of age or under a voluntary transition-to-independent-living agreement under s. 48.366 (3) or 938.366 (3).
2. “Kinship care relative” means a relative other than a parent.
3. Received funding under s. 46.495 (1) (d) or under s. 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday; and
4. Is living in a foster home, group home, residential care center for children and youth, subsidized guardianship home, qualifying residential family-based treatment facility, or a similar facility regulated in another state or in a supervised independent living arrangement.

(b) The funding provided for the maintenance of a child under par. (a) shall be in an amount equal to that which the child would receive under s. 48.569 (1) (d) if the child were 17 years of age.
December 9, 2014

To: Private Child Placing Agencies
    Group Home Providers
    Shelter Care Providers
    Residential Care Providers

From: Ron Hermes
      Bureau Director

Re: Voluntary Placements in Shelter Care Facilities

The purpose of this memo is to provide guidance to placing agencies and providers on the effects of 2013 Wisconsin Act 335, Voluntary Placement of Children in Shelter Care Facilities, which permits a child to be placed in a shelter care facility under a voluntary agreement. Prior to the changes voluntary placements were not permitted in Shelter Care Facilities. The new law allows for a voluntary placement of a child into a shelter care facility per s. 48.63(1)(b) and s.938.22(2)(c), Wis. Stats.

2013 Wisconsin Act 335 provides that a child’s parent, guardian, Indian Custodian, the Department of Children and Families, the Department of Corrections, a county department under s. 46.215, 46.22, or 46.23, or a child welfare agency licensed to place children in a shelter care facilities, may place a child or negotiate or act as intermediary for the placement of the child in a shelter care facility if the Department of Children and Families has approved the shelter care facility for such placements under s. 938.22(2)(c) Wis. Stats. Additionally, Act 335 allows a child to be placed in a shelter care facility for no more than 20 days under a voluntary agreement.

Voluntary Placement Agreements

Shelter care facilities will have two options for implementing this provision. A shelter care facility may accept a child under a Voluntary Placement Agreement into a Shelter Care Facility. The applicable form, DCF-F-5040-E, is required. Under a Voluntary Placement Agreement placement, a county department or child placing agency is required to supervise the placement and the placement must follow the requirements set forth in the Ongoing Services Standards for placements. This voluntary placement may not be utilized for mental health crisis stabilization services under Ch. DHS 34 of the Administrative Rules. Children placed under a Voluntary Placement Agreement shall not be placed into a shelter care facility for more than 20 days. The Act prohibits an extension beyond the 20 days. Children previously placed under a Voluntary Placement Agreement must have exited a Shelter Care Facility for at least 30 days before re-entering a Shelter Care Facility under another Voluntary Placement Agreement.

The shelter shall obtain approval from the Department of Children and Families Child Welfare Licensing Section prior to accepting any children under voluntary placement agreements.

Respite Care Services

The second option will be for a child to enter a shelter care for the purposes of receiving respite care services. Respite care is a service, not a placement, and only a parent or guardian may consent to respite care services for the child in a Shelter Care Facility. If the child is at least 12 years of age the child must also consent. An episode of respite care services shall not exceed 20 days during any 30 day period. The 20 day limit shall not be extended. Shelter Care Facilities continue to be prohibited from providing mental health crisis stabilization under Ch. DHS 34 of the Administrative Rules. The shelter care facility must receive an exception to Wis. Admin. Ch. DCF 59 from the Department of Children and Families Child Welfare Licensing Section prior to providing respite care services. An exception will be considered granted if a shelter care facility checks the box for providing respite care services...
on Form DCF-F-5041-E and the Department approves the request. The Department does not have a required respite care agreement form, so each Shelter Care Facility shall use its own respite care agreement containing the signature of the parent or guardian and child if at least 12 years old authorizing respite care services.

If a currently licensed shelter care facility desires to obtain approval from the Department to take voluntary placements or provide respite care, the shelter care facility must submit the attached approval form and required supporting documentation to its licensing specialist. The Request By Shelter Care Facility to Accept Voluntary Placements and/or to Provide Respite Care Services Form (DCF-F-5041-E) must be approved by the Department prior to a shelter care facility accepting voluntary placements or providing respite services. Any violations of this policy memo may result in the Department rescinding its approval.

