

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB411

Hearing Date: Friday February 24, 2017
Committee On: Judiciary
Introducer: Bolz
One Liner: Change Nebraska Juvenile Code provisions relating to placement of siblings

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 8 Senators Baker, Chambers, Ebke, Halloran, Hansen, Krist, Morfeld, Pansing Brooks
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Kate Bolz
Robert McEwen
Maralee Bradley
Bridget Christensen
David Lathrop
Kim Hawekotte

Representing:

Introducer
Nebraska Appleseed
self
self
self
Foster Care Review Office

Opponents:

Doug Weinberg

Representing:

Department of Health & Human Services

Neutral:

Representing:

Summary of purpose and/or changes:

LB 411 would make adjustments to the process by which placement of juvenile siblings is determined.

Section 1 of the bill would add a requirement that the Department of Health and Human Services file with the court a written sibling placement report.

Section 2 adds new language that would allow for an appeal from a juvenile court's order by any party that has property intervened and whose substantial rights have been affected by a final order.

Section 3 amends current statute pertaining to the placement of siblings to require that reasonable efforts be made to place the siblings together "even if the children have no preexisting relationship." Section 3 further requires the department to prepare a written sibling placement report that includes information about the reasonable efforts made by the department to locate a child's siblings, and, if joint-sibling placement is made, whether the placement continues to be safe and in protects the well-being of the children. If joint-sibling placement is not possible, the report must include the reasons why joint placement "is and continues to be contrary to the safety or well-being of any of the siblings," details the reasonable efforts made by the department to place a child with a sibling, and the department's continuing efforts to

facilitate sibling visitation. Finally, Section 3 would provide that a sibling is a party who could file a motion for joint-sibling placement, and allows a sibling of a child under the jurisdiction of the court to intervene in the case for the limited purpose of seeking joint-sibling placement, sibling visitation, or ongoing interaction with their sibling. The bill makes clear that the rights of a foster or adoptive parent are not subordinate to a sibling of the child or to the rights of parents of a sibling of the child.

Explanation of amendments:

The amendment makes two technical adjustments to the bill. First, it clarifies that a parent or an adult sibling may opt out of receiving notifications about a sibling's case. Second, it clarifies that the determination as to whether the department has made reasonable efforts to facilitate sibling placement or visitation rests with the court.

Laura Ebke, Chairperson