



STATE OF WISCONSIN  
Division of Hearings and Appeals

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In the Matter of

[REDACTED]  
[REDACTED]  
[REDACTED]

DECISION

KIN/167761

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**PRELIMINARY RECITALS**

Pursuant to a petition filed July 31, 2015, under Wis. Stat. § 48.57(3m)(f), and Wis. Admin. Code § DCF 58.08(2)(b), to review a decision by the Professional Services Group - PSG in regard to Kinship Care, a hearing was held on September 23, 2015, at Milwaukee, Wisconsin.

There remains no issue for determination.

There appeared at that time and place the following persons:

**PARTIES IN INTEREST:**

Petitioner:

[REDACTED]  
[REDACTED]  
[REDACTED]

Respondent:

Department of Children and Families  
201 East Washington Avenue, Room G200  
Madison, Wisconsin 53703

By: Tracy Pachowitz, Kinship Care Worker  
Bureau of Milwaukee Child Welfare  
1555 Rivercenter Drive  
Milwaukee, WI 53212

**ADMINISTRATIVE LAW JUDGE:**

Corinne Balter  
Division of Hearings and Appeals

**FINDINGS OF FACT**

1. The petitioner is a resident of Milwaukee County.
2. On July 22, 2015 Professional Services Group (PSG) sent the petitioner a notice. The notice stated that the petitioner had been required to follow up with PSG by July 20, 2015, but had failed to do so. They had tried to reach her, and were unable to reach her. The issue was that the

biological mother informed PSG that four of the children whom were in the petitioner's care had been returned to the biological mother.

3. I am unclear when the Division of Hearings and Appeals received the petitioner's Request for Fair Hearing. This request was possibly received July 31, 2015, August 1, 2015, or August 5, 2015.
4. At the hearing PSG indicated that they stopped kinship payments for the four children effective July 31, 2015. The petitioner agreed that she had not followed up with PSG. She further stated that the children actually remained in her care in August 2015, but agreed that the children were no longer in her care.
5. The agency representative agreed to issue kinship payments for the four children for August 2015 based upon the petitioner's testimony. The petitioner had no further disputes and agreed to stay in touch with the agency going forward. Two additional children for whom kinship payment was not an issue on this appeal remain in the petitioner's care.

### DISCUSSION

The only issue for this appeal was kinship payment for four kinship children in August 2015. The agency did not believe that these children were in the petitioner's care in August 2015. The petitioner testified that the children remained in her care through the end of August. She agreed that the children were not in care effective September 1, 2015. The agency agreed to issue the kinship payment for these four children for August 2015, and there is no longer an issue for my determination.

### CONCLUSIONS OF LAW

There remains no issue for determination.

**THEREFORE, it is**

**ORDERED**

That the petition is dismissed.

### **REQUEST FOR A REHEARING**

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or 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 with the Court **and** served either personally or by certified mail on the Secretary of the Department of Children and Families, 201 East Washington Avenue, Room G200, Madison, Wisconsin 53703, **and** on

those identified in this decision as “PARTIES IN INTEREST” **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Milwaukee,  
Wisconsin, this 24th day of September, 2015

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\sCorinne Balter  
Administrative Law Judge  
Division of Hearings and Appeals



**State of Wisconsin\DIVISION OF HEARINGS AND APPEALS**

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The preceding decision was sent to the following parties on September 24, 2015.

Professional Services Group - PSG  
DCF - Kinship Care  
DCF - Kinship Care