Questions regarding this memo can be directed to the Child Welfare Program Specialist.

CHILD WELFARE LICENSING SECTION CONTACT:
Child Welfare Licensing Program Specialist
Division of Safety and Permanence
Bureau of Permanence and Out of Home Care
262-446-7856
DCFCWLR@wisconsin.gov

MEMO WEB SITE: https://dcf.wisconsin.gov/cwportal/policy

ATTACHMENTS:
DCF-5040-E, Voluntary Placement Agreement for Shelter Care
https://dcf.wisconsin.gov/forms
DCF-50410E, Request By Shelter Care Facility to Accept Voluntary Placements and/or to Provide Respite Care Services
https://dcf.wisconsin.gov/forms
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#### Adjustments

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<td>k. Dissociation</td>
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#### CHILD/YOUTH & FAMILY CULTURAL FACTORS

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<td>c. Cultural Stress</td>
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#### CHILD/YOUTH BEHAVIORAL/EMOTIONAL NEEDS

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<td>d. Gambling</td>
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<td>g. Frequency of Running</td>
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### CHILD AND ADOLESCENT NEEDS AND STRENGTHS (CANS) 5 - 21

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#### IDENTIFIED PERMANENT RESOURCE STRENGTHS & NEEDS

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Appendix E

STATE OF WISCONSIN, CIRCUIT COURT, ____________________________ COUNTY

IN THE INTEREST OF ____________________________________________

Name ____________________________ Date of Birth ____________

Statement of Income, Assets, Debts and Living Expenses

Case No. ____________________________

Under penalty of perjury, I state that the following information on this financial statement is true, accurate and complete:

<table>
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<tr>
<th>Print Name of Person Completing Form</th>
<th>Name of Parent 1’s Employer</th>
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<tr>
<td>Number of People in Household</td>
<td>Name of Parent 2’s Employer</td>
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<td>Adults ____________________________</td>
<td>Children</td>
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**STATEMENT OF MONTHLY HOUSEHOLD INCOME**

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<th>Parent 2 [Name]</th>
<th>Other Household Members</th>
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<td>Other income: (Pensions, retirement, social security, disability, worker’s compensation, public assistance)</td>
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<tr>
<td>Child support and/or maintenance from prior spouse</td>
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<tr>
<td>Dividends, interest, rents, bonuses</td>
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<tr>
<td>Other:</td>
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**Total Monthly Income**

**Itemized mandatory monthly deductions:**

(Do not include savings or credit union deductions not required by law.)

| Federal and state income taxes, social security, Medicare | | |
| Union or other dues | | |
| Retirement and pension funds | | |
| Other mandatory monthly deductions: | | |

**Total Mandatory Monthly Deductions**

**Net Monthly Income**

**STATEMENT OF ASSETS**

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<tr>
<td>Other real estate (List kind of property and location)</td>
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<tr>
<td>Vehicle (Give year and make)</td>
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<td>Other vehicles (Give year and make)</td>
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<td>Checking account (Give name of financial institution)</td>
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<td>Other assets valued over $200</td>
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**Total Value of Assets**

JD-1718, 02/18 Statement of Income, Assets, Debts and Living Expenses

Chapters 48 and 938, Wisconsin Statutes

This form shall not be modified. It may be supplemented with additional material.

