



CHILDREN'S LAW CENTER OF MINNESOTA

CLC Practice Point

Remembering the Importance of Sibling Connection for Youth in Foster Care

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Introduction

Sibling relationships are important, foundational relationships that often develop early in life and may last a lifetime.¹ Sibling relationships are often especially important for youth in foster care as siblings can help provide each other with stability, comfort, and family connection in the face of change and uncertainty that follows removal from a parent or guardian's care.²

The importance of preserving sibling relationships for youth in foster care is acknowledged at a federal level in the Fostering Connections to Success and Increasing Adoptions Act, which requires, among other things, that states prioritize sibling contact during adoptions in order to receive federal funding under the Act.³ In Minnesota, the importance of preserving sibling relationships is reflected in our statutes, particularly in the Foster Care Sibling Bill of Rights.⁴ This statute outlines a child's right to be placed with their siblings and have continuing contact with their siblings while in foster care.⁵ In addition to the Foster Care Sibling Bill of Rights, Minnesota's juvenile safety and placement statutes emphasize placing siblings together and ensuring contact between siblings throughout every stage of the juvenile protection process.⁶

Despite this statutory recognition of the importance of sibling relationships, ensuring that siblings remain connected is only one of many interacting, and sometimes conflicting, priorities in the child welfare system.⁷ In particular, the focus on efficiently establishing permanency for children is often in tension with the extended time it may take to locate permanent placement options that are willing and able to care

¹ See William Wesley Patton & Dr. Sara Latz, *Severing Hansel from Gretel: An Analysis of Sibling's Association Rights*, 48 U. Miami L. Rev. 745, 761 (March, 1994).

² Anna C. Clark, *Where's My Sister? Siblings Should Have A Statutory Right to Be Placed Together in Foster Care*, 51 FAM. L.Q. 117, 119-20 (2017).

³ Pub. L. 110-351.

⁴ MINN. STAT. § 260C.008 (2022).

⁵ *Id.*

⁶ See MINN. STAT. § 260C.178 subd. 1(l) (2022); MINN. STAT. §260.012 (d) – (f) (2022); MINN. STAT. § 260C.617 (a) (2022); MINN. STAT. § subd. 1(d)(10) (2022).

⁷ See, e.g., *In re Welfare of Child of A.M.L.*, No. 10-JV-20-357, 2022 WL 13692549, at *9 (Minn. Ct. App. Oct. 24, 2022) (finding that the court properly weighed the policy favoring reunification against the policy of placing siblings together when deciding not to place a child in the same home as a sibling in another state because an out-of-state placement would interfere with efforts to reunify the child with their parents in Minnesota).

for more than one child in a sibling group.⁸ Consequently, child placing agencies and courts may prioritize other factors over sibling contact and placement.⁹ Therefore, if a CLC client wants to remain connected with their sibling, it is important that their attorney exercises early and consistent efforts to advocate for this connection throughout the length of the child's case. This practice point will focus on requirements for sibling placement and contact for youth in foster care, focusing first on what efforts the child placing agency must make to place siblings together in foster and then examining what duties the agency must do to ensure contact between siblings if they are not placed together.

When Should Siblings be Placed Together?

When siblings¹⁰ are placed in foster care, the child-placing agency must make reasonable efforts to place these siblings together in the same placement.¹¹ The requirement to exercise reasonable efforts to place siblings together begins immediately when the children are placed in foster care and continues throughout the life of the case.¹² At the start of a child's case, during the Emergency Removal (emergency protective care) hearing, the court must inquire into the agency's efforts to place siblings together.¹³ If the siblings are not placed together at this first hearing, the agency must continue to make reasonable efforts to place the children together and the court must inquire into these efforts at every subsequent hearing throughout the case.¹⁴ If the siblings are not returned to their parent or guardian's care and the case moves to adoption or transfer of legal custody, the agency must make efforts to place the children together in a permanent placement.¹⁵

PRACTICE TIP: At the initial hearing, remind the court of the importance of sibling contact for your client as well as the requirement that the agency make reasonable efforts to place siblings together. At subsequent review hearings, remind the court that reasonable efforts are still required and that your client should be placed with (or have contact with) their siblings throughout the case.

