



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

██████████
c/o ██████████, Attorney
██████████
████████████████████

DECISION

FOS/146741

On January 17, 2013, the above-named petitioner requested a hearing regarding the Wisconsin Department of Children and Families (DCF) revoking the petitioner's foster care license. After four prehearing conferences but prior to conducting a hearing, Department counsel, Attorney Wakerhauser submitted a July 18, 2013 Motion to Dismiss the petitioner's appeal, as the Department has withdrawn the revocation of petitioner's foster care license and thus the appeal issue is moot.

The Department's July 18, 2013 letter to petitioner and her husband which stated the following:

On January 9, 2013, the Department of Children and Families issued an official notice that it was revoking the foster home license issued to you pursuant to Chapter 56 of the Wisconsin Administrative Code. This letter is official notice that the Department of Children and Families is withdrawing the foster home license revocation action effective immediately.

NOW, THEREFORE, it is ORDERED

That the Department's Motion to Dismiss is granted as the petitioner's appeal is moot because the Department has withdrawn its revocation of the petitioner's foster home license.

REQUEST FOR A REHEARING

This is a final administrative decision. If you think this decision is based on a serious mistake in the facts or the law, you may request a rehearing. You may also ask for a rehearing if you have found new evidence which would change the decision. Your request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and tell why you did not have it at your first hearing. If you do not explain these things, your request will have to be denied.

To ask for a rehearing, send a written request to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy of your request to the other people named in this decision as "PARTIES OF INTEREST." Your request for a rehearing must be received no later than 20 days after the date of the decision. Late requests cannot be granted.

The process for asking for a rehearing is in Wisconsin Statutes § 227.49. A copy of the statutes can be found at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed no more than 30 days after the date of this hearing decision (or 30 days after a denial of a rehearing, if you ask for one).

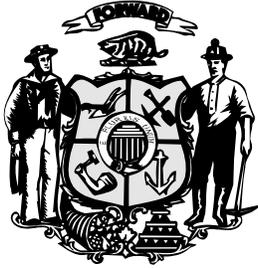
For purposes of appeal to Circuit Court, the respondent in this matter is the Department of Children and Families. Appeals must be served on the Office of the Secretary of that Department, either personally or by certified mail. The address of the Department is: 201 East Washington Avenue, Madison, Wisconsin, 53703.

The appeal must also be served on the other "PARTIES IN INTEREST" named in this decision. The process for appeals to the Circuit Court is in Wisconsin Statutes §§ 227.52 and 227.53.

Given under my hand at the City of
Madison, Wisconsin, this 30th day of July,
2013

\sGary Wolkstein
Administrative Law Judge
Division of Hearings and Appeals

cc: Attorney Jennifer Wakerhauser, Dept Children & Families
Attorney [REDACTED] [REDACTED], Eisenberg Law Office



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

Wayne J. Wiedenhoef, Acting Administrator
Suite 201
5005 University Avenue
Madison, WI 53705-5400

Telephone: (608) 266-3096
FAX: (608) 264-9885
email: DHAMail@wisconsin.gov
Internet: <http://dha.state.wi.us>

The preceding decision was sent to the following parties on July 30, 2013.

Foster Care

kim@eisenberglaw.org

jennifer.wakerhauser@wisconsin.gov