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<th>Long Term/Installment Debts</th>
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<td>Other:</td>
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| Other Monthly Debts/Expenses                        |               |              |                 |
| Rent (Do not duplicate mortgage payment above.)     |               |              |                 |
| Repairs/maintenance on home                        |               |              |                 |
| Food                                                |               |              |                 |
| Electricity/water/heat                              |               |              |                 |
| Telephone                                           |               |              |                 |
| Laundry and dry cleaning                            |               |              |                 |
| Child support paid for children not in your home    |               |              |                 |
| Maintenance paid to an ex-spouse                    |               |              |                 |
| Clothing and shoes                                  |               |              |                 |
| Health insurance premiums                           |               |              |                 |
| Medical/dental/drug expenses not covered by insurance|               |              |                 |
| Life insurance premiums                             |               |              |                 |
| Other insurance premiums (specify):                 |               |              |                 |
| Child care                                          |               |              |                 |
| Cable TV                                            |               |              |                 |
| Transportation costs (oil/gas/commuting)            |               |              |                 |
| School                                              |               |              |                 |
| Entertainment/incidentals/newspapers/books/periodicals|           |              |                 |
| Hobbies                                             |               |              |                 |
| Other:                                               |               |              |                 |
| Other:                                               |               |              |                 |
| Other:                                               |               |              |                 |

Complete this form and return it to the juvenile court clerk so that it arrives by the time indicated on the court order.

__________________________
Signature

__________________________
Telephone Number

__________________________
Date Signed

JD-1718, 02/18 Statement of Income, Assets, Debts and Living Expenses

Chapters 48 and 938, Wisconsin Statutes

This form shall not be modified. It may be supplemented with additional material.

Page 2 of 2
STATE OF WISCONSIN
Department of Children and Families

DEPARTMENT POLICY REGARDING
CONSULTATION
WITH
WISCONSIN’S INDIAN TRIBES

September 11, 2009
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<td>III.</td>
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<td>Outreach to Tribal Governments on Committees and Workgroups</td>
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</table>
I. Introduction

The various states have a unique legal relationship with each sovereign Indian government, as affirmed and described in federal law. This relationship is set forth in the Constitution of the United States, treaties, statutes, laws, and court decisions. Wisconsin Executive Order #39, issued in February 2004, affirms the government-to-government relationship between the State of Wisconsin and each Indian government located within the State of Wisconsin.

Government-to-government relations involve respectful and cooperative communication and dealings that are designed to achieve a consensus, to the extent possible, before a decision is made or an action is taken. The goal is to implement programs in a collaborative manner. The Wisconsin Department of Children and Families (the Department) is committed to such government-to-government relations with the federally-recognized tribal governments of Wisconsin (Tribes). The Department will employ its best efforts to achieve positive outcomes from its consultation and collaboration with Tribes. The goal of this policy is to improve the planning for, delivery of, and access to programs and services for children and families by Indian governments, communities, and people. We will achieve this by developing principles of and a process for consultation on children and family policies in Wisconsin. It is for this purpose that this policy has been developed.

The Department of Children and Families is a comprehensive state agency, headed by a cabinet-level secretary. The Department has responsibility for establishing policies and providing services in a wide variety of program areas, including child welfare, child protective services, out-of-home care, child care, child support, W-2 (Wisconsin Works), and other children and family related programming.

Many of these services are provided directly through the State’s legal and contractual relationships with state Temporary Assistance to Needy Families (“TANF” or “W-2”) agencies, private child welfare agencies, county departments of human services or social services, child support agencies, and Job Centers. These services are also often provided by tribal agencies through a contractual relationship between the DEPARTMENT and tribal governments or tribal governments and the federal government.

Each of the federally-recognized sovereign Tribes in the State of Wisconsin is recognized by the State for its unique status, self-government, and self-determination. The Department of Children and Families respects the fundamental principles that establish and maintain the relationship between Indian governments and the Department. The Department affords Indian governments the same respect afforded to other governments.

The Governor and the Legislature transferred selected programs from the Department of Workforce Development (DWD) and the Department of Health and Family Services (now the Department of Health Services, DHS) to the Department of Children and Families effective July 1, 2008. Both DWD and DHS have had a long history of contracting with tribal governments in the State of Wisconsin. With the creation of the Department of Children and Families, cooperation and collaboration will continue to be a priority.

