**Section 309.135 Post-Permanency Sibling Contact Agreement**

*When a child in the Department's care has a permanency goal of adoption or private guardianship, and the Department is preparing to finalize the adoption or guardianship, the* child's caseworker *shall convene a meeting with the* prospective adoptive parents or guardians *and the foster parents and* caseworkers *for the child's siblings* in substitute care*, and others as applicable. The children should participate* when *developmentally appropriate. Others, such as therapists and mentors, may participate as appropriate. At the meeting, the Department shall encourage the parties to discuss* post-permanency sibling contact*. The* caseworker *may assist the parties in drafting a Post-Permanency Sibling Contact Agreement.*

a) *Parties to the Post-Permanency Sibling Contact Agreement shall include:*

1) *the adoptive parent or parents or guardian;*

2) *the child's siblings* in substitute care*,* and the sibling'scurrent foster parents *or guardians*, and siblings who are emancipated/ living independently; and

3) *the child.*

b) *The written consent of a child age 14 and over to the terms and conditions of the Post-Permanency Sibling Contact Agreement and subsequent modifications is required.*

c) *In developing this Agreement, the Department shall encourage the parties to consider the following factors:*

1) *the physical and emotional safety and welfare of the child;*

2) *the child's wishes;*

3) *the interaction and interrelationship of the child with the child's siblings who would be visiting or communicating with the child, including:*

A) *the quality of the relationship between the child and his/her siblings; and*

B) *the benefits and potential harms to the child in allowing the relationships to continue or in ending them;*

4) *the child's sense of attachments to* his/her *siblings and adoptive family, including:*

A) *the child's sense of* well-being and *being valued;*

B)the child's sense of familiarity and connectedness; and

C) *continuity of affection for the child; and*

5) *other factors relevant to the best interest of the child.*

d) *In considering the factors in subsection* (c)*, the Department shall encourage the parties to recognize the importance to a child of developing a relationship with siblings, including siblings with whom the child does not yet have a relationship, and the value of preserving family ties between the child and* his/her *siblings, including:*

1) *the child's need for stability and continuity of relationships with siblings; and*

2) *the importance of sibling contact in the development of the child's identity.*

e) *The parties to the agreement may modify or terminate the Post-Permanency Sibling Contact Agreement. If the parties cannot agree to modification or termination, they may request the assistance of the Department or another agency identified and agreed upon by the parties. Any and all terms may be modified by agreement of the parties. Agreements may also be modified to include contact with siblings whose whereabouts were unknown or who had not yet been born when the Order for Adoption or Order for Private Guardianship was entered.*

f) When an *Agreement is completed and signed by the parties, the Department shall include the Agreement in the child's Post-Adoption or Private Guardianship case record and in the case file of siblings who are parties to the Agreement who are in the Department's custody or guardianship.* [20 ILCS 505/7.4(i)]

(Source: Added at 40 Ill. Reg. 720, effective December 31, 2015)