



LEGAL

GRANDPARENTS/RELATIVES

RAISING

AND

NURTURING

DEPENDENT CHILDREN

Milwaukee County Resource Guide



Legal



For information on:

See Question Number:

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Legal



The resource section at the end of this chapter gives you the locations, phone numbers, and/or Web sites of agencies where you can find help. For access to computers and assistance in reaching the information available on Web sites, contact your local public libraries, senior centers, community centers, or family resource centers.



Grandparents and other adults who take on the responsibility for raising the children of relatives may find themselves involved with the legal system for many reasons. For example, separation, divorce, death of a parent, child abuse, neglect, or similar problems may bring adult relatives, including parents, into child custody proceedings. In addition, child visitation rights may bring grandparents or other adult relatives to the Family Court, which handles such family struggles.

The courts generally do not want to take full custody of a child from his or her parents unless there is proof that the parent cannot or will not take responsibility for the child. A child who might be a victim of abuse or neglect can be placed under the jurisdiction of the Children's Court. Child placement, custody, visitation, guardianship, termination of parental rights, and adoption are some issues that might come up. (See the Glossary at the end of this resource guide for definitions of these terms.)

A child might live with a relative, such as a grandparent, by private arrangement or informal agreement with the child's parent. But without the legal right to make some decisions that only parents have the right to make for their child, the grandparent may not be able to do such things as enroll the child in school or get medical care for the child (see Question I.7).

If a grandparent or adult relative feels that a child's safety may be at risk while living with his or her parents, they should first talk with the parents about the problem. If that doesn't work, the relative may contact the Department of Social Services or Department of Human Services in the county where the child lives. (See the resource list at the end of this chapter for contact numbers.) The relative may make the call anonymously, or, if names are used, the report will be kept confidential. A social worker will ask for information about the child and parents, such as name, address, and date of birth. The social worker will also ask why there is a concern about the child's safety. The Human Service Agency will not tell the parent or child who contacted them. The Human Service agency will review the information that was given and decide if child protective services should look into the child's safety. If the agency does investigate, a social worker will contact the parents and the child to get

more information. If the social worker finds that the child's safety is at risk, the social services agency may refer the parents to community service providers for such things as parenting or anger management classes. The social service agency also may take the child from the parent's home and place him or her with a relative or a foster parent.

The following are answers to additional questions that are often asked about Wisconsin laws covering visitation, custody, guardianship, adoption, and the Indian Child Welfare Act.

I. Child Custody and Visitation

1. When may I petition for custody or visitation with my grandchild?

There are three chapters in the Wisconsin statutes that have provisions about the custody of children. **Chapter 48** is Wisconsin's Children's Code, which deals with issues of child protection, termination of parental rights, and adoption; **Chapter 767** addresses actions affecting the family, including divorce, paternity, and visitation; and **Chapter 880** is the guardianship statute.

Federal laws such as the Indian Child Welfare Act and the Parental Kidnapping Prevention Act can affect the custody and placement of children.

2. What does it mean to have legal custody of a child?

Legal custody gives the grandparent or other relative caregiver the right and responsibility to make major decisions concerning the child, except for specific decisions stated by the court or the parties in the final court order. Major decisions may include giving the child permission to marry, to enter military service, or to get a driver's license. Grandparents or other relative caregivers also can authorize non-emergency health care and make choices about school and religion.

3. What is the difference between legal custody and physical placement?

Legal custody is the court-ordered right and responsibility to make major decisions about the child, except for those stated in the court order. *Physical placement* allows a child to be placed with a grandparent or other caregiver, who then has the right during the placement to make routine daily decisions for the child. Someone else, however, would have the legal right to make major decisions for the child (e.g., medical, counseling, or educational decisions).

4. Why is legal custody important?

Sometimes it is necessary for a grandparent or other relative (i.e., a third party) to care for the child when the parent is either unwilling or unable to take on his or her responsibility. Reasons for giving custody to a grandparent or other relative may be because the parent abandoned or neglected the child, needs to be gone for a long period of time, or similar situations that would greatly affect the welfare of the child. The grandparent or other relative, if given court-ordered custody, would have the legal right to make decisions and act in the child's best interest.

5. When would courts grant visitation to grandparents or other adult relatives?

If it can be proven that a child has formed a close bond with an adult other than the child's parents—especially a grandparent or other adult relative the child has come to trust—and if it is in the child's best interest, the courts may give these relatives visitation rights.