What Constitutes "Reasonable Efforts" to Place Siblings Together?

What constitutes reasonable efforts to place siblings together ultimately depends on the individual circumstances of the case.¹⁶ Although there is no specific statutory definition for what constitutes reasonable efforts to place siblings together, Minnesota statutes also use the term "reasonable efforts" to describe the efforts that the agency must make to prevent removal of children from their parents or guardians and to finalize permanency for children in foster care.¹⁷ Reasonable efforts to prevent removal

⁸ See Randi Mendelbaum, *Delicate Balances: Assessing the Needs and Rights of Siblings in Foster Care to Maintain Their Relationships Post-Adoption*, 41 NEW MEX. L. REV. 1, 4 (2011).

⁹ *In re Welfare of Children of L.L.P.*, 836 N.W. 2d 563, 571 (Minn. Ct. App. 2013) (holding that the requirement to place siblings together is not without exception).

¹⁰ See MINN. STAT. § 260C.007, subd. 32 (2022) (defining siblings as: "One of two or more individuals who have one or both parents in common through blood, marriage or adoption. This includes siblings as defined by a child's tribal code or custom. Sibling also includes an individual who would have been considered a sibling but for a termination or suspension of parental rights of one or both parents, suspension of parental rights under tribal code, or other disruption of parental rights such as the death of a parent.").

¹¹ MINN. STAT. § 260C.212, subd. 2(d) (2022).

¹² See MINN. STAT. § 260C.178, subd. 1(l) (2022); MINN. STAT. § 260C.617 (a) (2022).

¹³ MINN. STAT. § 260C.178, subd. 1(l) (2022).

¹⁴ *Id.*

¹⁵ MINN. STAT. § 260C.617 (a) (2022); MINN. STAT. § 260C.605 subd. 1(d)(10) (2022).

¹⁶ See *In re Welfare of A.M.C.*, 920 N.W.2d 648, 663 (Minn. Ct. App. 2018).

¹⁷ MINN. STAT. § 260.012 (d) – (f) (2022).

and finalize permanency are defined as the child-placing agency exercising due diligence to provide individualized and culturally appropriate services to meet the child and family's needs.¹⁸ These services must be selected by collaborating with the child and the child's family.¹⁹ Minnesota case law further emphasizes that reasonable efforts in this context must be individualized to the specific needs of the child and family.²⁰ When determining whether the agency has engaged in reasonable efforts, the court should consider the length of time that the agency has been providing services to the family and the quality of these services.²¹ The court has considerable power in determining whether the agency's efforts are reasonable.²²

This emphasis on individualized, case-specific services and analysis permeates throughout foster care proceedings and is not unique to the definition of reasonable efforts to prevent removal and establish permanency.²³ Therefore, it follows that reasonable efforts to place siblings together should also entail individualized efforts. If we extend this definition of reasonable efforts to placing siblings together, the agency should engage in consistent efforts, tailored to each sibling's needs, over the length of the case to place siblings together. This should include searching for placements that are willing and able to care for all of the siblings.

Additionally, like with reasonable efforts to finalize permanency, reasonable efforts should include efforts to correct any circumstances that are preventing siblings from being placed together. For example, if a child has mental health or behavioral health concerns that make it difficult for them to be placed with their siblings, reasonable efforts may include providing services to the child to address these concerns so that they can be placed with their siblings in the future. The services provided should be culturally relevant and should be selected with input from the children²⁴ and their family. At the permanency stage, Minnesota law requires that reasonable efforts to place children together be documented by the agency.²⁵

PRACTICE TIP: If your client is separated from their siblings, ask the county agency on the record to explain why the siblings are not placed together and to identify the agency's anticipated visitation plan for the siblings. If the rationale does not appear to involve considerable effort, challenge the agency's efforts as unreasonable and request further efforts to place the siblings together. If authorized by your client, provide specific suggestions for placement options and concrete, case-specific actions that the agency could take to demonstrate reasonable efforts to place your client with their siblings.