The Department, its partner agencies, and the Tribes have a responsibility for a variety of programs serving children and families. As residents of the State of Wisconsin, tribal members
are equally entitled to services afforded to all residents of the State. As members of a sovereign tribal nation, tribal members are also entitled to those services afforded to all members of that Tribe. Whether the services are provided through tribal agencies or directly through the Department's partner agencies, it is critical that Department of Children and Families administrators and the leadership of the Tribes located within the state, and their respective representatives, consult with one another to assure the availability and successful delivery of needed services and other assistance.

II. Objectives

The objectives of this policy are:

A. To create a collaborative relationship to improve child welfare, child care, child support, W-2 (Wisconsin Works), and other children and family related programming for tribal communities and their members.

B. To formalize the procedures and expectations for the Department to implement a government-to-government relationship and to foster consultation with and encourage the participation of representatives of Tribes in policy development and program activities.

C. To promote and develop methods of consulting with Tribes and to involve their representatives in the Department decision-making process in order to assure that the needs of tribal people are met.

III. Guiding Principles

The Department is committed to improving and maintaining effective government-to-government relations with Wisconsin's Indian tribes, bands, and communities. The development of mutual understanding -- with cultural awareness, sensitivity, and responsiveness -- is necessary for effective consultation on policies and collaboration on program operations. Toward achieving this goal, the Department will utilize the following principles in its consultation with tribal governments. Integration of these principles into the Department's planning and management activities will help produce positive and desired outcomes within the children and families programs and services for Tribal community members.

A. It is important to recognize the uniqueness of each Indian community’s culture, governmental structure and processes, demographics, geography (e.g., where tribal members are located), and other factors.

B. Consultation involves respectful and timely communication between sovereign governments in a cooperative process that strives to achieve a consensus before a decision is made or an action is taken.

C. Working directly with Indian Tribes in a government-to-government manner will result in an effective, efficient, and sustainable consultation process.
D. Consultation with tribal governments when developing and implementing budgets, policies and programs, legislative initiatives, regulations, and other activities that are anticipated to directly affect Indian Tribes or their members is necessary and respectful. This includes topics presented by the Tribes on which they would like consultation.

E. Promotion of cooperation among affected parties is the best way to implement initiatives and resolve issues of mutual concern.

IV. Purpose and Methods

The State of Wisconsin, represented for purposes of this policy by its Department of Children and Families, with the concurrence of the Tribes as sovereign entities, will diligently seek to maintain an ongoing and meaningful process for communicating general concerns, program and funding priorities, respective roles in the provision of services to Tribal community members, and other high-level matters of mutual concern.

The Wisconsin Department of Children and Families, in consultation with the federally-recognized tribal governments located within the state, establishes this policy requiring Department staff to consult with tribal governments on Department policies and activities. This policy formalizes the collaborative relationship that the Department and Tribes have established in creating, contracting for, and accessing child welfare, child care, child support, W-2 (Wisconsin Works), and other children and family related programming for tribal communities and their members statewide.

A. Annual Meetings

The Secretary of the Department of Children and Families, in consultation with tribal leadership, shall assume the responsibility for scheduling an annual consultation session at which the Secretary will be present. The consultation must include invitations to, at a minimum, the following individuals or their designees:

- Chairperson, Bad River Band of Lake Superior Tribe of Chippewa Indians
- Chairperson, Forest County Potawatomi Community
- President, Ho-Chunk Nation
- Chairperson, Lac Courte Oreilles Band of Lake Superior Chippewa Indians
- President, Lac du Flambeau Band of Lake Superior Chippewa Indians
- Chairperson, Menominee Indian Tribe of Wisconsin
- Chair, Mole Lake Sokaogon Chippewa Community
- Chairperson, Oneida Tribe of Indians of Wisconsin
- Chairperson, Red Cliff Band of Lake Superior Chippewa Indians
- Chair, St. Croix Chippewa Indians of Wisconsin
- President, Stockbridge-Munsee Band of Mohican Indians
- Tribal Administrators and program staff as determined by the Tribal Leadership
- The Secretary of the Wisconsin Department of Children and Families
- Department administrators and other staff as determined by the Secretary
The agenda for and date and location of the consultation session shall be determined jointly by the Secretary and Tribal leaders identified above. The schedule will take into account the desirability of allowing adequate time during even-numbered years for development of the Department's biennial budget initiatives.