6. Can a court order visitation to grandparents and other third parties?

Current state law lets grandparents and certain relatives petition for visitation with their grandchildren if:

- (a) The request for court-ordered visitation meets the following two-part test:
(1) The family is affected by divorce, separation, paternity action, annulment, etc., and (2) the child is not be a member of an “intact family,” that is, the child isn't living in a household where no divorce, separation or annulment has taken place. (Sec. 767.245, Wis. Stats.)
- (b) A grandparent is allowed to petition for visitation if the child's parent has died and it is in the best interest of the child to visit with that parent's parents. (Sec. 880.155(2), Wis. Stats.)
- (c) A grandparent is allowed to petition for visitation with a child if the parent's rights were terminated and the child was adopted by a relative or stepparent. It must also be proven that the grandparent and the child had a parent-child relationship within the two years before the petition was filed. (Sec. 48.925, Wis. Stats.)

Additionally, through case law, the court has taken steps toward protecting the rights of children to continue their relationships with people who may not legally be their parents, but who have developed a parent-like relationship with the child. Visitation must also be shown to be in the child's best interest.

7. What is informal placement?

Informal placement often takes place between a caregiver and the child's parents. Caregivers have no rights in this situation. They have physical placement, which gives them the responsibility for the child's day-to-day care, but the parents keep legal custody, which means they can take the child from a caregiver's home at any time.

8. Can an order for legal custody be changed?

The court can change the custody order but each statute has different requirements. You should consult with an attorney to determine what the standard is for your particular situation.

II. Guardianship in Wisconsin

1. What is a guardian?

A guardian is a person appointed by a court to look after the care, custody, and control of a minor or the estate of a minor. A minor is someone 18 years old or under.

2. Who may have a guardian?

Any minor under the age of 19 may, in certain circumstances, need a guardian who is appointed by the court. The court will decide exactly what responsibilities the guardian will have.

3. Who may be appointed a guardian?

Any person may petition to be appointed guardian of a minor. If a guardian is needed, the court must appoint a guardian, but no more than one guardian is to be appointed for one child. A husband and wife may act as one guardian.

4. Can a guardianship be terminated?

A parent is entitled to custody of his or her child unless the parent is unfit or unable to adequately care for the child. There must be serious reasons for giving custody to a third party, such as the parent's abandoning or neglecting the child. If a parent has lost custody of a child to a third party, he or she must petition the court to have the child returned.

5. What is temporary guardianship?

The court may appoint a temporary guardian if it finds that the minor must have a guardian appointed immediately. In Wisconsin, the temporary guardianship may

not be longer than 60 days, and it may be extended only once for another 60 days. Arrangements must then be made for the child to be returned to the parents, for permanent guardianship, to be placed in a foster home, or to be placed for adoption.

6. What is standby guardianship?

In a standby guardianship, a person is named who will be responsible for a child if that child's parent or guardian is unable to do so or if the parent or guardian dies. A standby guardian may be appointed for a minor at any time, but isn't responsible for the child as long as the minor has one living parent who is willing and able to be the legal guardian.

III. Adoption in Wisconsin

Adoption gives an individual or a couple full legal and financial responsibility for parenting a child. The relationship is permanent. In Wisconsin, parental rights must be terminated before an adoption can take place.

1. Do I need an attorney to adopt my grandchild?

It is necessary in Wisconsin to use an attorney when adopting a child. The adoption process is long and complicated, including such things as the termination of parental rights, court hearings, and home studies. If you qualify for adoption assistance, your attorney may be able to help you to find funding. You also may get information by calling your county social services agency for financial and legal assistance that you may be able to get to help you pay for the adoption.

2. If a child protective agency has legal custody of the child, how does that affect the adoption process?

A child usually is removed from his or her family because the child is at risk of abuse or has been abused and/or neglected. The child is placed in protective custody for a period of time during which the parents may be given a chance to have the child returned to them. If the child is not returned to the parents, then parental rights are terminated so that the child may be placed for adoption with a safe, stable family. The Department of Health and Family Services should start proceedings for termination of parental rights if it is in the child's best interest. There will be a court hearing to terminate the parental rights, which frees the child for adoption.

3. What is the procedure for Adoptive Placement?

(a) Placement through an agency

The Wisconsin Department of Health and Family Services (DHFS), a county department, or a licensed child welfare agency may place a child for adoption in a licensed foster home or with a licensed treatment foster home. A licensed treatment foster home is one that is trained to work with children who have special needs such as attention deficit disorder or cerebral palsy. This type of placement can be done without a court order if the department, county department, or child welfare agency is the guardian of the child or makes the placement at the request of another agency, which is the guardian of the child.

If a child has been in the custody of a county or state child welfare department prior to adoptive placement, the department must first look into placing the child for adoption with a relative who is identified in the child's permanency plan or whom the department or agency already knows.

When a child is placed in a licensed foster home or licensed treatment foster home for adoption, the agency or department making the placement must have a written agreement with the adoptive parent, which must include the date the child is placed in the home.