¹⁸ MINN. STAT. § 260.012 (f) (2022).

¹⁹ *Id.*

²⁰ See *In re Welfare of S.Z.*, 547 N.W.2d 886, 892 (Minn. 1996) ("The nature of the services which constitute 'reasonable efforts' depends on the problem presented").

²¹ *In re Welfare of M.G.*, 407 N.W.2d 118, 122 (Minn. Ct. App. 1987).

²² Stephen C. Aldrich, et. al., *Judicial Discretion Melding Messy Facts and Pristine Law*, Bench & B. Minn., 28, 31 (2013).

²³ See, e.g., *In re Welfare of Child of A.M.L.*, No. 10-JV-20-357, 2022 WL 13692549, at *9 (Minn. Ct. App. Oct. 24, 2022) (emphasizing that an individualized determination of a child's needs is important to determining best interests for a child); See also MINN. STAT. § 260C.212, subd. 1 (b) (2022) (an out-of-home placement plan should be individualized to the needs of the child and their parents or guardians).

²⁴ MINN. STAT. § 260C.008, subd. 1 (a)(8) (2022).

²⁵ MINN. STAT. § 260C.605 subd. 1(d)(10) (2022).

PRACTICE TIP: Remind the judge of the court’s role in determining whether or not the agency has made reasonable efforts and of their power to hold the agency accountable in placing siblings together.

What are the Exceptions to the Requirement to Place Siblings Together or to Engage in Reasonable Efforts to Place Siblings Together?

There are several categories of exceptions to the requirement that the agency place siblings together or engage in reasonable efforts to place siblings together. These categories are: 1) jurisdictional exceptions; 2) exceptions listed directly in a statute; and 3) child safety or best-interest exceptions. In many of these circumstances, the agency will still be required to ensure ongoing contact between the siblings. The requirement to ensure contact between siblings will be addressed in the next section. First, the agency does not have to place siblings together if one or more of the siblings are not under the jurisdiction of the juvenile protection court.²⁶ If a child has siblings who are not in foster care, the court cannot order that the agency place the siblings together.²⁷

Second, there are several exceptions to joint placement that are directly listed in Minnesota’s statutes. Under Minnesota Statute section 260C.178, the agency is not required to place siblings together if one of the siblings is placed in treatment or is placed with their noncustodial parent who is not a parent to their other siblings.²⁸ However, because reasonable efforts to place siblings together should last for the life of the case, the agency will be required to engage in reasonable efforts to place siblings together if a child moves from a treatment placement to a non-treatment foster care placement or is moved from placement with their noncustodial parent. As your client’s attorney, it is important that you keep track of both your client’s placement and your client’s siblings’ placements so that you are aware of when the agency is required to engage in reasonable efforts to place siblings together.

PRACTICE TIP: If your client is moved from a treatment placement to a non-treatment foster care placement and wishes to be placed with their siblings, remind the court at their next hearing of the requirement to exercise reasonable efforts to place siblings together and express your client’s wish to be placed with their siblings.

PRACTICE TIP: Noncustodial parents of a child’s siblings can sometimes be placement options for their child’s siblings. If your client has a sibling that is placed with that sibling’s noncustodial parent, ask your client if their sibling’s parent is someone your client would like to live with and ask the agency to explore them as a placement option if your client expresses interest in this placement.

