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WRITTEN TESTIMONY ON ESHB 1774

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Friday, March 18, 2011

Senate Hearing Room 1, J.A. Cherberg Building, 8:00 a.m.

Thank you for this opportunity to provide written testimony on Engrossed Substitute House Bill 1774. My name is Mary Meinig and I am the Director of the Office of the Family & Children's Ombudsman ("OFCO").

While OFCO remains neutral on specific proposed legislation, I support the intent of this legislation to include adoptive parents of a sibling or half-sibling or a person with whom a sibling or half sibling is placed as a suitable person for placement of a child under the dependency statutes.

ESHB 1774 clarifies the status of an adoptive parent when a sibling or half sibling of the adopted child enters state care. "Relative," as defined in RCW 74.15.020 includes adoptive parents of a child, and in 2007 the legislature passed HB 1337 authorizing the placement of any half sibling of the child with such relatives.¹ The proposed language in ESHB 1774 is therefore in part consistent with existing state law.

However, one area of concern is that as currently written, ESHB 1774 includes not only adoptive parents, but foster parents caring for a sibling or half sibling as well. As a result, a non-relative foster parent would be afforded the same placement preference under RCW 13.34.130(3) as a relative, which arguably defeats the policy goal of keeping children with relatives and extended family. For example, paternal grandparents who have a close relationship with a three year old grandchild who enters state care could find themselves competing for placement with a foster parent who has no pre-existing relationship with the grandchild, because the foster parent is caring for a half sibling.

¹ Laws of 2007 Chapter 412.

The policy goal of placing children with siblings, whenever appropriate is presently addressed in several sections of state law. For example:

- It is presumed that placing a child with other siblings is in the child's best interest. (RCW 13.34.130(4))
- The agency's permanent plan for the child must include steps to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child. (RCW 13.34.136(2)(b))
- An order terminating parental rights must also address the status of the child's sibling relationships and the nature and extent of sibling placement, contact, or visits. (RCW 13.34.200)
- Preferences such as family constellation, sibling relationships, ethnicity, and religion shall be considered when matching children to foster homes. (RCW 13.34.260(1))

Thank you for the opportunity to provide you with our written testimony on this legislation.