

**TESTIMONY ON SENATE BILL 730
BEFORE THE SENATE COMMITTEE ON HUMAN SERVICES
MARCH 20, 2025**

**PRESENTED BY: CHANNA NEWELL, SENIOR STAFF COUNSEL FOR
GOVERNMENT RELATIONS
OREGON JUDICIAL DEPARTMENT**

Chair Gelser Blouin, Vice-Chair Linthicum, and Members of the Committee:

Thank you for the opportunity to provide this testimony. The Oregon Judicial Department (OJD) is neutral on Senate Bill 730 but would like to request clarification to the language in sections 4, 5, and 6.

OJD recognizes the importance of maintaining contact between siblings whenever possible. Section 4 amends ORS 419B.521 to require courts to determine whether it is in the best interest of a child whose parents' rights have been terminated, to have continued contact with a sibling, and establishes a rebuttable presumption that such contact is in the child's best interest. The presumption can be overcome if the court determines and makes written findings that ongoing contact between the child and their sibling would threaten the health, safety, or welfare of the child. Section 5 amends ORS 419B.527 to require the disposition after entry of an order terminating parental rights to include a "binding agreement" to ensure continued contact between siblings unless the court has found it is not in their best interests. Section 6 amends ORS 109.268 to add the requirement that an adoptive parent, if a child is within the jurisdiction of the juvenile court, must enter into a written agreement regarding ongoing contact.

Chair Gelser Blouin has stated to OJD that this bill is not intended to place an obligation on the courts to exercise jurisdiction over siblings that the court does not have authority over. OJD would recommend a change in language in section 5 and section 6 to reflect this intent. A court may be able to encourage the ongoing contact and find that it is in a child's best interest; however, the court would not have authority over the parent of a sibling who is not under the court's jurisdiction.

Language to make this clear may include a statement, such as adding to section 5, "If the biological sibling is not under the court's jurisdiction, the agreement shall ensure that contact continues if the biological sibling's parent or guardian permits." For section 6, it may be an inclusion of, "If the biological sibling is not under the court's jurisdiction, the agreement shall ensure that contact continues if the biological sibling's parent or guardian permits."

With this in mind, OJD also suggests that children will need to be made aware that in certain circumstances, such as if the child has a half-sibling in the care of a parent or guardian over whom the court does not have jurisdiction, the court is not required to make that order.

We appreciate the opportunity to provide this testimony.