Minnesota Statute section 260C.617 specifically allows for sibling separation at the adoption stage if reasonable efforts have been made to find a joint adoptive placement for the siblings and further efforts would significantly delay adoption and is therefore not in the child’s best interests.²⁹ This reflects the child protection system’s overarching goal of achieving timely permanency for children and preventing children from languishing in foster care.³⁰ Because the agency and court are working with permanency deadlines,

²⁶ See *In re Welfare of Child of A.F.P.*, No. 57-JV-17-787, 2019 WL 4745332, at *6 (Minn. Ct. App. 2019).

²⁷ See *id.*

²⁸ MINN. STAT. § 260C.178, subd. 1(l) (2022).

²⁹ MINN. STAT. § 260C.617 (d)(1) (2022).

³⁰ See *In re Welfare of Child of T.R.T.*, No. 72-JV-21-48, 2022 WL 9613322, at *10 (Minn. Ct. App. Oct. 17, 2022) (quoting Minn. Judges Juvenile Prot. Benchbook 5-2 (Minn. State Ct. Adm’r Office, Nov. 2011)) (“From the time a child enters the child welfare system, all participants in that system and all levels of the judicial system must strive to achieve permanency for the child”).

it is essential that you express your client's wishes to be placed with their siblings as early as possible so that concerted efforts to place your client with their siblings begins at an early stage of the case.

PRACTICE TIP: If your client has siblings who they are not placed with, ask them at your initial meeting about their wishes for sibling contact. If they express that they would like to be placed with their siblings, bring this to the court and agency's attention as early as possible. If your client expresses that they do not wish to be placed with their siblings, make sure to continue to check in with them about their wishes for sibling contact throughout their case and notify the court and agency of any change in these wishes as soon as possible.

Third, the agency is not required to place siblings together if it is documented that placement together would be contrary to the safety or well-being of one or more of the siblings³¹ or if it is not in the best interests of one or more of the siblings.³² Determining what is in the child's best interest should be an individualized determination that considers both the child's current and long-term needs.³³ Factors that the agency should consider when determining whether a placement is in the child's best interest include:

1. The child's current functioning and behaviors;
2. The medical needs of the child;
3. The educational needs of the child;
4. The developmental needs of the child;
5. The child's history and past experience;
6. The child's religious and cultural needs;
7. The child's connection with a community, school, and faith community;
8. The child's interests and talents;
9. The child's current and long-term needs regarding relationships with parents, siblings, relatives, and other caretakers;
10. The reasonable preference of the child if the child is of a sufficient age to express preferences.³⁴

The agency must consider these factors holistically, without giving undue weight to just one of the factors to make a placement decision.³⁵ This means that placing a child with their siblings must be considered along with other best interest factors and may at times be outweighed by these other factors.³⁶ Two cases, *In the Matter of the Welfare of the Children of L.L.P.* and *In the Matter of the Welfare of the Child of A.M.L.*, help illustrate the interplay between sibling placement and other factors in determining a child's best interest.

In *In the Matter of the Welfare of the Children of L.L.P.*, a child, J.P., was placed, along with her two siblings, in a prospective adoptive placement with their aunt.³⁷ J.P. had visitation with her grandparents and after the relationship between her grandparents and her aunt deteriorated, the grandparents sought to adopt J.P.³⁸ The grandparents were not willing to adopt J.P.'s siblings, so the county agency determined that it

³¹ MINN. STAT. § 260C.212, subd. 2(d) (2022).

³² MINN. STAT. § 260C.617 (2022); MINN. STAT. § 260C.193 (g) (2022).

³³ MINN. STAT. § 260C.212, subd. 2(a) (2022).

³⁴ MINN. STAT. § 260C.212, subd. 2(b) (2022).

³⁵ *Id.*

³⁶ See *In re Welfare of Children of L.L.P.*, 836 N.W.2d 563, 571 (Minn. Ct. App. 2013); *In re Welfare of Child of A.M.L.*, No. 10-JV-20-357, 2022 WL 13692549, at *8-9 (Minn. Ct. App. Oct. 24, 2022).

³⁷ *In re Welfare of Children of L.L.P.*, 836 N.W.2d at 566.

