

- 305 (b) allowing visitation would not compete with or undermine the reunification plan;
 306 (c) there is a substantial relationship between the grandparents and children; and
 307 (d) the visitation will not unduly burden the foster parents.

308 (12) The child and family plan shall incorporate ~~§~~ → [att] ← ~~§~~ reasonable efforts to:

309 (a) provide sibling visitation when:

310 (i) siblings are separated due to foster care or adoptive placement;

311 (ii) visitation is in the best interest of the child for whom the plan is developed; and

312 (iii) the division has consent for sibling visitation from the legal guardian of the

313 sibling; and

314 (b) obtain consent for sibling visitation from the sibling's legal guardian when the

315 criteria of Subsections (a)(i) and (ii) are met.

316 Section 4. Section **78A-6-301** is amended to read:

317 **78A-6-301. Definitions.**

318 As used in this part:

319 (1) "Custody" means the custody of a minor in the Division of Child and Family

320 Services as of the date of disposition.

321 (2) "Protective custody" means the shelter of a child by the Division of Child and

322 Family Services from the time the child is removed from home until the earlier of:

323 (a) the shelter hearing; or

324 (b) the child's return home.

325 (3) "Sibling" means the same as that term is defined in Section [62A-4a-101](#).

326 (4) "Sibling visitation" means the same as that term is defined in Section [62A-4a-101](#).

327 [~~(3)~~] (5) "Temporary custody" means the custody of a child in the Division of Child

328 and Family Services from the date of the shelter hearing until disposition.

329 Section 5. Section **78A-6-312** is amended to read:

330 **78A-6-312. Dispositional hearing -- Reunification services -- Exceptions.**

331 (1) The court may:

332 (a) make any of the dispositions described in Section [78A-6-117](#);

333 (b) place the minor in the custody or guardianship of any:

334 (i) individual; or

335 (ii) public or private entity or agency; or

429 minor.

430 (15) Any physical custody of the minor by the parent or a relative during the period
431 described in Subsections (11) through (14) does not interrupt the running of the period.

432 (16) (a) If reunification services are ordered, a permanency hearing shall be conducted
433 by the court in accordance with Section 78A-6-314 at the expiration of the time period for
434 reunification services.

435 (b) The permanency hearing shall be held no later than 12 months after the original
436 removal of the minor.

437 (c) If reunification services are not ordered, a permanency hearing shall be conducted
438 within 30 days, in accordance with Section 78A-6-314.

439 (17) With regard to a minor in the custody of the division whose parent or parents are
440 ordered to receive reunification services but who have abandoned that minor for a period of six
441 months from the date that reunification services were ordered:

442 (a) the court shall terminate reunification services; and

443 (b) the division shall petition the court for termination of parental rights.

444 (18) When a court conducts a permanency hearing for a minor under Section
445 78A-6-314, the court shall attempt to keep the minor's sibling group together if keeping the
446 sibling group together is:

447 (a) practicable; and

448 (b) in accordance with the best interest of the minor.

449 (19) When a child is under the custody of the division and has been separated from a
450 sibling due to foster care or adoptive placement, a court ~~H~~→ [my] may ←~~H~~ order sibling
450a visitation, subject to
451 the division obtaining consent from the sibling's legal guardian, according to the court's
452 determination of the best interests of the child for whom the hearing is held.

453 ~~[(19)]~~ (20) (a) Because of the state's interest in and responsibility to protect and provide
454 permanency for minors who are abused, neglected, or dependent, the Legislature finds that a
455 parent's interest in receiving reunification services is limited.

456 (b) The court may determine that:

457 (i) efforts to reunify a minor with the minor's family are not reasonable or appropriate,
458 based on the individual circumstances; and

459 (ii) reunification services should not be provided.