

# FINAL BILL REPORT

## E2SSB 5389

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Synopsis as Enacted

**Brief Description:** Concerning limitations on visitation or contact with 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).

**Senate Committee on Human Services & Corrections**  
**Senate Committee on Ways & Means**  
**House Committee on Early Learning & Human Services**

**Background:** In 2002, the Legislature 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. DSHS was required to develop a plan to ensure ongoing contact with the child's siblings, if appropriate. A statutory preference was established, encouraging children to be placed in homes that would be able to facilitate sibling visits, and courts were required to consider the issue of sibling visits during dependency hearings.

In 2003, the Legislature established that it is in the child's best interest to maintain sibling relationships when that child is removed from the home. 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 the nature and extent of sibling placements, contact, or visits. Supervising agencies were also required to take reasonable steps to ensure that siblings maintain relationships.

**Summary:** DSHS or another supervising agency must attempt the maximum child and sibling interaction possible. DSHS, the court, or the caregiver in the out-of-home placement may not limit contact or visitation as a sanction for a child's behavior or as an incentive to the child to change the child's behavior. Any exceptions, limitations, or denial of contacts or visitation must be approved by the supervisor of the caseworker and documented. The child, parent, DSHS, guardian ad litem, or court-appointed special advocate may challenge the denial of visits in court.

**Votes on Final Passage:**

Senate	49	0	
House	95	2	(House amended)

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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.*

Senate 48 0 (Senate concurred)

**Effective:** July 28, 2013.