(b) Placement with a relative

A parent who has custody of a child may place the child for adoption in the home of a relative of the child without a court order.

If a child's parent has not filed a petition to terminate parental rights, the relative the child lives with must file a termination petition at the same time they file the adoption petition.

When an adoption petition is filed, the court must order an investigation into whether the child is a good candidate for adoption and whether the relative's home is suitable for the child. The department, county department, or licensed child welfare agency must conduct the investigation if no agency has guardianship and a relative other than a stepparent has filed the petition.

After the investigation is complete and the report is filed with the court, the court may hold the hearing on the adoption petition immediately after entering the order to terminate parental rights.

(c) Stepparent adoption

A stepparent may file a petition to terminate the parental rights of the non-custodial parent and petition to adopt a stepchild. An attempt must be made to get the non-custodial parent to agree to the adoption. The court may hold the adoption petition hearing right after entering the order to terminate parental rights.

4. What are the costs of adopting a child?

There are certainly some financial arrangements associated with adoption, including counseling before and after the adoption takes place, agency expenses, and attorney's fees. Your attorney will be able to tell you how much the adoption will cost.

5. How can I find a lawyer to represent me?

If you would like an attorney to represent you but don't know which one to call, you can call the Wisconsin Bar Association at (608) 257-4666 (lawyer referrals). Ask for the name of an attorney in your area who specializes in adoption cases. There is a fee for this service. The resource section at the end of this chapter lists several Web sites where you can go for information. Also check the Adoption heading in the Yellow Pages of your telephone book.

6. My husband and I are raising our grandchildren who have special needs and would like to adopt them. We just learned that the North American Council on Adoptable Children might be able to help us with the costs of caring for our grandchildren. Where can we find out more information about North American Council on Adoptable Children and if they can help us?

The North American Council on Adoptable Children is a resource for families interested in adopting children with special needs that can help you decide if you are eligible for adoption subsidies that are available for children with special needs. Federal subsidies are made available to encourage the adoption of special needs children and to ease the financial concerns for the families that adopt children with special needs. Children may receive a federally funded subsidy under Title IV-E or a state-funded subsidy, depending on state guidelines.

More information about the North American Council on Adoptable Children can be found on their Web site at: <http://www.nacac.org/stateprofiles/wisconsin.html> This Web site also can give you information about what special needs are, what benefits are available, and how to apply for benefits in your state. If you have other questions, you can call the North American Council on Adoptable Children (NACAC) at 651-644-3036 or its subsidy help line at 800-470-6665. You can also reach NACAC by E-mail at info@nacac.org

IV. Family Counseling in Wisconsin

1. Do we have family counseling in Wisconsin?

Some counties in Wisconsin do have family counseling as part of the circuit court system; others don't. Check with your Family Court Commissioner at the County Courthouse to find out if your county offers family counseling. You might also want to check with your insurance company to determine if you are eligible for counseling covered by your policy.

2. What is the role of Family Court Counseling?

Whenever legal custody or physical placement is disputed, the parties involved in the dispute may be referred to mediation, either through Family Court Counseling or a private mediator. If mediation doesn't work, the court may order a study to look into the conditions of the child's home, how each party handles parental duties and responsibilities for the child, and any other matters in the best interest of the child.

Often, grandparents or other third parties who are petitioning for custody or visitation will be included in the mediation.

3. Where can I call in my county to find out about Family Court Counseling?

Call your county's Clerk of Courts for possible resources in your area or look in the Yellow Pages under *Mediation* for private family mediation providers. The resource list at the end of this section may include specific suggestions for your county.

V. What Is the Indian Children Welfare Act?

The Indian Child Welfare Act (ICWA) is a federal law that governs child welfare proceedings for Indian children. ICWA must be considered in addition to state and federal statutes governing child welfare proceedings.

1. Who is considered an Indian Child?

An Indian child is a boy or a girl under the age of 18 who is a member of an Indian tribe or who is eligible to become a member of an Indian tribe and is the biological child of a tribal member.

2. Who is a parent under this Act?

Under ICWA, parent is defined as a biological parent of an Indian child, as well as any Indian person who has adopted an Indian child. This includes adoptions under tribal law or custom.

3. Who is an “Indian custodian” under the ICWA?

An Indian custodian is an Indian who either has legal custody of an Indian child under tribal law or custom, or state law, or who has been given temporary custody of an Indian child by the child’s parent. Any relatives of the child, including the grandparents or aunts and uncles, would be custodians if they meet this definition. The same rights and protections that apply to biological parents also apply to a custodian, unless the custodian is trying to remove a child from a biological parent's custody.

