

REFERENCE TITLE: kinship foster care; hearings; reports

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2454

Introduced by
Representative Montenegro

AN ACT

AMENDING SECTION 8-514.07, ARIZONA REVISED STATUTES; RELATING TO KINSHIP
FOSTER CARE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-514.07, Arizona Revised Statutes, is amended
3 to read:

4 8-514.07. Kinship foster care; relative identification and
5 notification; due diligence search

6 A. If a child is taken into temporary custody, as part of the
7 ongoing search, the department shall use due diligence in an initial
8 search to identify and notify adult relatives of the child and persons
9 with a significant relationship with the child within thirty days after
10 the child is taken into temporary custody.

11 B. The search to identify adult relatives of the child or persons
12 with a significant relationship with the child must include:

- 13 1. An interview with the child's parent.
- 14 2. An interview with the child.
- 15 3. Interviews with identified adult relatives.
- 16 4. Interviews with other persons who are likely to have information
17 regarding the location of adult relatives of the child or persons with a
18 significant relationship with the child.
- 19 5. A comprehensive search of available records that are likely to
20 help identify and locate a person being sought, including:
 - 21 (a) Employment records.
 - 22 (b) Vehicle registration records.
 - 23 (c) Child support enforcement records.
 - 24 (d) Utility accounts.
 - 25 (e) Previous residential addresses.
 - 26 (f) Law enforcement records.
 - 27 (g) State department of corrections records.
- 28 6. Thorough inquiries by the court of the parties during case
29 hearings.
- 30 7. Any other means the department deems likely to identify adult
31 relatives of the child or persons with a significant relationship with the
32 child.

33 C. Within thirty days after the child is taken into temporary
34 custody and at each subsequent **SUBSTANTIVE** hearing, the department shall
35 file with the court documentation regarding attempts made pursuant to this
36 section or as otherwise required by the court to identify and notify adult
37 relatives of the child and persons with a significant relationship with
38 the child. This documentation shall include a detailed narrative
39 explaining the department's efforts to consider each potential placement
40 and the specific outcome.

41 D. The department shall provide notice to adult relatives of the
42 child and persons with a significant relationship with the child who are
43 identified through the search requirements of this section. The notice
44 shall do the following:

- 1 1. Specify that the child has been or is being removed from the
2 child's parental custody.
- 3 2. Explain the options an adult relative of the child or a person
4 with a significant relationship with the child has to participate in the
5 care or placement of the child.
- 6 3. Explain that financial assistance and other forms of support are
7 available to adult relatives of the child and persons with a significant
8 relationship with the child with whom the child is placed.
- 9 4. Describe the process for becoming a licensed foster parent and
10 the additional services and support that are available for children placed
11 in approved foster homes.
- 12 5. Require an adult relative of the child or a person with a
13 significant relationship with the child to respond within thirty days
14 after receiving notice that the child has been removed from the home.
- 15 E. If the child is not placed with an adult relative of the child
16 or person with a significant relationship with the child or the child is
17 placed with an adult relative or person with a significant relationship
18 with the child who is unable or unwilling to provide permanent placement
19 for the child, the department shall continue to conduct an ongoing search
20 for adult relatives of the child or persons with a significant
21 relationship with the child. The department shall engage in search
22 efforts if ordered by the court, a change in the child's placement occurs
23 or a party shows that the search is in the best interest of the child.
- 24 F. The department shall file with the court documentation of both
25 of the following:
- 26 1. The completed due diligence search efforts. This documentation
27 shall include:
- 28 (a) The names of and relevant information about adult relatives of
29 the child or persons with a significant relationship with the child.
- 30 (b) THE steps taken by the department to locate and contact adult
31 relatives of the child or persons with a significant relationship with the
32 child.
- 33 (c) THE responses received from adult relatives of the child or
34 persons with a significant relationship with the child.
- 35 (d) THE dates of each attempted or completed contact with an adult
36 relative of the child or a person with a significant relationship with the
37 child.
- 38 (e) THE reasons why an adult relative of the child or a person with
39 a significant relationship with the child was not considered for temporary
40 or permanent placement of the child.
- 41 2. All efforts for placement of the child through an interstate
42 compact agreement pursuant to section 8-548. This documentation shall
43 include:

1 (a) The names of adult relatives of the child or persons with a
2 significant relationship with the child who were considered for an
3 interstate placement.

4 (b) Any pending placement of the child through an interstate
5 compact agreement.

6 (c) All potential out-of-state placements outside of an interstate
7 compact agreement and the reasons such placements have not been initiated.

8 G. If an out-of-state placement option exists and the department
9 has failed to file a request with the receiving state pursuant to the
10 requirements of an interstate compact agreement pursuant to section 8-548,
11 the court shall enter a finding that the department has not made a due
12 diligence search and shall order the department to file a request with the
13 receiving state pursuant to the terms of the interstate compact agreement.