³⁸ *Id.*

was in J.P.'s best interest to stay with her aunt because she was willing to adopt all of the siblings.³⁹ The district court denied the grandparents' motion for adoptive placement, finding that the county was mandated to place siblings together and therefore did not act unreasonably by failing to place J.P. with her grandparents.⁴⁰ The appellate court remanded, finding that the district court erred by finding that the county agency was mandated to place siblings together, instead of considering sibling placement within the context of the best interests of the individual children.⁴¹

In *In the Matter of the Welfare of the Child of A.M.L.*, the child, J.J.B., was born after his older sibling had already been removed from their mother's care and adopted by their great aunt who lived in Colorado.⁴² J.J.B.'s mother lived in Minnesota and J.J.B. was placed with an adult cousin who also lived in Minnesota.⁴³ Both J.J.B.'s cousin and the great aunt who had adopted J.J.B.'s sibling expressed interest in adopting J.J.B. and had home studies completed and approved.⁴⁴ After the county signed an adoption placement agreement with J.J.B.'s cousin, J.J.B.'s great aunt filed a motion for adoptive placement.⁴⁵ The district court considered the best-interest factors, including contact with J.J.B.'s sibling who lived with his great aunt, and ultimately decided that remaining with his cousin was in J.J.B.'s best interest because of the close bond between J.J.B. and his cousin, the likelihood that J.J.B. would have ongoing relationships with his immediate and extended family if he continued to live in Minnesota, and the possibility for J.J.B. to maintain a relationship with his sibling even if he was not placed with him.⁴⁶ On appeal, the great aunt argued that the district court did not weigh J.J.B.'s best interests appropriately by failing to place J.J.B. with his sibling who was adopted by the great aunt.⁴⁷ The Court of Appeals affirmed the district court's decision, finding that the district court had properly considered sibling placement among best interest factors and determined that placement with his cousin was in J.J.B.'s best interest, despite the fact that this meant he would not be placed with his sibling.⁴⁸

Both of these cases illustrate that placing siblings together is not an absolute requirement, and even when, like in *In the Matter of Welfare of the Child of A.M.L.*, there is a safe and viable placement option for a child with their siblings, other best interest factors may weigh against a joint sibling placement. However, just as sibling placement is not mandatory, other best interest factors are also not mandatory. As a child's attorney, it is important to pay close attention to how the child-placing agency is weighing best interest factors in their placement decisions and call the court's attention to situations where other best interest factors may be given undue weight against sibling placement.

Minnesota's Department of Children, Youth, and Families (formerly Department of Human Services) has identified the following exceptional circumstances which may allow sibling separations:

- (1) a sibling in treatment,

³⁹ *Id.*

⁴⁰ *Id.* at 567.

⁴¹ *Id.* at 571-72.

⁴² *In re Welfare of Child of A.M.L.*, No. 10-JV-20-357, 2022 WL 13692549, at *1 (Minn. Ct. App. Oct. 24, 2022)

⁴³ *Id.*

⁴⁴ *Id.* at *1-2.

⁴⁵ *Id.* at *2.

⁴⁶ *Id.* at *8.

⁴⁷ *Id.* at *7.

⁴⁸ *Id.* at *8.

- (2) a sibling currently placed with a previously noncustodial parent that is not a parent to all siblings (but, if parental rights were previously terminated for one sibling but not the other, the statute prioritizing sibling connection still applies⁴⁹),
- (3) one sibling has sexually, physically, or emotionally abused another,
- (4) residing in the house would have a harmful physical, mental, or psychological effect on one or more of the siblings,
- (5) the siblings' relation is neither close nor supportive,
- (6) a sibling has a physical or mental disability that could be accommodated by separate placement,
- (7) a sibling who is old enough to state a preference expressed a preference that would result in sibling separation,
- (8) the biological parents have executed consents to adoption that identify different adoptive families for the siblings.⁵⁰

If the agency places your client apart from their siblings for a reason not included in the above list, you may be able to argue for joint sibling placement on the basis that there are no exceptional circumstances that would warrant sibling separation. However, it is important to keep in mind that the above list is not exhaustive and there may be other valid factors that warrant sibling separation, especially when it comes to best interest determinations.

