



FINAL
FISCAL NOTE

Drafting Number: LLS 08-0596**Date:** May 29, 2008**Prime Sponsor(s):** Rep. Jahn
Sen. Sandoval**Bill Status:** Signed into Law**Fiscal Analyst:** Elizabeth Burger (303-866-6272)

TITLE: CONCERNING VISITS BY CHILDREN IN FOSTER CARE WITH THEIR SIBLINGS.**Summary of Legislation**

The bill requires a county department of social services that has legal custody of a child in foster care to arrange visits between the child and his or her siblings if the child and siblings mutually request the visit. A county department is required to deny the request for visitation if it determines that the visit would not be in the best interests of the child or his or her siblings, and to document the reasons for the denial. The bill also specifies that an order terminating the parent-child relationship shall not be deemed to also terminate a sibling relationship. The Governor signed the bill into law on February 7, 2008, and unless a referendum petition is filed, the bill will take effect August 5, 2008.

Assessment

Department of Human Services rules currently require county departments of social services who have primary custody of a child in out-of-home placement to establish an appropriate visitation plan which includes specific provisions concerning the child's contact with his or her siblings. It is assumed that, as part of the required visitation plan, counties are already responding to and complying with requests of children in out-of-home placement to visit with siblings and the bill's requirements will not result in a fiscal impact to the Department of Human Services.

The bill may result in a minimal impact to the workload of the courts. If a request to visit with siblings is denied pursuant to the bill, and the foster care child has a guardian ad litem, the denial may be challenged in court. The additional hearings required to review the decision of the county department of social services to deny the visitation request are not expected to require significant time, nor are they expected to occur with great frequency. Thus, the fiscal impact to the Judicial Branch is expected to be minimal.

Departments Contacted

Human Services

Judicial