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Ways and Means

From the desk of:

Riordan McClain
State Representative

Thank you Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski, and members of the Civil Justice Committee. I'm pleased to introduce House Bill 289 to you this morning/afternoon alongside my joint sponsor, Representative Pavliga. This legislation seeks to update foster care law in Ohio to increase stability for the children in the foster care system, and ensure that the child's welfare comes first.

Many studies show that stability is one of the most important factors in the first few years of life. Often when children are in the foster care system, they aren't given that stability that they need to develop emotionally, and this legislation seeks to remedy that.

When it comes to children in the foster care system, reunification with the parent is always the preferred outcome if possible. Next, the preference is for the child to be placed with an adult relative or nonrelative that has a significant relationship with the child. This bill does not change that preferential process, which is why the search for a relative has been significantly improved in this bill. We want to give a person with a significant relationship to the child ample time and opportunity to step forward and take care of the child. If that does not happen, a child is placed with a foster family.

While the goal is reunification, I have heard multiple stories where the foster child is removed from the foster home to be placed with an adult relative that the child does not even know, or other instances where the child is removed from the foster home and placed in a situation that is not good for the child simply because the preference is to be placed with an adult relative, or someone that claims they have a relationship with the child. This bill would help prevent that by giving the court the ability to continue the placement of the child, if that is what's in the child's best interest, and if all of the conditions prescribed in the bill are met.

Many times, especially with young children, they form a bond with that foster family in as quickly as 6 months on some occasions. In this legislation, current language is modified to consider foster parents as "kin," after 9 months of placement within a home and grants equal status for placement with non-parent, kin relatives of the child after that time. This change is based on studies of the timeframe it takes to create familial bonding. The 9-month period is held as a standard by experts as the threshold for creating a significant emotional bond. At that point, the disruption of that stable home environment may be just as traumatic for the child as their original displacement.

This bill is titled the Stability Act because stability is what these foster children need. They do not deserve to be shuffled around to multiple homes, and have to adjust to multiple parental figures. This legislation seeks to give more options to the court to provide the best care possible for these children that have more than likely already been traumatized in some way.

Thank you for the opportunity to testify today. I urge support for this bill, and I welcome any questions from the committee.