What Duty Does the Agency Have to Ensure Sibling Contact When Siblings are not Placed Together?

If siblings are both in foster care but are not placed together, the agency must facilitate frequent visitation or contact between the siblings unless the agency documents that contact would be contrary to the safety or well-being of any of the siblings.⁵¹ The Foster Care Sibling Bill of Rights lays out several rights related to contact between siblings, including:

- The right to be placed in close geographical distance to the child's siblings to facilitate frequent and meaningful contact;
- The right to have regular face-to-face visits with siblings in foster care, and whenever possible, with siblings not in foster care;
- The right to have frequent contact (including telephone calls, text messaging, social media, and video calls) with siblings in foster care and, whenever possible, with siblings who are not in foster care;
- The right to be actively involved in each other's lives and share celebrations, including birthdays, holidays, graduations, school and extracurricular activities, cultural customs, and other milestones; and

⁴⁹ *In re Welfare of Child of G.R.*, 2017 WL 5661606, at *5 (Minn. Ct. App. 2017) (finding that a child in foster care has a right to establish relationship with siblings, even when parental rights were previously terminated for the other children).

⁵⁰ Policy on Sibling Placement, Separation, Visitation, and Contact, MINN. DEP'T OF HUM. SERVS., https://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=DHS16_170595 (last visited July 31, 2024).

⁵¹ MINN. STAT. § 260C.212, subd. 2(d) (2022).

- The right to be promptly informed about changes in sibling placements or circumstances.⁵²

The agency must document the visitation and contact plan for siblings in each child's Out-of-Home Placement Plan (OHPP).⁵³ The statutes provide no specific numbers for how many times a week or month visitation and contact should occur between siblings, instead the regularity must be based on the individual circumstances and needs of each child.⁵⁴

PRACTICE TIP: Review your client's OHPP to make sure that your client's social worker has listed details about how often your client will have contact with their siblings and through what forms of contact (in-person, telephone, etc.). Ask your client if they are happy with the frequency of visits/contact and advise the court if they wish to have more frequent contact with their siblings.

In-person visitation should only be restricted if the agency documents that the visits are contrary to the safety and well-being of any siblings.⁵⁵ Agency workers, parents, foster care providers, and older children must cooperate to coordinate time, transportation and accommodations to ensure regular visitation between siblings.⁵⁶

PRACTICE TIP: If your client's foster care provider or your client's sibling's foster care provider is not cooperating with sibling visits, bring it to the court and agency's attention and remind the court of the agency and foster care provider's duty to work together to coordinate visitation.

Visitation should not be restricted as a consequence for behavior.⁵⁷ This presents an area of potential difficulty for the agency, as they must find a balance between restricting visits when a child's behavior may endanger the safety and well-being of the child's siblings and making sure they are not overly restricting visitation in a way that functions as a consequence for negative behaviors. It is also important that a child's foster care provider does not restrict visits between the child and their siblings as punishment for not getting along with the foster provider or acting out in their placement. As a child's attorney, it is important to be mindful of these distinctions and advocate for your client if you feel their visitations are being unduly restricted due to behavior.

PRACTICE TIP: If in-person visitation between your client and their siblings is not an option, consult with your client about other contact options, including phone calls, text messages, and video calls, and ask the court to order contact between your client and their siblings.

Although the Foster Care Sibling Bill of Rights does indicate that children have rights to maintain contact with siblings who are not in foster care⁵⁸, in practice courts have little authority to enforce contact between a child and a sibling who is not under the court's jurisdiction unless there is a contact agreement in place.⁵⁹ Contact agreements are documents drafted before finalization of adoption that detail plans for

⁵² MINN. STAT. § 260C.008, subd. 1 (2022).

