

**SB 1060 (Leno)**  
As Introduced February 16, 2016

# **Post-Adoption Sibling Connections**

## **FACT SHEET**



## **SUMMARY**

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SB 1060 (Leno) will require a court, in an adoption proceeding, to order the convening of a child and family team meeting for the purpose of considering the creation of a post-adoption sibling contact agreement governing sibling communication and visitation.

## **BACKGROUND**

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For California's foster children and youth, adoption is one of the desired outcomes that the state child welfare system strives to achieve. Unfortunately, siblings in foster care sometimes are separated through the adoption process.

Studies show the remedy to overcoming trauma, separation and loss experienced by foster youth is the development and maintenance of healthy, meaningful relationships. For an adoption to establish a lasting commitment between the child and adopting parents, these elements of healing and support are essential.

Research also confirms that sustaining some of the relationships with the biological family, especially siblings, is most effective in combating the negative effects of being removed from one's family and placed into foster care.

## **EXISTING LAW**

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Under California law, the adoption process involves an aggressive and ongoing commitment by the State to achieve permanency for every foster youth in our care. In 2015 the Legislature and the Governor reaffirmed and magnified this commitment with the enactment of AB 403 (Stone) The Continuum of Care Reform.

This law requires the creation of a child and family team, which is a group of individuals convened by the placing agency who are engaged "to identify the strengths and needs of the child or youth and his or her family, and to help achieve positive outcomes for safety, permanency, and well-being."

Existing state law also authorizes the court, in an adoption proceeding, with the consent of the adoptive parents, to include in the final adoption order, provisions for the adoptive parents to facilitate a post-adoptive contract between the child and his/her siblings.

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 was the first law of its kind to speak to the importance of keeping siblings together. It requires that reasonable efforts to maintain sibling connections be made and these efforts are incentivized by tying them to the disbursement of federal funding.

## **MISSED CONNECTIONS**

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Despite the clear intent of federal law, advocates have observed that implementation of programs to maintain sibling relationships is ultimately a function of state and local agencies. These agencies sometimes allow adoptions to move forward without full consideration of how best to maintain sibling connections in each specific case.

## **SOLUTION**

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SB 1060 will require a court, in an adoption proceeding, to order the convening of a child and family team meeting, attended by a facilitator, siblings,

and the prospective adoptive parents, for the purpose of considering post-adoption sibling contacts.

This bill will require the participants of the child and family team meeting to decide whether to voluntarily enter into a post-adoptive sibling contact agreement. With the consent of adoptive parents, the court may include in the final adoption order provisions for the adoptive parents to facilitate post-adoptive sibling contact.

If it is later determined by the adoptive parents that sibling contact poses a threat to the health, safety or well-being of the adopted child, the adoptive parents may terminate the sibling contact. Those responsible for the protection and care of the foster children or youth maintain authority to take whatever action they deem to be in the best interest of the adoptive child.

SB 1060 provides a common sense requirement that a facilitated child and family team meeting be held to determine if a post-adoptive sibling contact agreement will be beneficial to the child. This will help ensure that healthy, meaningful sibling relationships vital to the adoptive child's adjustment and well-being are maintained.

## VOTES

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No votes yet taken

## STATUS

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Pending referral to Senate policy committee

## SUPPORT

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California Youth Connection (Sponsor)

## OPPOSITION

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No known opposition

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