Mitchell E. Daniels, Jr., Governor
James W. Payne, Director

Indiana Department of Child Services
Room W392 – MS47
402 W. Washington Street
Indianapolis, Indiana 46204-2739

317-232-4705
FAX: 317-232-4490

www.in.gov/dcs

Child Abuse and Neglect Hotline: 800-800-5556

July 1, 2008

To: Regional Managers
Directors, Local Offices, Department of Child Services

From: James W. Payne, Director
Angela Green, Deputy Director Practice Support
Department of Child Services

Subject: Foster Care Sibling Visitation Legislative Changes
DCS-08-08

The Indiana Department of Child Services (DCS) continues to improve partnerships with the children and families we serve. In fulfilling the value that "the longest lasting relationship a child shares is often that between their sibling." Because this bond helps a child develop his/her own unique identity, recent legislative changes have been enacted to strengthen our achievement of this value.

This administrative letter outlines recent legislative changes reflecting the importance of ensuring that DCS effectively develops visitation plans for children receiving foster care.

Below is a summary of the changes effective July 1, 2008.

According to IC 31-28-5, Foster Care Sibling Visitation applies to children receiving foster care funded by DCS or a county, and the siblings of those children. DCS shall make reasonable efforts to provide visitation for every child in foster care and for sibling groups when at least one child in a sibling group is in foster care. Therefore, sibling visitation should be promoted for every child who receives foster care, including when all siblings are not in foster care.

The child, foster parent, Guardian ad Litem (GAL), Court Appointed Special Advocate (CASA), or agency responsible for the care, treatment, and/or supervision of the child may request such

visitation. If DCS finds such visits are in the best interest of the child in foster care, DCS shall permit visitation and establish a sibling visitation schedule.

If DCS denies visitation, the child, foster parent, GAL, CASA, or agency responsible for the care, treatment, and/or supervision of the child may petition the juvenile court for an order granting sibling visitation, if the court finds visitation to be in the best interest of the child. A GAL or CASA may be appointed for a foster child requesting visitation.

Updates will also be made to Chapter 8 –Out of Home Services, of the DCS Policy Manual to reflect these important changes.

If you have any questions regarding this change please address them to the DCS policy mailbox.

Sincerely,

James W. Payne, Director
Department of Child Services