



STATE OF RHODE ISLAND
Department of Children, Youth and Families
Director's Office
101 Friendship St.
Providence, RI 02903

March 4, 2025

The Honorable Robert E. Craven, Sr., Chairman
House Committee on Judiciary
State House, House Lounge
Providence, Rhode Island 02903

RE: 2025 H-5672 – Relating to Domestic Relations – Adoption of Children

Dear Chairman Craven:

I am writing on behalf of the Department of Children, Youth and Families (DCYF or “the Department”) to express concerns about this legislation, which would require “post-separation sibling visitation” any time a child or youth is removed from their home. This bill is scheduled to be heard before the House Committee on Judiciary.

Allowing children to maintain contact with siblings, where appropriate, is vital to their well-being. On this matter, DCYF has been using the “Rhode Island Siblings Bill of Rights” for several years. This Bill of Rights was developed by the New England Youth Coalition with the support of the New England Association of Child Welfare Commissioners and Directors and is attached to this letter for reference.

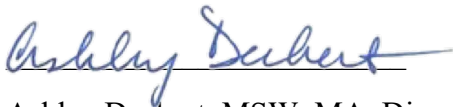
This bill appears to duplicate aspects of the Rhode Island Siblings Bill of Rights, but there are several details that will create confusion and should be clarified before enacting it as law. Examples of those details include:

- Identifying the amount of time reasonably permitted between a child being placed in a foster home or residence/facility and when the Family Court shall enter a post-separation sibling visitation decree. This bill requires the decree to be entered “at the time of placement,” but these placements can happen quickly, with many of them being emergency, same-day placements. It would be impractical to have the families work out a visitation agreement and have it filed with the Court that day. (*Note: guardianships and adoptions are less of a concern here because those situations require a longer process, which would allow for more time to plan and negotiate visitation.*)
- Lines 13-14 would require adoptive parents, foster parents, or guardians “to cooperate with the child/children’s wishes, any court order and any administrative investigation...”; however, it is unclear:
 - what is an “administrative investigation,” and
 - what would happen if a child’s wishes conflicted with the court order or the “administrative investigation.”
- Identifying the person or entity who would facilitate the adoptive/foster parents or guardians working together with the birth parents to “jointly negotiate and execute a post-separation sibling privileges agreement,” (p. 2, lines 2-4). This is a legal process.
- A procedure for this scenario: children may be in more than one location during their out-of-home placement. For example, a child may be in a foster home, but need more intensive treatment at some point, and subsequently be placed at a residential facility. If the Court order required sibling visitation twice per week when the child was in a foster home, but the rules of the treatment facility prohibit this level of interaction:
 - How would this discrepancy be handled while the families wait for an updated visitation agreement to be filed with the Court?

- Who is the person or entity responsible for developing and filing that updated visitation agreement?
- Identifying the person or entity responsible for carrying out the Court's order regarding post-separation sibling visitation. If DCYF is the sole responsible entity, it may have a budgetary impact on the Department, given that the extent of the Court's orders on this matter would be unknown. This would make the budgetary impact challenging to predict from year to year.

Thank you for allowing the Department to express its concerns regarding this legislation.

Sincerely,

A handwritten signature in blue ink, reading "Ashley Deckert", written over a horizontal line.

Ashley Deckert, MSW, MA, Director
Department of Children, Youth and Families

cc: Honorable Members of the House Committee on Judiciary
The Honorable Julie A. Casimiro
Nicole McCarty, Esquire, Chief Legal Counsel to the Speaker of the House
Lynne Urbani, Director of House Policy