It shall be part of the consultation agenda for at least one meeting during each calendar year to review and evaluate the accomplishments and effectiveness of the previous year's action plan (see section IV.C.) and to establish mutual goals for the current year's action plan. The agenda will also include a current Department organizational chart. In addition, the Department will prepare a summary of the previous year's committees and other bodies that indicates the involvement of tribal representatives and the tribal affiliation of those representatives.

B. Other Meetings

The Secretary of the Department of Children and Families, in consultation with tribal leadership, shall assume the responsibility for scheduling additional consultation sessions at his or her discretion. In addition, any Tribal Chairperson or President may request meetings or other consultation with the Secretary or other Department representatives.

C. Annual Action Plan

The Department management shall establish, in conjunction with appropriate program staff and Department Tribal Relations Staff, an annual action plan by which this government-to-government consultation policy shall be implemented. The action plan shall include:

- Programs: A list of programs and services available to Tribal members, including an overview of and training on Department programs and a Department organizational chart.
- Policy and Program Development: Description of new or potential initiatives, programs, and policies affecting Tribes.
- Priorities: Prioritized topics and issues for discussion and, as necessary, resolution with the Tribes.
- Consultation Process: The procedures to be used to consult with Tribes on existing and new policies and programs.
- Evaluation Process: The process to determine the effectiveness of the action plan with respect to the consultation process and to the programmatic, fiscal, and other aspects of applicable health and human services programs identified in the action plan.

D. Training

It shall be part of consultation agendas to establish regular, ongoing training sessions for appropriate Department employees and other individuals, such as W-2 agencies, counties, and other partners. The purpose of this training is to educate Department employees and others regarding the requirements of a meaningful government-to-government relationship, including historical and cultural perspectives from the Tribes, and information about the importance of consensus building, Tribal sovereignty, Tribal government, and Tribal services. The
Department shall make every effort to involve Tribal Leaders or their designees in the development of the curriculum and provision of the training.

E. Relationship to Federal Law

No action taken in accordance with this policy shall conflict with or circumvent Federal laws, mandates, rules, or regulations governing the programs, procedures, or practices of either the Department of Children and Families or Wisconsin's federally-recognized Tribes.

V. Resolution of Issues

In any given year, specific issues affecting one or more Tribes and the Department of Children and Families may arise. These issues may be raised by either a Tribe or the Department and may occur at various levels within either party. The following process is to be used when such issues arise.

A. Timeliness of Response

Within ten (10) business days after receiving contact from a tribal representative, the Department representative shall respond to the tribal representative with a resolution of the issue or a projected timeframe for resolution of the issue. The parties may negotiate the timeframe for resolution. This paragraph shall apply to all communications under subsections B, C, and D.

B. Initial Discussion

When an issue arises and an employee of either a Tribe or the Department contacts an employee of the other entity, they will discuss the issue and attempt to resolve it. If higher level involvement is required, the process described in Subsection V.C. will be followed.

If resolution or non-resolution of the issue would affect a Tribe or Tribes other than the Tribe involved, then further discussion must occur as described in Subsection V.D.

C. Issues Requiring Higher Level Involvement

If higher level involvement is needed, the issue will be raised to the appropriate level in a Division or the Office of the Secretary for resolution. Within a Division or other subunit of the Department, the appropriate manager will assume responsibility for contacting the Tribe and attempting to resolve the issue. The manager will indicate whether the response reflects the decision of the Division Administrator. If it does, the Tribe may appeal the decision to the Office of the Secretary. If the decision does not reflect the decision of the Division Administrator, the decision may be appealed to the Division Administrator. Resolution shall be sought through the Division prior to being referred to the Office of the Secretary. Should resolution not occur at the Division level and it is advanced to the Office of the Secretary, the DCF Tribal Affairs staff in the Secretary's Office will facilitate contact between the appropriate Department staff or managers and the Tribe. If the issue is resolved, no further action is required. If the issue cannot be resolved at the Department level, the Tribe will be informed of
the mechanism to raise the issue with the Division of Intergovernmental Affairs in the Department of Administration.

