

	Department of Human Services CHILDREN, ADULTS & FAMILIES	NUMBER: I-A.4.5 OAR: 413-010-0300 thru 0340
	CLIENT SERVICES INDEX	SECTION: A. Client Rights
	ISSUED BY: Office of Safety and Permanency for Children FINAL: 1-02-96	SUBSECTION: 4. Rights When Children are in the Department's Legal Custody
SUBJECT: 5. Rights of Relatives – OAR		

REFERENCES: ORS 109.119 through 109.123

PURPOSE

413-010-0300 The State Office for Services to Children and Families (SOSCF) recognizes the importance of preserving the family ties and relationships of children who have been placed in the legal custody of SOSCF. These rules are in accordance with ORS 109.119 through 109.123, and establish policy regarding the involvement of relatives in visitation and case planning for children who are in the legal custody of SOSCF.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 109.119 - 109.123

DEFINITION

413-010-0310 "Relative" for the purpose of this rule is a grandparent, sister, brother, aunt or uncle who is related by blood, adoption or marriage to a child in SOSCF's legal custody.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 109.119 - 109.123

POLICY

PROVIDING INFORMATION FOR CASE PLANNING

413-010-0320 SOSCF recognizes that the relatives of a child in the legal custody of SOSCF generally have a special interest in the welfare of the child and often have important information that should be considered in planning for the child. Relatives who express an interest in a child have a right to provide information about the child's background and to make recommendations for the child's future.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 109.119 - 109.123

COMMUNICATION AND VISITATION

413-010-0330 Relatives have a right to communicate and visit with a child in SOSCF's legal custody within reasonable guidelines as set by the child's service plan and by the direction of the court.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 109.119 - 109.123

PLACEMENT WITH A RELATIVE IS NOT A RIGHT

413-010-0340 Placement of a child with a relative will not be considered the right of a relative unless the relative has established legal rights to the child in a court of competent jurisdiction. However, SOSCF will protect a child's right to live with his or her immediate or extended family except when there is indication that family members will not adequately provide for the child's welfare. In determining either the temporary or permanent placement of a child, SOSCF will consider placement with relatives in preference to persons the child does not know if there is reason to believe that the child's relatives will be able to provide appropriate care, stability and security for the child.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 109.119 - 109.123