4. When does a tribe have exclusive jurisdiction over an Indian child?

When the child lives on the reservation.

5. What must the state prove in order to place an Indian child in foster care?

In order to place an Indian child in foster care, the state must prove by “clear and convincing evidence” that custody of the Indian child by the parent or Indian custodian is likely to have serious emotional or physical damage for the child.

6. Can the state remove an Indian child in an emergency?

There is a provision in the Indian Child Welfare Act that allows the state to remove an Indian child when there is a risk of immediate physical damage or harm to the child. This provision applies even if the child lives on a reservation, but is temporarily off the reservation. The state must make sure that the emergency removal is ended as soon as it is no longer needed.

7. What are the eleven Indian Tribes in the state of Wisconsin?

The tribes in Wisconsin and contact information are:

Bad River Band of Lake Superior Chippewa Indians

P.O. Box 39

Odanah, WI 54861

Phone: (715) 682-7111

Fax: (715) 682-7118

Forest County Potawatomi Indian Community

P.O. Box 340
Crandon, WI 54520
Phone: (715) 478-2903
Fax: (715) 478-5280

Ho-Chunk Nation of Wisconsin

P.O. Box 667
Black River Falls, WI 54615
Phone: (715) 284-9343
Fax: (715) 284-9805

Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin

Route 2, Box 2700
Hayward, WI 54843
Phone: (715) 634-8934
Fax: (715) 634-4797

Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin

P.O. Box 67
Lac du Flambeau, WI 54538
Phone: (715) 588-3303
Fax: (715) 588-7930

Menominee Indian Tribe of Wisconsin

P.O. Box 910
Keshena, WI 54135-0910
Phone: (715) 799-5100
Fax: (715) 799-3373

Oneida Tribe of Indians of Wisconsin

P.O. Box 365
Oneida, WI 54155
Phone: (414) 869-2214
Fax: (414) 869-2194

Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin

P.O. Box 529
Bayfield, WI 54814
Phone: (715) 779-3700
Fax: (715) 779-3704

St. Croix Chippewa Indians of Wisconsin

P.O. Box 287
Hertel, WI 54845
Phone: (715) 349-2195
Fax: (715) 349-5768

Sokaogon Chippewa (Mole Lake) Community of Wisconsin

Route 1, Box 625
Crandon, WI 54520
Phone: (715) 478-2604
Fax: (715) 478-5275

Stockbridge Munsee Community of Wisconsin

N. 8476 Moh He Con Nuck Road
Bowler, WI 54416
Phone: (715) 793-4111
Fax: (715) 793-1307

VI. Where can I get more information to read about grandparents' rights and responsibilities?

A good place to start would be your local Cooperative Extension office. Ask for Bulletin B3702, "Grandparents' Rights and Responsibilities." Other helpful publications include: "Grandparents and Other Relatives Raising Children: Grassroots Concerns and Solutions From Across the United States" (January 2000), published by Generations United; "Relatives Raising Children: An Overview of Kinship Care" (1997), edited by Joseph Crumbley and Robert L. Little, published by The Child Welfare League of America; and "Grandparents: Raising Our Children's Children" (2000), by Doris K. Williams, University of Idaho.

You can also check with local libraries, your county, tribal, or aging offices, and your local AARP chapter.



The information in this chapter has been adapted for use in Wisconsin from the state of Delaware's *Grandparents Raising and Nurturing Dependent Children* by Ethel Dunn, Executive Director, Grandparents United for Children's Rights, Inc.; Robin Ryan, Department of Health and Family Services; and Barbara Robinson, Bureau of Aging and Long Term Care Resources, Division of Supportive Living, Wisconsin Department of Health and Family Services.

The chapter was reviewed by Marygold Melli, Voss-Bascom Professor of Law Emerita, University of Wisconsin School of Law, and Attorney Theresa Roetter, Stafford Rosenbaum LLP.

This chapter is one of eight chapters included in the *Grandparents/Relatives Raising And Nurturing Dependent Children Resource Guide* (GRAND). Other topics addressed in the resource guide include Child Care, Counseling, Education, Financial Assistance, Health, Housing, and Parenting issues. They can be found on the Grandparents Raising Grandchildren Web site at:
<http://www.uwex.edu/ces/flp/grandparent/grand.pdf>

The University of Wisconsin-Extension presents the information in the *Grandparents/Relative Raising And Nurturing Grandchildren (GRAND) Resource Guide* as a service to those who are raising grandchildren or other kin or to those who are working with them. Although every effort has been made to ensure accuracy and reliability, UW-Extension and contributors to this resource guide make no warranty or guarantee concerning the accuracy or reliability of the content in the resource guide.



