

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 801, Page 1,  
2 Section A, Line 3, by inserting after all of said section and line the following:

3  
4 "210.565. 1. Whenever a child is placed in a foster home and the court has determined  
5 pursuant to subsection 4 of this section that foster home placement with relatives is not contrary to  
6 the best interest of the child, the children's division shall give foster home placement to relatives of  
7 the child. Notwithstanding any rule of the division to the contrary, the children's division shall  
8 make diligent efforts to locate the grandparents of the child and determine whether they wish to be  
9 considered for placement of the child. Grandparents who request consideration shall be given  
10 preference and first consideration for foster home placement of the child. If more than one  
11 grandparent requests consideration, the family support team shall make recommendations to the  
12 juvenile or family court about which grandparent should be considered for placement.

13 2. As used in this section, the [term] following terms shall mean:

14 (1) "Kin" or "Kinship", a person who is related to the child by blood or affinity beyond the  
15 third degree, or a person who is not so related to the child but has a close relationship with the child  
16 or the child's family including, but not limited to, godparents, neighbors, teachers, or close family  
17 friends; and

18 (2) "Relative" [means] , a grandparent or any other person related to another by blood or  
19 affinity within the third degree. The status of a grandparent shall not be affected by the death or the  
20 dissolution of the marriage of a son or daughter.

21 3. The following shall be the order or preference for placement of a child under this section:

22 (1) Grandparents and relatives;

23 (2) [A trusted adult that has a preexisting relationship with the child, such as a godparent,  
24 teacher, neighbor, or fellow parishioner] Kin who voluntarily [agrees] agree to care for the child;  
25 and

26 (3) Any foster parent who is currently licensed and capable of accepting placement of the  
27 child.

28 4. The preference for placement and first consideration for grandparents or preference for  
29 placement with other relatives created by this section shall only apply where the court finds that  
30 placement with such grandparents or other relatives is not contrary to the best interest of the child  
31 considering all circumstances. If the court finds that it is contrary to the best interest of a child to be  
32 placed with grandparents or other relatives, the court shall make specific findings on the record  
33 detailing the reasons why the best interests of the child necessitate placement of the child with  
34 persons other than grandparents or other relatives.

35 5. Recognizing the critical nature of sibling bonds for children, the children's division shall  
36 make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive

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1 placement, unless doing so would be contrary to the safety or well-being of any of the siblings. If  
2 siblings are not placed together, the children's division shall make reasonable efforts to provide  
3 frequent visitation or other ongoing interaction between the siblings, unless this interaction would  
4 be contrary to a sibling's safety or well-being.

5 6. The age of the child's grandparent or other relative shall not be the only factor that the  
6 children's division takes into consideration when it makes placement decisions and  
7 recommendations to the court about placing the child with such grandparent or other relative.

8 7. For any Native American child placed in protective custody, the children's division shall  
9 comply with the placement requirements set forth in 25 U.S.C. Section 1915.

10 8. A grandparent [or] , other relative, or kin may, on a case-by-case basis, have standards for  
11 licensure not related to safety waived for specific children in care that would otherwise impede  
12 licensing of the [grandparent's or relative's] home of the grandparent, relative, or kin. In addition,  
13 any person receiving a preference may be licensed in an expedited manner if a child is placed under  
14 such person's care.

15 9. The guardian ad litem shall ascertain the child's wishes and feelings about his or her  
16 placement by conducting an interview or interviews with the child, if appropriate based on the  
17 child's age and maturity level, which shall be considered as a factor in placement decisions and  
18 recommendations, but shall not supersede the preference for relative placement created by this  
19 section or be contrary to the child's best interests."; and

20  
21 Further amend said bill by amending the title, enacting clause, and intersectional references  
22 accordingly.  
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