**Section 309.35 Good Faith Effort to Locate Siblings in Adoption and Subsidized Guardianship Placements**

a) *When a child is in need of an adoptive placement, the* caseworker *shall examine* Department records *and other available resources and attempt to determine whether a sibling of the child has been adopted or placed in private guardianship after being in the Department's custody or guardianship. If the* caseworker *determines that a sibling of the child has been adopted or placed in private guardianship, the* caseworker *shall make a good faith effort to locate the adoptive parents or guardians of the sibling and inform them of the availability of the child for adoption. If a child available for adoption has a sibling who has been adopted or placed in guardianship, and the adoptive parents or guardians of that sibling apply to adopt the child, the* caseworker *shall consider them as adoptive applicants for the adoption of the child. The* caseworker's *final decision as to whether it will consent to the adoptive parents or guardians of a sibling being the adoptive parents of the child shall be based upon the welfare and best interest of the child. In arriving at its decision, the* caseworker *shall consider all relevant factors, including but not limited to:*

1) *the wishes of the child;*

2) *the interaction and interrelationship of the child with the applicant to adopt the child;*

3) *the child's need for stability and continuity of relationship with parent figures;*

4) *the child's adjustment to his or her present home, school and community;*

5) *the mental and physical health of all individuals involved;*

6) *the family ties between the child and the child's relatives, including siblings;*

7) *the background, age and living arrangements of the applicant to adopt the child;*

8) *a criminal background report of the applicant to adopt the child.*

b) *If placement of the child available for adoption with the adopted sibling or sibling in private guardianship is not feasible, but it is in the child's best interest to develop a relationship with his or her sibling, the* caseworker *shall invite the adoptive parents, guardian or guardians for a joint team decision-making meeting to facilitate a discussion regarding future sibling contact.*  [20 ILCS 505/7.4(h)]

(Source: Added at 40 Ill. Reg. 720, effective December 31, 2015)