D. Issues Affecting More Than One Tribe

If it is determined that resolution or non-resolution of the issue will affect more Tribes than just the Tribe presently involved in the discussion, the Department program representative who is involved with the issue will, after consultation with the Department Tribal Affairs staff, make contact with the Tribal representative to inform him or her of the change in focus. A designee of the Tribal Affairs staff or other designee of the Department Secretary shall notify all affected Tribes and initiate the resolution process. Communication involving all of the potentially affected parties will occur in a timely manner and will be facilitated by the Department Tribal Affairs staff or other designee of the Department Secretary.

If the issue is resolved through agreement of the involved parties, no further action is required. If the issue cannot be resolved, then the issue shall be raised to higher level authorities as described in Subsection V.B.

VI. Outreach to Tribal Governments on Committees and Workgroups

During the normal course of business, it is often necessary for the Department to establish committees, councils, workgroups, or similar bodies to provide advice and recommendations to the Department. Management of the Department, in creating such committees, councils, workgroups, or similar bodies that deal with policies or programs affecting tribal governments or tribal members, shall inform tribal Chairpersons/Presidents, in writing, of their creation. The person who will chair or facilitate the body shall communicate with all Tribes regarding any proposed policies or programs under consideration in order to solicit tribal input.

A. Long-Term and Ongoing Basis

If the Department or any Division establishes any ongoing or long-term advisory committee, commission, or similar body, the Secretary or appropriate Division Administrator shall notify the Tribal Chair or President of each Tribe, in writing, of the nature and purpose of the body, the anticipated outcome(s), the qualifications for the representative desired, what expenses will be reimbursed, and the time commitment required for serving on the body. The Department will defer to the Tribe’s determination of whether or not to designate a person to serve on the body. When the Department is advised by a committee or council created by state statute, executive order, or other mechanism with appointments made by the Governor or other appointing authorities outside of the Department, the Department will give similar notice to each Tribal Chair or President allowing the opportunity for him or her to identify interest in appointment consideration, unless some other appointing process or authority is mandated.

If the body requires tribal representation, but the size of the body, as determined by the Department, precludes a representative from each tribe, then the Department will request representation from the Inter-Tribal Child Welfare Directors Committee. The Department Tribal Affairs staff will maintain an ongoing list of tribal representatives and their tribal affiliation. When more than one tribe indicates interest in being represented, the Department shall allow representatives of at least two tribes to participate.
B. Short-Term and Ad Hoc Bodies

If the Department, a Division, or a subunit of a Division establishes any external ad hoc committee or workgroup which affects tribes or tribal members, the appropriate individual in the Department, Division, or Division subunit shall contact the tribal program directors in the program that are affected by the work of the committee or workgroup. The contact shall initially be in writing and shall include a description of the nature and purpose of the body, the anticipated outcome, the qualifications of the representative desired, what expenses will be reimbursed, and the time commitment required for serving on the body. The tribal program directors, after any necessary consultation, will determine whether or not to appoint a person to serve on the committee or workgroup. If the body requires tribal representation, but the size of the body, as determined by the Department, precludes a representative from each tribe, then the Department will request representation from the Inter-Tribal Child Welfare Directors Committee. The Department Tribal Affairs staff will maintain an ongoing list of tribal representatives and their tribal affiliation. When more than one tribe indicates interest in being represented, the Department shall allow representatives of at least two tribes to participate.
GLOSSARY

For purposes of this consultation policy, the following terms and definitions will apply:

"Child support" means obligations owed by parents to their children and maintenance obligations owed to spouses or former spouses with whom the children reside in this state.

"Child welfare" means the system of services and programs for children and families who may have issues related to safety, special care and treatment, or other assistance designed to assure the well-being of children.

"Consultation" means a process used to facilitate communication, interaction, and the exchange of views and perspectives between the Department of Children and Families and each of the federally-recognized Tribes in Wisconsin.

"County department of human services" means an agency that is part of a county governmental structure with the powers and duties described in s. 46.23, Stats.

