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**Early Learning & Human Services  
Committee**

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**HB 1204**

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

**Sponsors:** Representatives Roberts, Dahlquist, Kagi, Farrell, Walsh, Kochmar, Fey, Seaquist, Johnson, Freeman, Jinkins, Morrell, McCoy, Tarleton, Zeiger, Clibborn, Goodman, MacEwen, Appleton, Habib, Reykdal, Maxwell, Bergquist, Ormsby and Ryu.

**Brief Summary of Bill**

- Outlines specific procedures and requirements for sibling visitation for children involved in the child welfare system.

**Hearing Date:** 1/31/13

**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 the status of sibling relationships and nature and extent of sibling placements, contact, or visits.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

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:**

Guidelines for the DSHS or supervising agency regarding sibling visits for children involved in the child welfare system are established. Specifically, two sibling visits a month (at a minimum) must be provided to children in out-of-home care. Sibling visits may not be denied unless directed by a court order, the department has determined that sibling visits are a safety concern, or sibling visits would hinder reunification efforts. Sibling visitation can be modified if a child of an appropriate developmental age requests a modification, a parent of a non-dependent child objects to visits, the child is on runaway status for the majority of the calendar month, or the child is not complying with visitation arrangements.

In the event that parties are in disagreement about visitation the matter may be discussed in court. If visitation has been denied in a proceeding regarding a sibling, the child may initiate to be added as a party to a motion filed in a sibling's case. If the child is allowed to participate in the motion, confidential information must not be disclosed.

**Appropriation:** None.

**Fiscal Note:** Available.

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