

HOUSE No. 3777

The Commonwealth of Massachusetts

PRESENTED BY:

Joan Meschino

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act minimizing trauma for foster children through improved parenting time plans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Joan Meschino</i>	<i>3rd Plymouth</i>	<i>2/18/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>7/1/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>9/2/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>12/3/2021</i>

HOUSE No. 3777

By Ms. Meschino of Hull, a petition (accompanied by bill, House, No. 3777) of Joan Meschino relative to parenting time plans for certain foster children. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act minimizing trauma for foster children through improved parenting time plans.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 119 of the General Laws is hereby amended by inserting after section 26C the
2 following section:-

3 Section 26D. (a) Whenever a court transfers temporary custody or responsibility of a
4 child to the department, a licensed child care agency or an individual as described in clause (i) of
5 paragraph (2) of subsection (b) of section 26, the court shall order regular and frequent visitation
6 between the parent and child unless the court finds that such visitation would be harmful to the
7 child’s health or safety. The court may review and modify any such order or finding at any time
8 thereafter upon the motion of any party for good cause shown.

9 (b) An order entered pursuant to subsection (a) shall specify the frequency, duration and
10 other terms of parent-child visitation, including the extent to which the visitation shall be
11 supervised or unsupervised. In setting the terms of the visitation, the court shall consider the
12 child’s age, developmental stage and any other needs of the child.

13 (c) There shall be a rebuttable presumption that parent-child visitation will be
14 unsupervised. The court may require that all visitation be supervised only upon a finding that
15 unsupervised visitation would endanger the safety or well-being of the child.

16 (d) (i) Regular and frequent parent-child visitation shall not be less than once every week
17 and shall include at least 2 hours of visitation per week unless the court determines that such
18 visitation would be harmful to the safety or well-being of the child.

19 (ii) The court may not suspend parent-child visitation for more than 4 weeks or terminate
20 parent-child visitation unless it finds, by clear and convincing evidence, that parent-child
21 visitation would harm the safety or well-being of the child.

22 (e) The court may issue orders for communication between the parent and child,
23 including telephone calls, video calls, electronic mail, text messaging or regular mail. When
24 issuing such orders, the court shall consider the child's age, developmental stage and any other
25 needs of the child.