⁵³ MINN. STAT. § 260C.212, subd. 1(c)(5) (2022); MINN. STAT. § 260C.008, subd. 1(a)(5) (2022).

⁵⁴ MINN. STAT. § 260C.008, subd. 1(a)(5) (2022).

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ MINN. STAT. § 260C.008, subd. 1(a)(3), (5) (2022).

⁵⁹ See *In re Welfare of Child of A.F.P.*, No. 57-JV-17-787, 2019 WL 4745332, at *6 (Minn. Ct. App. 2019) (finding that the Foster Care Siblings Bill of Rights was meant to benefit siblings in foster care and was thus inapplicable to a child whose other siblings were not in foster care at the time he was removed from the home).

ongoing communication or contact between the child being adopted and their siblings.⁶⁰ All terms of the agreement must be agreed to in writing by the parties to the agreement and the social services agency.⁶¹

These agreements become legally binding when they are contained in a written court order issued either before or at the time of the finalization of the adoption.⁶² If a party later refuses to abide by the contact agreement, another party to the order or the child who is the subject of the order may file a motion to enforce the order.⁶³ A contact agreement may be modified if the court finds that the modification is necessary to serve the best interests of the child and wither the modification is agreed to by the parties to the agreement or exceptional circumstances have arisen that justify modification.⁶⁴ Contact agreements may also be made and incorporated into the final transfer of custody order if a legal custody over a child is transferred to a relative.⁶⁵

Under the Foster Care Siblings Bill of Rights, a child has the right to be informed of the expectations for contact and possibility of continued contact with their sibling after adoption or transfer of custody to a relative.⁶⁶ Although under this statute the county agency should presumably notify your client of different contact options if they or their sibling are nearing permanency, it is important that you as your client's attorney also speak with your client about the realities of contact after adoption and the possibilities of entering into a contact agreement or visitation schedule.

PRACTICE TIP: As permanency approaches, ensure the parties and the court are well aware of your client's wishes regarding sibling visitation and contact, so requests for sibling contact agreements or visitation schedules included as court orders are expected. Please contact CLC if you need guidance in preparing a visitation plan or sibling contact agreement.

Conclusion

Sibling relationships are important relationships that often help provide youth in foster care with a sense of stability, comfort, and connection to family and cultural identity. Minnesota laws require that the child-placing agency must use reasonable efforts to place siblings together in foster care and must ensure regular sibling visitation and contact if the children are not placed together. Despite this statutory acknowledgement of the importance of sibling placement and contact, sibling placement and contact is not mandatory. In practice, sibling connections remain one of many interconnecting and sometimes conflicting priorities of the child welfare system. This sometimes results in the child-placing agency focusing on other priorities to the detriment of sibling contact. Consequently, it is important that you as a child's attorney exercise early and consistent efforts to advocate for sibling connections for your client.

Additionally, what constitutes reasonable efforts to ensure sibling contact and what constitutes the best interests of a child are very case-specific. It is important that you familiarize yourself with your client's particular circumstances and wishes so that you can craft a thorough argument for sibling placement and contact. It is crucial to take intentional steps to thoroughly understand both your client's case and your client's wishes for sibling connection so that you can be an effective advocate for sibling connection throughout your client's case.

⁶⁰ MINN. STAT. § 260C.619(a)(3) (2022).

⁶¹ MINN. STAT. § 260C.619(d) (2022).

⁶² MINN. STAT. § 260C.619(b) (2022).

⁶³ MINN. STAT. § 260C.619(h) (2022).

⁶⁴ MINN. STAT. § 260C.619(i) (2022).

⁶⁵ Policy on Sibling Placement, Separation, Visitation, and Contact, *supra* note 50.

⁶⁶ MINN. STAT. § 260C.008, subd. 1(a)(9) (2022).