

DEPARTMENT OF HUMAN RESOURCES  
SOCIAL SERVICES ADMINISTRATION  
311 WEST SARATOGA STREET  
BALTIMORE, MARYLAND 21201

DATE: March 9, 2008

CIRCULAR LETTER # SSA 08 - 24

TO: Directors, Local Departments of Social Services  
Assistant Directors, Local Departments of Social Services  
Foster Care Supervisors, Local Departments of Social Services

FROM: Cathy F. Mols  
Executive Director  
Social Services Administration

RE: Sibling Placement and Visitation

PROGRAMS AFFECTED: Out-of-Home Placement Services/Foster Care/Kinship  
Care/Adoption

ORIGINATING OFFICE: Children and Family Services

BACKGROUND: None

ACTION REQUIRED OF: All Local Departments

REQUIRED ACTION: Implement policy and procedures regarding Sibling Placement and  
Visitation

ACTION DUE DATE: Immediately

CONTACT PERSON: Stephanie J. Pettaway, Director  
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Social Services Administration  
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**Purpose**

This circular letter establishes the policy on the placement of sibling children in foster care, and sibling visitation frequency and content for the purpose of maintaining and strengthening family connections. The visitation standards includes visitation for siblings in separate placements, and for those both in and not in care. The policy integrates best practice standards for maintaining family connections with the nuclear family and relatives. For the purposes of child welfare, siblings are children related by birth or adoption to one or both parents. Full siblings have both of the same parents, and half siblings have only one parent in common. The term siblings as used within the context of this circular letter apply to both.

**Background**

Maryland Family Law §5-525.2(a) requires that siblings be placed together unless it can be shown that such placement is detrimental to their best interest. Federal law requires that states make efforts to maintain sibling relationships for children who are placed apart (either in separate foster care placements or in and out of home). Placing siblings together helps sustain crucial family relationships.

Maryland Family Law §5-525.2(b) requires that siblings who are not placed together be offered sibling visitation. If the child is not offered sibling visitation, the child may petition the court to assert their visitation rights. All visitation and contact is important for the child in foster care, kinship care, or pre-adoption placements. When siblings are placed apart, whether they are in separate placements or because some of the siblings remain in the home, sibling visitation is a major element in child's well being. It eases the pain of separation, helps maintain and strengthen family relationships and can even help reduce time in care.

In both placement and visitation, the local department should always keep in mind the needs of the child in the context of sibling relationships. Each child's individual needs and previous relationship with the sibling must be considered when planning visitation, as well as the safety of each child involved.

**Finding Siblings and Linking Siblings in CHESSIE**

The first step in arranging sibling visitation is identifying sibling children. It is important to research to help ensure that all siblings of a child in out-of-home placement are found.

*In CHESSIE:*

Siblings can be linked in CHESSIE in two manners. They can be part of the same Family Case, or they can be a part of different Family Cases and connected by the caseworker as an associate of the case. When entering a child in CHESSIE, always be sure to search all data systems such as CHESSIE, CARES, and CIS, for a parent that may not be originally associated with a child's client case. If the siblings are assigned to different workers, the caseworkers must collaborate on placement, and if they are not placed together, all the caseworkers for siblings must collaborate on an appropriate visitation plan.

*Other Methods of Finding Siblings:*

The local department should utilize other methods of finding siblings in addition to CHESSIE. This includes any accessible data system such as CARES, or CIS. Another way to find siblings is to ask the parents, relatives, caregivers, and, if appropriate, the child. Any sibling found should be documented in CHESSIE.

**Special Requirements for Sibling Placements**

All children in Out-of-Home Care must be placed in the most appropriate least restrictive placement and available for their care needs. They must also be placed in the local jurisdiction where the parent/guardian resides unless the local department can justify placement outside of the jurisdiction by compelling reason of:

1. Strong ties to family, placement resource or other community resources, or
2. No placement in the jurisdiction to meet the individualized special placement or care needs of the child.

There is an additional statutory requirement regarding placement of siblings. When more than one sibling is in out-of-home placement (OHP), the local department must place siblings together as long as such placement is in the child's best interest and does not conflict any specific health or safety regulation. In certain circumstances when the placement does conflict health or safety regulations, the local department can still choose to place the siblings together as long as the local department Director provides written approval and it is documented in the record how the placement serves the best interest of each sibling.

Whenever the department places siblings in separate placements, then the record must document, on the caseplan, the reason the siblings are placed apart. The reason given must either be related to children's individual needs, best interest or safety.

**Sibling Visitation**

The local department must offer siblings visitation when:

- One or more siblings are placed in OHP and one or more siblings remain in the home, or
- More than one sibling is in OHP, but are placed in different placements.

A visitation plan should be established as soon after knowledge of child siblings is confirmed. The plan should establish visit frequency, location, and participants. The caseworker must determine if it is in the best interest of all the siblings involved to have a joint visit, or individual visits.

Visitation frequency should correlate with the children's ages, development, and nature of their sibling relationship. However, the caseworker should plan on arranging a schedule that allows for monthly visitations unless age, safety, or the children's relationship dictates otherwise. The caseworker is responsible for transportation of the siblings to the visit.

Visits between siblings are a separate requirement from parent child visits and should not be reliant on successful implementation of visits between parent and child. The caseworker should

always take into consideration the relationship between the parent and different siblings, as this could have an effect on frequency and visit location.

Not only should the caseworker set the schedule as part of the visitation plan, but also preferred visit locations. This may be in foster homes, at the local department or even, when appropriate, in the parent's home. When deciding on location, the caseworker should consider:

- . Age of child
- . Relationship with other sibling(s)
- . Parental relationship with each child
- . Safety of all involved

The child's right to be offered a sibling visit is authorized by statute. If the caseworker fails to offer the opportunity for sibling visitation, a sibling child may petition the court for a hearing to establish sibling visitation.

### **Siblings and Adoption**

It is important to always try to place all eligible siblings together in adoptive placements. This may involve aggressive research and recruitment to locate families willing to adopt a sibling group or siblings. When placement together cannot be accomplished, preference for adoption placement will be given to families willing to assist the children in maintaining contact with each other after adoption finalization. Prior to finalization, all responsibilities for a sibling visitation plan apply to the pre-adopt child.

Open adoptions are permitted in the state of Maryland. One of the allowable provisions of an open adoption is to allow visits (face-to-face contact) or other types of contact and communication between siblings. However, if it is not an open adoption, or it is not included in an open-adoption agreement, an agreement to sibling visitation and contact can not be forced upon the adopting parents.

### **Documentation**

The sibling visitation and all visits are to be documented on the caseplan in CHESSIE. The plan should include visitation frequency, participants, and the planned location. Sibling visitation should be discussed with the child during caseworker child visits, when appropriate, so that any adverse issue or concerns can be addressed. Sibling visitation should also be reviewed as part of the reconsideration or if there are any outstanding issues or placement changes. The caseworker may find that a sibling exists but be unable to locate the sibling. The caseworker should document all efforts to find the sibling in CHESSIE

If a child refuses sibling visitation, it must be clearly documented on the caseplan in CHESSIE. The caseworker should continue to work with the child and revisit the idea of sibling visitation.