Legal Resources



Support and Assistance – Programs that benefit specific groups or act on behalf of individuals and/or groups to make certain that they get the benefits and services they have a right to and that their rights are protected and enforced. Most advocacy programs do not use attorneys and therefore are not qualified to offer legal opinions or represent their clients in court.

Types of Support and Assistance:

Individual [*indiv*] – Programs that educate individuals and significant others about their rights and act on behalf of an individual who may have a grievance against a service provider or who believe their rights have been violated.

Group [*group*] – Programs that educate groups of individuals and significant others about their rights and act on behalf of a group that may have a grievance against a service provider or that believe that their rights have been violated.

Crime Prevention [*crime*] – Programs that help individuals and the general public protect themselves against crime or prevent it from happening.

Legal Assistance [*legal*] – Programs that protect the rights of individuals or groups who are involved in civil, criminal or administrative actions. This assistance can take several forms, including furnishing legal advice, advising the party of his or her rights and possible solutions, negotiating a settlement, preparing legal documents, appearing in court on behalf of an individual, preparing the individual to represent himself or herself in court, and/or attending trials to monitor court proceedings.

Types of legal assistance include:

Family Law [*family*] – Programs that offer assistance for people who are involved in disputes or legal actions that affect their family relationships.

Legal Counseling [*counsel*] – Programs that are staffed by attorneys who offer advice and guidance about legal matters, proposed lines of conduct, claims or contentions, including opinions on the party's rights, responsibilities and liabilities. They also offer suggestions for an appropriate course of action, but do not represent clients in court.

Legal Representation [*represent*] – Programs that are staffed by attorneys who appear on behalf of their clients in criminal, civil and/or administrative actions and proceedings. They also offer legal advice and guidance.

Mediation [*mediate*] – Programs that arranges for a neutral third person who all parties in a dispute agree to, who helps with the discussion between the parties and then helps them in making their own settlement decisions.

Power of Attorney [*power*] – Programs that give help to people who want to officially give another individual the right to make important health care decisions on their behalf if they ever are unable to make those decisions for themselves, or to handle important matters such as bill paying or handling contracts, investments, taxes, estate planning, or a business if the person becomes incapacitated.

Protective Payee Program [*payee*] – Programs that arrange to send benefit checks to a relative or other individual when the recipient is unable to manage his or her own funds.

Tenants Rights Counseling [*tenant*] – Programs that provide advice and guidance for tenants who need to know their rights and responsibilities about leases and rental agreements, deposits, legal eviction procedures, measures to protect themselves from unlawful or retaliatory evictions, rent withholding rights, rent control requirements, privacy rights and other issues that may be of particular interest to tenants. Tenant rights counseling may also include help in filling out forms, advice about a particular dispute, and contact with the offending landlord to give notification that she or he is not in compliance with property owner/tenant laws.

Child Abuse and Neglect

Bureau of Child Welfare - Milwaukee County
1555 N. River Center Drive, Suite 220
Milwaukee, WI 53212
Phone (414) 220-7000
Hotline 220-SAFE (7233)

Investigates reports of child abuse and neglect. Anyone may report anonymously. Takes whatever action is necessary for child's safety. 24 hour availability.

Legal Council Represent

Centro Legal
1711 S. 11th St.
Milwaukee
WI 53204
384-7900
<http://www.centrolegalwisconsin.org/>

Centro Legal offers legal representation those with limited resources. Centro Legal gives legal advice, referral and services at a reasonable price in family law, tenant rights, municipal court violations, criminal and civil defense, immigration, administrative law, and other areas. The majority of Centro Legal's clients have an income below 125% of the federally determined poverty line.

**Legal
Counsel
Represent**

**Child Protective Investigations / Foster Care
Services**

Region one

1720 W North Ave
Milwaukee, WI 53205
220-7700

Region two

6111 N. Teutonia Ave.
Milwaukee, WI 53209
616-6100

Region three

2745 S. 13th St.
Milwaukee, WI 53215
902-5800

1205 S. 70th St.
West Allis, WI 53214
302-6100

Child protective investigation services are available for reports of abuse/neglected children, child placement provided to children who cannot remain in home because of abuse and neglect, in-home protective services available to children and families at risk of abuse and neglect. Foster care services provided to children removed from their homes and to biological parents of children in care for the purpose of reuniting families. Recruit and license foster homes. Provides special needs adoption services including recruiting adoptive families, home study, and adoptive placements.

**Legal
CHIPS Petition**

CHIPS Petition - Children's Court Center

10201 Watertown Plank Rd
Wauwatosa, WI 53226
257-7700

A parent/child may not file a CHIPS petition. Counsel/Guardian Ad Litem for a parent/child may file the petition. Parents are directed to FISS (Family Intervention on Support and Services). If unsuccessful at FISS and they

obtain a service plan, the parent may file a request with the District Attorney to file a CHIPS/JIPS petition.

