

# FINAL BILL REPORT

## 2SHB 1938

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Synopsis as Enacted

**Brief Description:** Concerning postadoption contact with siblings.

**Sponsors:** House Committee on Health & Human Services Appropriations (originally sponsored by Representatives Roberts, Kagi, Angel, Walsh, Dunshee, Pettigrew, Green, Goodman, Haler and Kenney).

**House Committee on Early Learning & Children's Services**  
**House Committee on Health & Human Services Appropriations**  
**Senate Committee on Human Services & Corrections**  
**Senate Committee on Ways & Means**

### **Background:**

#### Foster Care.

The statutory presumption for children in foster care is that placement with siblings or continuing contact and visits between siblings are in their best interests. While the dependency court is required to consider sibling placements, visits, and contact while the siblings are in foster care, there is no directive relating to consideration of continued sibling contact when the permanency plan will result in siblings being separated by an adoption from foster care.

#### Adoption.

Washington's adoption statute requires a pre-adoption home study report to be submitted to the court. The report must include verification that discussions with prospective adoptive parents includes topics relating to:

- the concept that adoption is a lifelong developmental process;
- the potential for the child to experience identity confusion and feelings of loss regarding separation from birth parents;
- the potential for the child to have questions about birth parents and relatives; and
- the relevance of the child's racial, ethnic, and cultural heritage.

Open adoption agreements must be reviewed and approved by the court. The statute authorizing agreements for postadoption contact between a child adoptee and his or her family includes no references to siblings of the child being adopted or the potential benefit of

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providing for a continuation of the child's relationship with his or her siblings through an adoption agreement or informal agreement.

**Summary:**

The relevance of the child's relationship with siblings and the potential benefit of facilitating postadoption contact is included in the list of issues that must be considered during the permanency planning process for children in foster care and discussed with prospective adoptive parents. The family law court reviewing and approving an adoption open agreement must encourage the consideration of the adoptive child's relationship with known siblings. If a child being adopted from foster care or his or her siblings is represented by a guardian ad litem (GAL) or an attorney in an adoption proceeding, or in a dependency matter, the court reviewing the open adoption agreement must inquire of the attorneys and guardians regarding the potential benefit of continued contact between the siblings.

**Votes on Final Passage:**

House	95	0
Senate	43	1

**Effective:** July 26, 2009