

LEGAL SERVICES

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MEMORANDUM

January 7, 2011

SUBJECT: Sectional Summary (Work Order No. 27-LS0203\D)

TO: Representative Les Gara
Attn: Amanda Metivier

FROM: Jean M. Mischel
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Provides a short title for the bill.

Section 2. Amends the court findings required for establishing another planned permanent living arrangement for a child in state custody.

Section 3. Adds a presumption in favor of placement of a child in state custody with a sibling.

Section 4. Makes changes to the court jurisdiction provisions pertaining to the age of a child in state custody up to the person's 21st birthday, consistent with HB 126, passed by the 26th Legislature.

Section 5. Amends the evidentiary standard for placement of a child in state custody by the Department of Health and Social Services ("department") to take into account a foster care license waiver, variance, or exemption.

Section 6. Requires the department to continue a search for an adoptive parent or guardian except as provided in this section. Requires the department to enroll a child in state custody in a reading program in certain circumstances. Modifies the requirements and adopts a "compelling reason" standard for the department to recommend another planned permanent living arrangement for a child in state custody. Provides a "reasonable efforts" standard for placing children with siblings. Defines terms.

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Section 7. Provides for a foster care license variance in certain circumstances and requires the department to simplify licensing paperwork.

JMM:ljw

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