"County department of social services" means an agency that is part of a county governmental structure with the powers and duties described in ss. 46.215 or 46.22, Stats.

"Cultural awareness and sensitivity" means having due knowledge of and regard for the behavior patterns, civilization, customs, arts, beliefs, institutions, and all other achievements and manifestations of human work and thought as expressed in a particular community.

"Department" or "Department" means the Wisconsin Department of Children and Families.

"Division" means a subunit of the DEPARTMENT responsible for the management, administration, and provision of programs and services in specific program areas. For purposes of this agreement, "Division" relates to one or more of the following divisions: Prevention and Service Integration, Early Care and Education, Safety and Permanence, Family and Economic Security, and Enterprise Solutions.

"Government-to-government" means communication and dealings between sovereign governments, their agencies, and other official entities.

"Sovereign" means independent of the control of another government or governments.

"Tribe" or "Tribal government" means a sovereign government of an Indian people, embracing and occupying lands and territory, and having jurisdiction over same, lying within the geographical boundaries of the State of Wisconsin, which sovereignty is recognized by the Government of the United States and subject to the Constitution, laws, and treaties of the United States, which also may be known as a "federally-recognized Indian Tribe."

"Wisconsin Works (W-2)" means the state-administered Temporary Assistance for Needy Families (TANF) program which replaced Aid to Families with Dependent Children.
New Matters:

2019 AB-470/SB-458 Circuit Courts – These bills which propose the addition of 12 additional circuit court branches throughout the state were adopted as amended by Executive action of the Joint Finance Committee (JFC) on February 12th. These bills will now go to the Governor for signing. It is not known what the Governor’s position is on this issue. Keep in mind that the Director of State Courts has the discretion to add the judges. Also, the infrastructure has to be completed by May of the year a county would receive a judge.

Opioid Litigation Update – Andy Phillips from von Briesen and Roper reported that the multiple parties in the ongoing opioid litigation are in settlement discussions. The national legal counsel will be conducting a telephone conference update on Friday, February 14th to update the counties involved.

Committee Structure and PACE Program Discussions - Jon Hochkammer of WCA will present information to the Administration Committee on February 13th regarding committee structure, jurisdiction and oversight. Jon will also present information to the Finance Committee on February 13th regarding the Property Assessed Clean Energy (PACE) Program. The PACE Program assists local governments in imposing a special charge on real property to secure loans made for energy efficiency, water consideration, and renewable energy improvements. The PACE financing option is a tool for economic development, and Jon will update the Finance Committee on how to best utilize this tool. Please note that Jon announced his retirement at the WCA Legislative Exchange conference, and while we wish him well, his work and assistance will be missed.

2020 WCA Annual Legislative Exchange – I attended the annual Legislative Exchange in Madison on February 4-5, with Board Members Shuman, Schleeter, and Morgan. The conference provided useful information on a variety of legislative topics that are key issues in Sawyer County, including juvenile justice administration, levy limits, transportation aids, and child support enforcement funding.

The WCA will next be hosting the WCA Northwest District meeting on April 29th at the Flat Creek Inn in Hayward, and the 2020 County Officials Workshop (COWS) on May 13th at Lakewoods Resort in Cable.
**Office Space/Relocations** – Through the 2020 budget process, the state authorized an additional Assistant District Attorney (ADA) be allocated to Sawyer County, and the County Board authorized an additional ½ FTE staff for ADA support and ½ FTE for Clerk of Court staff. These positions are in the process of being hired.

After several discussions, we have determined the best alternative for the new ADA is to create an office out of space previously occupied by Child Support staff. We are finalizing plans with Maintenance staff to accommodate this addition. This will be the least disruptive alternative while we continue to evaluate the long-term needs of court staff.

**2020 WCA Annual Legislative Exchange** – I will be attending the annual Legislative Exchange in Madison on February 4-5, 2020. This will be the first legislative exchange in over a decade with split party control of state government. County Board Members wishing to participate in this event should contact the County Board Chair.