Group	Coalition of Wisconsin Aging Groups (cwag)
Individual	2850 Dairy Dr Ste 100
Elder law	Madison, WI 53718-6751
	(800) 366-2990
	http://www.cwag.org/

The Coalition of Wisconsin Aging Groups (CWAG) is a federation of local, area and statewide groups and individuals whose mission is to advocate for the special needs of older persons; to ensure that older persons are recognized as people of dignity and worth; and to affirm that older persons are partners in building the Wisconsin of tomorrow for people all ages. cwag members receive newsletters and updates on legislative issues important to older persons; access to free and discounted publications; invitations to meetings and events;; discounts on assistive devices(such as amplified phones) through Ameritech Special Needs Center; discounts on *cwag* sponsored conferences and other events. CWAG also advocates in the following areas: health and long-term care; elder law issues; housing and property tax relief; funding of elderly programs; Social Security and income security issues; and advocacy of intergenerational issues.

Victims of Crime Resources	Community Information Line
<ul style="list-style-type: none">• Other Legal Resources	773-0211

Call for resources to help you if you have been a victim of a crime or for help in finding other legal resources.

Legal Power Counsel Family	Fair Justice
	PO Box 23958 Suite 302
	Milwaukee, WI 53223-0958
	355-9113

The Fair Justice Legal Helpline is a non-profit agency designed to help the citizen and the system work together toward the common goal of fair justice through proper channels. This service is available to the general public. Fair Justice offers low cost services in bankruptcy, non-contested divorces, and wills and powers of attorney. Since Fair Justice is totally non-funded, people ordering services from the helpline will need to pay a small fee to cover the cost involved in making that service available to them.

**Group
Individual
Grandparents**

Grandparents Rights of Wisconsin, Inc (GROW)
PO Box 341015
Milwaukee, WI 53234-1015
535-1218

Is a nonprofit advocacy group dedicated to preserving, protecting, and restoring the bond between grandparent and grandchild.

**Legal
Lawyer referrals**

Lawyer Referral and Information Service
(Wisconsin State Bar - Madison)
PO Box 7158
Madison, WI 53701-7158
(800) 728-7788 (State-wide)
<http://www.wisbar.org>

If you have a legal problem, and you need an attorney in Wisconsin, call the State Bar's Lawyer Referral and Information Service. Clients who need legal help are matched with concerned lawyers by professional legal assistants. LRIS is a public service project. Callers from all over the state get help through three services: Lawyer Referral, Lawyer Hotline, and Community Referral. When you call the service, you will not get legal advice. However, you will talk to a legal assistant who is experienced in analyzing potential legal problems -- and in helping you locate the best source of help. When you tell the attorney that you were referred by LRIS, it will cost no more than \$20 for the first half-hour consultation.

Community Referrals: If you do not need a lawyer, LRIS will refer you to another legal service organization, government agency, or community resource that might be able to help with your legal concern.

Lawyer Hotline: Maybe all you need is general legal information or an answer to a simple legal question, such as how to file in small claims court. LRIS will make an appointment for a lawyer to call you back, free of charge, within a few days, to briefly discuss your question with you

**Family
Legal
Tenant
Lawyer referral
Public benefits
problems
Social Security
problems
Welfare issues
(see also SeniorLaw)**

Legal Action of Wisconsin
230 W Wells St Rm 800
Milwaukee, WI 53203
278-7722
1-888-278-0633
www.badgerlaw.net

Legal Action provides free civil legal services to low-income people and senior citizens in the areas of housing, public benefits, family law, jobs and economic development and education. (Please refer to the legal services page for a more complete description of types of cases handled.) Legal Action does not handle criminal, Selective Service, school desegregation, redistricting, class action, welfare reform, abortion or fee-generating cases. Also, Legal Action cannot represent undocumented aliens or prisoners. Legal Action can, however, refer persons with these cases to lawyers who may be able to help them.

Legal Represent Tenant Homeless outreach services	Legal Aid Society of Milwaukee, Inc 521 North 8th Street Milwaukee, WI 53233-2404 727-5300 http://www.lasmilwaukee.com/
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Provides free legal services on a case-by-case basis to low-income residents in Milwaukee County for non-traffic, non-criminal, and non-fee generating cases including consumer law, landlord-tenant, municipal ordinance defense, and public benefits law. The Society's Outreach and Advocacy to the Homeless (OATH) project provides outreach services to homeless persons at Milwaukee area meal sites. Also offers legal assistance for those living with HIV/AIDS, Helping the elderly with legal problems (HELP), taxpayer advocacy and counseling services (TACS) and predatory lending or advocacy for low income neighborhood equity (A-LINE).

