
**Early Learning & Human Services
Committee**

E2SSB 5389

Brief Description: Concerning sibling visitation and sibling contact for children in foster care.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Billig, Fain, Hargrove, Litzow, Murray, Tom, Kohl-Welles, Rolfes, Harper and Chase).

Brief Summary of Engrossed Second Substitute Bill

- Establishes that sibling visitation may not be used as a sanction or incentive for a child's behavior.
- Requires the Department of Social and Health Services supervisor to approve any modification in sibling visitation.
- Specifies that any party to a case may challenge the denial of visits in court.

Hearing Date: 3/26/13

Staff: Lindsay Lanham (786-7120).

Background:

In 2002 Engrossed Substitute Senate Bill (ESSB) 6702 required the Department of Social and Health Services (DSHS) to complete an assessment of a foster child's relationship and emotional bond with any siblings. The DSHS was required to develop a plan to ensure ongoing contact with the child's siblings if appropriate. A statutory preference for child placements able to facilitate sibling visits was established. Courts were required, under the bill, to consider the issue of sibling visits during dependency hearings.

In 2003 ESSB 5779 defined the term "sibling" and established that when a child is removed from the home of origin maintaining sibling relationships is presumed to be in the child's best interest. Courts were given the authority to order placement, contact, and visitation with a step-sibling as appropriate. It was further required that parental termination orders include information about

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the status of sibling relationships and the nature and extent of sibling placements, contact, or visits. Supervising agencies, under the bill, were also required to take reasonable steps to ensure that siblings maintain relationships.

In 2007 Engrossed Substitute House Bill 1624 required that the terms and conditions of sibling visits be established at the shelter care hearing. It was also established that out-of-home placements for children were contingent upon cooperation with the agency's plan and court orders regarding sibling visits.

In 2009 Second Substitute House Bill 1938 required that sibling contact be considered by parties in adoption plans. It was established in statute that sibling visits should continue after the finalization of adoption to the extent feasible.

Summary of Bill:

It is established in statute that sibling visitation may not be used as a sanction or incentive for a child's behavior. Additionally, any modification to sibling visitation requires the approval of the DSHS supervisor. Finally, any legal party to the case may challenge the denial of sibling visitation in court.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.