



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

REASON FOR THIS TRANSMITTAL

- ☒ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

January 23, 2017

ALL COUNTY LETTER NO. 16-107

TO: ALL COUNTY CHILD WELFARE DIRECTORS
ALL COUNTY CHILD WELFARE PROGRAM MANAGERS
ALL CHIEF PROBATION OFFICERS
ALL FOSTER FAMILY AGENCY DIRECTORS
ALL ADOPTION REGIONAL AND FIELD OFFICES
ALL TITLE IV-E ELIGIBLE TRIBES

SUBJECT: SENATE BILL (SB) 1060 (CHAPTER 719, STATUTES OF 2016),
POSTADOPTION CONTACT: SIBLINGS OF DEPENDENT
CHILDREN OR WARDS

REFERENCE: ALL COUNTY LETTERS [99-23](#) AND [16-16](#); FAMILY CODE [8616.5](#);
[SB 1060 \(CHAPTER 719, STATUTES OF 2016\)](#); WELFARE AND
INSTITUTIONS CODE SECTIONS [366.3](#), [727.3](#) AND [16002](#)

The purpose of this All County Letter is to inform child welfare services and probation agencies of SB 1060 (Chapter 719, Statutes of 2016) regarding postadoption contact agreements. Current statute establishes postadoption contact agreements with the written consent of the prospective adoptive child (who is 12 years-of-age and older or represented by an attorney if under the age of 12 years-old) and provides statute to modify or terminate postadoption contact agreements. Effective January 1, 2017, child placement agencies are required to convene a meeting with the prospective adoptive child, siblings (related by blood, adoption, or affinity through a common legal or biological parent), the prospective adoptive parents, and a facilitator for the purpose of deciding whether to voluntarily execute a postadoption sibling contact agreement, if the meeting is practical and determined not to be detrimental to any child. The meeting is required to occur after the termination of the child's parental rights and prior to the finalization of the adoption. Legal counsel for the child and dependent siblings must be notified of the meeting, and are allowed to attend the meeting and any hearings conducted for these purposes. Child placement agencies are still allowed to convene the meeting when either party does not want to attend the meeting. In addition, this legislation does not require that the postadoption sibling contact agreement be executed

as a result of the meeting. This legislation also allows child placement agencies to utilize an authorized nonprofit organization to provide permanency placement and postadoption mediation to facilitate the meeting and develop the postadoption sibling contact agreement.

The child placement agency is not required to convene a meeting in either of the following circumstances:

- The child placement agency determines that such a meeting or postadoption sibling contact agreement would be contrary to the safety and/or well-being of any child; or
- The prospective adoptive child requests that the meeting not occur.

In addition, this legislation requires the juvenile court to inquire into the status of the development of the postadoption sibling contact agreement at the first status review hearing after the parental rights of the child have been terminated and the juvenile court ordered that the child to be placed for adoption. The child can petition the juvenile court to convene the meeting to decide whether or not to execute a voluntary postadoption sibling contact agreement and the juvenile court is required to determine upon preponderance of evidence that the meeting is in the best interest of all parties involved. The juvenile court is also required to document the reasons for the determination of denial in the court order, and the meeting is not required to occur.

If you have any questions or need additional guidance regarding the information in this letter, contact the Permanency Policy Bureau at (916) 657-1858 or at ConcurrentPlanningPolicyUnit@dss.ca.gov.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

c: County Welfare Directors Association
Chief Probation Officers of California
Judicial Council of California