

MAINE STATE LEGISLATURE

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L.D. 1682

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DATE: 3-17-06

(Filing No. S-500)

JUDICIARY

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**STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 627, L.D. 1682, Bill, "An Act To Support Sibling Rights in Child Welfare Custody Matters"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 22 MRSA §4036, sub-§1, ¶F-2 is enacted to read:

F-2. Visitation between the child and a sibling pursuant to section 4068;

Sec. 2. 22 MRSA §4068 is enacted to read:

§4068. Sibling visitation

1. Visitation. If the court determines that it is reasonable, practicable and in the best interests of the children involved, the court shall order the custodian of the child who is the subject of the child protection proceeding and any party who is the custodian of a sibling of the child to make the children available for visitation with each other. The court may order a schedule and conditions pursuant to which the visits are to occur.

2. Siblings separated through adoption. The department shall make reasonable efforts to establish agreements with prospective adoptive parents that provide for reasonable contact between an adoptive child and the child's siblings when the department believes that the contact will be in the children's best interests.

COMMITTEE AMENDMENT

ROA

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3. Request of child. In a child protection proceeding, a child may request visitation rights pursuant to subsection 1 with a sibling from whom the child has been separated as a result of the child protection proceeding.'

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SUMMARY

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This bill requires the court to order sibling visitation for children who are the subjects of child protection proceedings when it is reasonable, practicable and in the best interests of the children involved to do so. It also requires the Department of Health and Human Services to make reasonable efforts to obtain from prospective adoptive parents an agreement to maintain visitation with a child's siblings after the adoption of the child. It authorizes a child, in a child protection action, to request visitation rights with a sibling from whom the child has been separated as a result of the child protection action.

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FISCAL NOTE REQUIRED
(See attached)

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122nd MAINE LEGISLATURE

LD 1682

LR 2392(02)

An Act to Support Sibling Rights in Child Welfare Custody Matters

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Enactment of this legislation may add parties to certain court proceedings and add to the time the courts devote to child protective cases. This may cause delays in the processing of other cases before the court.

Any additional costs to the Department of Health and Human Services can be absorbed by the department utilizing existing budgetary resources.