

State of Arizona  
House of Representatives  
Forty-fifth Legislature  
First Regular Session  
2001

# HOUSE BILL 2555

AN ACT

AMENDING TITLE 8, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 8-515.05; RELATING TO FOSTER CARE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 8, chapter 5, article 1, Arizona Revised Statutes, is  
3 amended by adding section 8-515.05, to read:

4 8-515.05. Removal of child from foster parent's home;  
5 requirements; notification; review

6 A. UNLESS A CHILD IS REMOVED FROM A FOSTER PARENT, EXCLUDING A SHELTER  
7 CARE PROVIDER AND RECEIVING FOSTER PARENT, TO PROTECT THE CHILD FROM HARM OR  
8 RISK OF HARM OR TO PLACE A CHILD IN A PERMANENT PLACEMENT, THE DEPARTMENT  
9 SHALL INFORM THE FOSTER PARENT OF THE DEPARTMENT'S INTENT TO REMOVE A CHILD  
10 AND PLACE THE CHILD IN ANOTHER FOSTER CARE PLACEMENT. THE DEPARTMENT SHALL  
11 INFORM THE FOSTER PARENT OF THE SPECIFIC REASON FOR THE CHILD'S PLANNED  
12 REMOVAL FROM THE FOSTER PARENT.

13 B. IF THE FOSTER PARENT DISAGREES WITH THE PLAN TO REMOVE THE CHILD  
14 AND PLACE THE CHILD IN ANOTHER FOSTER HOME PLACEMENT, THE DEPARTMENT SHALL  
15 CONVENE A CASE CONFERENCE TO REVIEW THE REASONS FOR THE REMOVAL. THE FOSTER  
16 PARENT AND A MEMBER OF THE FOSTER CARE REVIEW BOARD SHALL PARTICIPATE IN THE  
17 CASE CONFERENCE. THE FOSTER PARENT MAY INVITE A REPRESENTATIVE TO ACCOMPANY  
18 THE FOSTER PARENT TO THE CASE CONFERENCE.

19 C. THE DEPARTMENT SHALL PROVIDE NOTICE TO THE FOSTER PARENT AND TO THE  
20 FOSTER CARE REVIEW BOARD OF THE TIME, DATE AND LOCATION OF THE CASE  
21 CONFERENCE TO REVIEW THE PLANNED REMOVAL. THE CASE CONFERENCE SHALL BE HELD  
22 WITHIN SEVENTY-TWO HOURS OF PROVIDING NOTICE, EXCLUDING WEEKENDS AND  
23 HOLIDAYS. THE CHILD SHALL REMAIN IN THE CURRENT PLACEMENT PENDING THE  
24 OUTCOME OF THE CASE CONFERENCE.

25 D. IF THE DECISION MADE AT THE CASE CONFERENCE IS TO REMOVE THE CHILD  
26 FROM THE FOSTER HOME AND THE CHILD:

27 1. IS IN THE COURT ORDERED PHYSICAL CUSTODY OF THE FOSTER PARENT, A  
28 FOSTER CARE REVIEW BOARD MEMBER SHALL PROVIDE A RECOMMENDATION TO THE COURT  
29 REGARDING THE REMOVAL OF THE CHILD PRIOR TO THE CHANGE OF PHYSICAL CUSTODY.  
30 THE CHILD SHALL REMAIN IN THE CURRENT PLACEMENT PENDING A COURT ORDER FOR  
31 REMOVAL.

32 2. IS NOT IN THE PHYSICAL CUSTODY OF THE FOSTER PARENT, THE FOSTER  
33 PARENT SHALL BE ADVISED OF THE DEPARTMENT'S CONFLICT RESOLUTION PROCESS. THE  
34 DEPARTMENT SHALL EXPEDITE THE CONFLICT RESOLUTION PROCESS. THE CHILD SHALL  
35 REMAIN IN THE CURRENT PLACEMENT PENDING THE OUTCOME OF THE CONFLICT  
36 RESOLUTION PROCESS.