Individual Mediate Child support enforcement	Milwaukee County Dept of Child Support Enforcement 901 N 9th St Milwaukee, WI 53204 278-5160
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The Milwaukee County Department of Child Support Enforcement is located in the Milwaukee County Courthouse. Staff can help in establishing paternity, setting up child support payments, or enforcement of court-ordered child support. Can also assist in interstate actions. For any support order current in Milwaukee County.

Individual <ul style="list-style-type: none">• Elderly Services• Victimes of Crime• Elder abuse/Neglect	ElderLink – Aging Resource Center 289-6874
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ElderLink is the Information and Assistance Call Center Unit of the Milwaukee County Department on Aging Resource Center. ElderLink provides a single point of access to information, services, and programs that can help people

60 years of age and older remain active and independent. At ElderLink your questions and concerns will be addressed by social workers who can link you with up-to-date information about the wide array of resources available to meet long-term care needs. ElderLink staff can also make referrals related to Transportation, Home Delivered Meals and Long Term Support Programs such as providing assessments for Family Care, Elder Abuse Investigations, Caregiver Respite. Elderlink also operates a 24 Hour Program with on call social workers who can assist older adults who may be experiencing a non-medical crisis after normal business hours and on weekends.

ElderWatch: A community-wide effort to identify and ensure the safety and well-being of senior citizens in Milwaukee County.

Crime

- **Victim services**
 - **Witness services**
- Individual**

Milwaukee County District Attorney's Office
278-4653

Domestic Violence Unit
278-4792

Elderly Victim Services
278-4667

Sensitive Crime Victim Services – Adult Court
278-4617

Sensitive Crime Victim Services – Children's Court
257-7725

Victim / Witness Services – Adult Court
278-4667

Victim / Witness Services - Children's Court
Children's Court
257-4527

The District Attorney also represents the public interest at the Children's Court Center in cases involving children alleged to be delinquent, in need of protection or services, or mentally ill or developmentally disabled; and handles actions involving the termination of parental rights. The District Attorney has a duty to safeguard the rights of citizens who are crime victims and witnesses, and runs several programs to aid crime victims and witnesses, including the Sexual Assault Counseling Unit, the Elderly Victim/Court Watch Program, Victim/Witness Services Units downtown and at the Children's

Court Center, and the Crisis Response Unit, which aids victims immediately after the commission of a crime.

For Elderly Victims Services: Provides information, advocacy, and support services to victims and witnesses who are 60 years of age and older. Services are provided to older victims of both adult and juvenile offenders and include case monitoring, court escort, and transportation to and from court, if necessary. Also gives informational presentations to community groups of older adults.

Mediate

- **Family Court**

**Milwaukee County Family Court Commissioner
Mediation Service
Milwaukee County Courthouse**
901 North 9th Street, Room 707
Milwaukee, WI 53233
278-4428
<http://www.co.mil.wi.us/courts/fam.htm>

The FCC office shall provide judicial officer hearings and issue orders in divorce cases, paternity cases and civil domestic abuse cases. Further, it will provide supplementary clerical and support services to aid in implementing those orders, provide information services to the parties and to the general public, and to aid in providing alternate dispute resolution programs for parties and their minor children. The FCC office shall provide accurate procedural information and efficient order processing so that the Family Division of the Circuit Courts is responsive, available and helpful to people needing its services.

**Individual
Family
Battered women and
children**

Milwaukee Women's Center
611 N Broadway St #105
Milwaukee, WI 53202
272-6199
<http://www.mwcinc.org/>

The Milwaukee Women's Center offers comprehensive, individualized domestic violence services for men, women, and children in the greater Milwaukee community. These services include an emergency shelter for battered women and children, a 24-hour crisis hotline, specialized programming and support for older abused women, and intensive group therapy/treatment for batterers. Behavioral Health Services at the Milwaukee Women's Center include a state-certified mental health and substance abuse outpatient treatment clinic, as well as a network of services to extend treatment beyond the confines of insurance and managed care services. Behavioral Health Services at the Milwaukee Women's Center include a state-certified mental health and substance abuse outpatient treatment clinic, as well as a network of services to extend treatment beyond the confines of

insurance and managed care services. In 1997, the Milwaukee Women's Center joined with Children's Service Society of Wisconsin (CSSW) to create a child welfare agency, Innovative Family Partnerships, Inc. (IFPI). The minority-governed agency is one of five private sector agencies that provides child welfare services in Milwaukee County. It offers multi-cultural, neighborhood-based services that ensure the safety of children at risk for maltreatment and creates permanency in their lives

**Family
Legal
Housing for older adults
Public benefits problems
Social Security problems
represent**

SeniorLaw
230 W Wells St #800
Milwaukee, WI 53203
278-1222
www.badgerlaw.net

SeniorLAW is a program which gives free benefits assistance to Milwaukee County residents 60 years and older. The program is made up of Benefit Specialists who provide information and assistance and attorneys who provide representation in appropriate court cases. Services are free of charge.

