

## RELATIVE SEARCH ACT

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### **Section 1**

If a child is taken into custody, the Department shall conduct a diligent search for adult relatives of the child and for persons with a significant relationship to the child within 30 days from the date the child was taken into custody. A diligent search shall include at a minimum:

1. Interviews with the child's parent during the course of an investigation, while child protective services are provided, and while such child is in care;
2. Interviews with the child;
3. Interviews with identified relatives throughout the case;
4. Interviews with any other person who is likely to have information about the identity or location of the person being sought;
5. Comprehensive searches of databases available to DFCS including, but not limited to, searches of employment, residence, utilities, vehicle registration, child support enforcement, law enforcement, corrections records, and any other records likely to result in identifying and locating the person being sought;
6. Appropriate inquiry during the course of hearings in the case; and
7. Any other reasonable means that are likely to identify relatives or other persons who have demonstrated an ongoing commitment to the child.

### **Section 2**

The Department shall file with the court information regarding attempts made pursuant to subsection A. of this section within 30 days from the date the child was removed

from his or her home, or as otherwise required by the court, and at each periodic review hearing.

### **Section 3**

All relatives to the alleged dependent child identified in a diligent search required by this section, subject to exceptions due to family or domestic violence or other safety concerns, shall be provided with notice:

1. Specifying that an alleged dependent child has been or is being removed from his or her parental custody;
2. Explaining the options a relative has to participate in the care and placement of the alleged dependent child and any options that may be lost by failing to respond to the notice;
3. Describing the process for becoming a licensed foster family home and the additional services and supports available for children placed in approved foster homes; and
4. Describing any financial assistance for which a relative may be eligible.

### **Section 4**

After the completion of the diligent search required by this section, the Department shall have a continuing duty to search for relatives or other persons who have demonstrated an ongoing commitment to a child and with whom it may be appropriate to place the alleged dependent child until such relatives or persons are found or until such child is placed for adoption unless the court excuses the Department from conducting a diligent search.

### **Section 5**

If a relative entitled to notice under this section fails, within six months from the date he or she receives the required notice, to demonstrate an interest in and willingness to provide a permanent home for a child, the court may excuse the Department from considering the relative as a placement.

## FAMILY STABILITY ACT

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**The Department shall** place a child in the least restrictive type of placement available, consistent with the best interests of the child.

**The order for placement preference is as follows:**

1. With a parent.
2. In kinship care with another member of the child's extended family or a person who has a significant relationship with the child. A foster parent or kinship caregiver with whom a child has resided for nine months or more is a person who has a significant relationship with the child. Absent evidence to the contrary, the court may presume that continuation of the child's placement with his or her current caregivers is in the child's best interests.
3. In licensed family foster care.
4. In therapeutic foster care.
5. In a group home or congregate care setting.
6. In a residential treatment facility.