

# SENATE BILL REPORT

## ESHB 1774

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As of March 21, 2011

**Title:** An act relating to recognizing adopted siblings and adoptive parents as relatives.

**Brief Description:** Concerning suitable persons with which a child in a dependency matter may be placed.

**Sponsors:** House Committee on Early Learning & Human Services (originally sponsored by Representatives Goodman, Pettigrew, Orwall, Kenney, Roberts, Kagi and Moscoso).

**Brief History:** Passed House: 3/02/11, 95-0.

**Committee Activity:** Human Services & Corrections: 3/18/11.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Jennifer Strus (786-7316)

**Background:** At the dispositional stage of a dependency matter, if the court orders that the child be placed in out-of-home care, the Children's Administration (CA) has the authority to place the child:

- with a relative;
- with another suitable person if the child or family has a preexisting relationship with that person and the person has completed all required criminal history background checks and otherwise appears to be suitable and competent to provide care for the child; or
- in a foster family home or group care facility.

CA may only place a child with a non-relative if the court finds that such a placement is in the child's best interest.

**Summary of Bill:** A person is considered a suitable person for purposes of placement, if in addition to the above criteria, a blood sibling or half sibling of the child is placed with that person or the person has adopted a blood sibling or half sibling of the child.

**Appropriation:** None.

**Fiscal Note:** Available on the original bill.

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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.*

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: There are judges who have held that, because the parents of siblings have had their parental rights terminated as to the siblings, the children are no longer siblings. As a result some children have not been placed or adopted together. Keeping siblings together is a very good thing because there is a sibling bond that should be preserved even if parental rights have been terminated. As an adoptive parent I have adopted three siblings – this bill would give sibling relationships a legal footing, but would still allow for parental preference and judicial discretion as to what is in the best interests of the child. When parents are unable, unwilling, or unfit to raise their children, they should not be deprived of the opportunity, if possible, to grow up with their siblings.

**Persons Testifying:** PRO: Representative Goodman, prime sponsor; Gary Malkasian, Foster Care Justice Alliance; David Putnam, adoptive parent.