



Assemblymember Lisa Calderon, 57th District

AB 670 – Minor and Non-Minor Dependent Parents

SUMMARY

Assembly Bill 670 will strengthen families and disrupt intergenerational involvement in the child welfare system by providing important protections for parenting foster youth.

BACKGROUND

Parenting foster youth struggle to access basic supports needed for them and their children to thrive – stable and nurturing housing, tangible resources, childcare, positive and supportive relationships, etc. Consequently, these young parents are at high risk of losing temporary or even permanent custody over their children. Furthermore, multi-generational involvement with Child Protective Services (CPS) is not uncommon and a maternal history of victimization is a significant risk factor. Rates of substantiated abuse and neglect among children born to teen mothers with a history of reported or substantiated maltreatment were 2 to more than 3 times higher than the rates of children whose teen mothers had not been reported to CPS.¹

California has implemented several laws designed to protect and preserve these family units. In 2008, AB 2483 (Bass) was passed to prevent parenting foster youth from voluntarily placing their children in foster homes or agreeing to a program of supervision by the child welfare system without first consulting with their attorneys. AB 1371 (Stone) in 2017 expanded the provisions of AB 2483 to include a parent who is a non-minor dependent or ward of the juvenile court.

In 2015, as part of the Continuum of Care Reform, California enacted AB 403 (Stone) and SB 794 (Committee on Human Services) which specified that before terminating reunification services for a parenting foster youth, courts must consider whether there were barriers to accessing the services. That same year, AB 260 (Lopez) added protections from unfair scrutiny by placing restrictions on how past information in a youth's case file could be used to determine fitness as a parent.

PROBLEM

Despite the strides made over the past decade to codify protections for parenting foster youth, there are still gaps in current law that work against these families. For example, existing law does not require a notice be sent to a parenting foster youth's attorney

when a report is made to CPS. Lacking knowledge of the allegations prevents attorneys to properly counsel and assist their young clients.

Existing law also allows the courts to deny the parent the opportunity to reunify with their child if that parent lost custody of a previous child as a parenting foster youth.

Furthermore, existing law allows a risk assessment be conducted on a parenting foster youth's child without an allegation of child endangerment.

SOLUTION

Assembly bill 670 will reinforce and broaden existing protections for parenting minor and non-minor dependent parents by:

- Requiring notice be sent to a parenting foster youth's attorney when a referral is made on their child;
- Ensuring the reunification services bypass provisions in Welfare & Institutions Code §361.5 do not apply to parents when reunification services and/or parental rights were terminated for a previous child when the parent was in foster care; and
- Clarifying that the county child welfare agency shall not conduct a risk assessment on the child/children of a parenting foster youth if there has not been an allegation of abuse, risk or neglect.

SUPPORT

Children's Law Center of California (Co-Sponsor)
Public Counsel (Co-Sponsor)

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¹ Children's Data Network. (2013). California's Most Vulnerable Parents: When Maltreated Children have Children. <https://www.datanetwork.org/research/californias-most-vulnerable-parents-when-maltreated-children-have-children/>