On the afternoon of the 5th, I will attend the County Administrators/Executives meeting where we discuss the challenges faced operating our county governments.

**Civil Action No. 19-CV-99B** – On December 27, 2019, we received notice that a lawsuit was filed by Peter J. Thoreson against the County, City, and the investigating officers involved in a search and seizure of Peter Thoreson in 2016 and 2019. This action has been referred to our insurance carrier, County Mutual, and they have assigned Kurt Simatic of Stafford Rosenbaum to provide the County’s defense. I’ll keep you informed as things progress.

**Winter Depot Update** – News from Ron Petit: Tremendous news today (2/12) from talking to Helen Scotch, wife of Chris Scotch, the organizers for the Tuscobia Trail Ultra. THEY ARE GOING TO DONATE $6,500 dollars towards the Winter Depot Project. GIVEN ESTIMATES WE HAVE MADE REGARDING OTHER FUNDING INITIATIVES, THIS PUTS US ROUGHLY $500 A WAY FROM OUR TARGET GOAL TO COVER THE TOTAL QUOTED COST FOR THE RESTORATION. They will swing by here in April with the fallen Ultra participant plaque and we will attach it to the bench and place it trailside near the depot
**Ongoing Matters/Updates:**

**Airport Apron/Taxilane Funding** – Airport Manager Derek Leslie, Accountant Mike Keefe and I met with Mark Graczykowski from WisDOT – Bureau of Aeronautics on January 8th to prepare discussion items for the Public Works Committee at its meeting on February 12th for the design and funding for the apron and possible taxilane projects. Work continues on engineering and consideration of funding options. While we do not have the final options from BOA at this time, we are analyzing the information we do have so a decision can be made on the level of local funding when we have all the information from BOA.

**Ojibwa Ambulance Station** – The ambulance crew has moved into the new facility in Ojibwa. The Public Safety Committee members were invited to tour the facility on January 8th. We are planning an open house for the public to view the facility. This will occur after the spring thaw and the parking lot is complete. Details to follow.

**Construction Foundations Training (CJCC)** – The Construction with Foundations training kicked off on January 20th. The program has received positive feedback. The program costs for the instructor are being covered by the WITC grant, the books are on loan from Workforce Resources, and the materials for the construction project are to be collected via donations from the community. We finalized agreements with both WITC and New Reflections to define obligations, minimize the use of CJCC budgeted funds and protect the County’s interests.

**TimeClock Plus (TCP) Contract and Implementation** – We have finalized the contract with TCP and are in the implementation phase. TCP is the software application we are implementing to streamline the payroll time entry process, perform shift scheduling, and ensure proper coding for accruals and program accounting among other efficiencies.

**OO Property and Permit Process** – Discussions continue for the Ground Lease on the OO property with the American Birkebeiner Foundation. While the Ground Lease and Memorandum (MOU) are separate documents, both are being negotiated as new operational issues are raised. In addition, an internal permit process has been established for oversight of other events held at the OO Building and on other County land. This process is based on the permitting process for the Hatchery park pavilion to ensure consistency in the permitting process.

**Thoreson/Civil Action No. 19-CV-99B** – The litigation process continues in the lawsuit filed by Peter J. Thoreson against the County, City, and the investigating officers involved in a search and seizure of Peter Thoreson in 2016 and 2019. I continue to work with Kurt Simatic of the Stafford Rosenbaum law firm and I’ll keep you informed as things progress.
**Other Items:**
- Airport FBO application process for hanger lessees and other businesses
- Winter Depot construction & grant oversight
- Opioid litigation oversight
- County Fairgrounds issues
- Second Circuit Court legislation and status
- Dam repairs and construction; investigate special assessment process
- Oversight and streamlined review process for new or amended Ordinances
- Ongoing meetings with Division Administrators and Department issues
- Addressing ongoing human resources challenges
- Ongoing research and attention to alternative funding sources and grant opportunities to assist in County funding
- Update of County’s Comprehensive Plan, including Outdoor Recreation Plan
- Senior Resource Center – Budget and MOU
- Internal contract review form and policy