

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-71—sSB 156

Select Committee on Children

Human Services Committee

Appropriations Committee

**AN ACT CONCERNING SIBLING VISITATION FOR CHILDREN IN
THE CARE AND CUSTODY OF THE COMMISSIONER OF CHILDREN
AND FAMILIES**

SUMMARY: This act establishes minimum visitation requirements for separated siblings of children placed in Department of Children and Families' (DCF) care and custody, including children in foster homes. Specifically, it requires the DCF commissioner, within available appropriations and provided the siblings live in the state and within 50 miles of each other, to ensure that visits occur, on average, at least once a week, unless the commissioner determines that allowing such frequent visits would not be in the siblings' best interests. When the commissioner makes such a determination, she must state her reasons in the child's treatment plan.

The act requires the commissioner to report by October 1 annually to the Select Committee on Children data sufficient to demonstrate DCF has complied with the visitation law.

The act also requires the DCF commissioner to meet with members of each Youth Advisory Board to get recommendations for creating a "Sibling Bill of Rights." DCF must incorporate the final version of this document into department policy and share it with children placed in its care and custody.

EFFECTIVE DATE: October 1, 2014 for the sibling visitation provisions and upon passage for the Sibling Bill of Rights provisions.

WEEKLY VISITS FOR SEPARATED SIBLINGS

By law, DCF must ensure that a child placed in its care and custody either through an order of temporary custody or commitment is provided visits with his or her parents and siblings, unless the court orders otherwise. If the child has an existing relationship with a sibling and is separated from that sibling as a result of DCF intervening, including placing the child in a foster home or the home of a relative, DCF must ensure that the child has access to, and visitation rights with, that sibling, based on a consideration of the child's and sibling's best interests given their age, developmental level, and continuation of the sibling relationship.

The act requires the commissioner to ensure that the child's visits with the siblings occur at least once a week if (1) a child and his or her sibling are residing in Connecticut and live within 50 miles of each other, (2) the commissioner finds that such frequent visits are in the siblings' best interests, and (3) visits are possible within available appropriations.

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If the DCF commissioner determines that weekly visits are not in either sibling's best interest, the act requires her to include the reasons for this determination in the child's treatment plan. The law already requires the child's treatment plan to record (1) information relating to the factors the commissioner considers in making visitation determinations and (2) when the commissioner determines that any visits, or the number, frequency, or duration of visits that the child's attorney or guardian ad litem has requested, are not in the child's best interest.

SIBLING BILL OF RIGHTS

The act requires the DCF commissioner to meet with the members of each Youth Advisory Board (YAB) to gather recommendations for, and draft, a "Sibling Bill of Rights." This document can include (1) ways to protect relationships of siblings who are separated as a result of DCF's intervention and (2) DCF's commitment to preserve these relationships.

DCF must incorporate the final version of the bill of rights into departmental policy and share it with each child who is placed in the commissioner's care and custody. The DCF commissioner and the YAB members must also submit the bill of rights to the Select Committee on Children by October 1, 2013, for its consideration on possible legislative action.

BACKGROUND

Youth Advisory Boards

The YABs are composed of youth in DCF care. The boards address DCF policies and procedures that affect them. Youth on the boards also establish civic connections within their communities as they transition from out-of-home care.

OLR Tracking: RC:LH:JSL:DY