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Senate Bill 88 Child Placement; Diligent Search

Version A Sponsor Statement

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Senate Bill 88 would provide opportunities for better outcomes for children in Alaska's foster care system. The bill would allow greater latitude for making temporary and permanent placement decisions that are in the best interest of a child and would improve the requirements regarding searching for adult family members or family friends with whom a child can be placed. The changes in the bill do not create mandates regarding placement, rather they give the Office of Children's Services and the Alaska Court System a greater ability to respond to the individual circumstances surrounding each child.

Children in state care may spend significant periods of time with an unrelated foster family, as much as 18 or 24 months, while awaiting final decisions regarding reunification with their parents or permanent placement. Studies show that it can cause significant trauma for a child to be removed from long-term caregivers they are familiar with to family members who may be unfamiliar to them, especially in cases where the child is under six years of age.

Timelier identification of suitable adult family members and family friends for temporary or permanent placement is one way to address this problem. While current state law requires the Office of Children's Services to search for adult family members or family friends, SB 88 would add that the search must be conducted within 30 days from when the child is taken into custody and provides statutory guidelines for what constitutes a diligent search. In addition, OCS would be required to provide reports to the Court regarding the progress of the search at scheduled hearings.

SB 88 would also allow for the Court to consider placing a child with a foster family when a family member has expressed interest if the child is under six years of age, has spent more than 12 consecutive months with the foster family, and the Court determines that it is in the child's best interest. Children who fall under the federal Indian Child Welfare Act would still be placed under the guidelines in that law and would not be affected by the changes in the bill. In addition, SB 88 clarifies that foster families may request a hearing regarding child placement decisions and may schedule and pay for physical or mental evaluations of a child to present at a hearing.