SeniorLAW can help you if you are having problems with your public benefits such as Medicare, Medical Assistance, Long Term Care, Social Security, SSI, Food Stamps, Subsidized Housing, or Homestead Credit. If you have applied for benefit and have been denied, or if your benefits have been cut off or reduced, the staff at SeniorLAW can talk to you about your case and represent you where appropriate.

SeniorLAW can also provide you information about benefit programs, confusing health care papers, power of attorney forms, and changes in the laws that might affect you. We may be able to represent you in court in some cases involving guardianship, elder rights, housing, and consumer scams. There are some cases that SeniorLAW cannot handle. These cases include: criminal, traffic, wills, probate, estate planning, malpractice, personal injury, and cases where attorneys could collect a fee from the opposing party.

Adoption Assistance

Wisconsin Adoption Information Center
6682 W. Greenfield Ave. Suite 310
Milwaukee, WI 53214-3151
475-1246
800-571-1105
<http://www.wiadoptioninfocenter.org/>

The Wisconsin Adoption Information Center (AIC) is a state funded service providing information about adoption to adolescents and adults experiencing

unplanned pregnancies, to birthfathers, to prospective adoptive parents, to professionals, and to the general public.

Services provided by the Adoption Information Center

Confidential and toll-free telephone line in Wisconsin.

Training about adoption as an option for professionals who work with adolescents and adults. Publicity to increase public awareness and improve the public's image of adoption as a positive option for an unplanned pregnancy.

Court system

- **Municipal Court**
- **Clerk of Circuit Court**
- **Small Claims Court**

information

Wisconsin Court System

<http://www.courts.state.wi.us/>

Clerks of Circuit Court by county:

<http://www.wicourts.gov/contact/directories.htm>

Municipal Court listing:

<http://www.wicourts.gov/contact/directories.htm>

Guide to Small Claims Court:

<http://www.wicourts.gov/about/pubs/circuit/smallclaimsguide.htm>

General information about the court system in the state of Wisconsin, including information on Clerks of Circuit Court in each county and each municipal court in the state.

Adoption

**Wisconsin Dept of Health and Family Services
Southeastern Wisconsin**

141 N.W. Barstow Street
Room 104
Waukesha, WI 53188
(262) 521-5100

Department of Health and Family Services Office to contact for information on adoption of special needs children.

Group

- **Families**

Wisconsin Family Ties

16 N Carroll St Suite 640
Madison, WI 53703
(608) 267-6888

Wisconsin Family Ties is a statewide not-for-profit organization run by families for families that include children and adolescents who have emotional, behavioral, and mental disorders. WFT has family advocates who can team with families and the professionals working with families. Whether it's schools,

social services, mental health services, or the juvenile justice system, WFT can help with understanding options and legal rights. Also provides information and referral services, support groups, and conferences for parents and professionals.

Legal Guardianship issues	Wisconsin Guardianship Support Center 2850 Dairy Dr Ste 100 Madison, WI 53718-6751 (800) 488-2596
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The toll-free telephone line is available to all individuals with questions about guardianship law: how to determine whether an individual needs a guardian; how the court procedures work; the roles, responsibilities and authority of guardians; and alternatives to guardianship.

Legal Landlord / Tenant issues Eviction information	Wisconsin Judicare 300 Third St Ste 210 Wausau, WI 54402 (800) 472-1638
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Persons may be eligible for free legal help through Wisconsin Judicare if they: live in one of the 33 northern-most counties in Wisconsin; meet income and asset guidelines; are a US citizen or an alien lawfully residing in the United States under the color of the law. To access services, apply for a "Judicare Card" that is accepted by lawyers throughout northern Wisconsin. Cases involving bankruptcy, social security and SSI, family law, health, housing, income maintenance, wills, and Indian law will be reviewed for approval or denial on an individual basis. Wisconsin Judicare also handles a legal help line and low income tax payer clinic. Wisconsin Judicare cannot pay for or provide legal services in criminal cases, juvenile matters, fee generating cases, patents, traffic matters, ordinance violations and other restricted types of cases. (This is not a complete list of ineligible cases.) Having a Judicare Card does not guarantee that Judicare will pay an attorney to handle all legal problems.



