



Children's Law Center of California

Excellence In Advocacy

*Serving Los Angeles, Placer and
Sacramento Counties*

CLC LEGISLATION

Children's Law Center has successfully sponsored dozens of bills in the California legislature that make significant strides in improving the foster care system for the youth we represent. Recent legislation sponsored includes the following:

2020

AB 1324 – HEALTH CARE COVERAGE (CLC CO-SPONSORED)

- AB 1324 would ensure that undocumented children in foster care are provided with legal immigration services.

AB 1954 –RELATIVE AND SIBLING PLACEMENT (CLC CO-SPONSORED)

- AB 1954 would establish clear processes and court procedures for relative placement requests; broaden the law to recognize sibling relationships even when one child is not removed from a parent; expand the preference for placement with a relative to include a sibling; require siblings to be placed together in a resource family approved home unless there is an articulated safety risk.

AB 1979 – FOSTER YOUTH HOUSING (CLC CO-SPONSORED)

- AB 1979 would increase housing capacity, allow for longer holds on beds, and allow resource families to transition to THP-NMD host families.

AB 2005 – NON-MINOR DEPENDENTS – INDEPENDENT LIVING CASE PLANS

- AB 2005 would clarify that competency issues are not a sufficient basis to deny extended foster care for youth who are dually served by Regional Center and the foster care system.

AB 2035 – FOSTER YOUTH SEXUAL AND REPRODUCTIVE HEALTH (CLC CO-SPONSORED)

- AB 2035 would improve accountability by ensuring that the documentation required by SB 89 is reflected in court reports and by creating a data collection requirement; add reproductive and sexual health training as a mandatory topic for resource families.

AB 2051 – FOSTER SIBLING RELATIONSHIP

- AB 2051 would protect the strong connection between foster siblings by including them into the visitation provisions of WIC 16002.

AB 2153 – CHILD ABUSE AND NEGLECT

- AB 2153 would ensure investigations of abuse and neglect for children in foster care are completed in a timely manner and are done so in a trauma-informed way that reduces the risk of the survivor and other children in the home from repeat maltreatment.

AB 2880 – TRANSITIONAL HOUSING PLACEMENT PROGRAM (CLC CO-SPONSORED)

- AB 2880 would provide a supplement to the current THP-NMD rate using Fair Market Rents for non-parenting and parenting youth. The County Housing Supplement would be the difference between the amount of the THP-NMD rate budgeted to pay for housing and the amount that HUD determines is required based on Fair Market Rent in each county.

SB 912 – CALIFORNIA FOSTERING CONNECTIONS TO SUCCESS ACT

- SB 912 would allow NMDs to remain in EFC regardless of age or participation requirements during a Governor declared State of Emergency.

SB 1225 – HUMAN TRAFFICKING SERVICES AND SUPPORT

- SB 1225 Would establish a foster home pilot project in five areas of the state to provide intensive, customized, and trauma-informed services to children and youth who have been or are at risk of becoming Commercially Sexually Exploited (CSE).

2019

AB 718 – DEPENDENT CHILDREN: DOCUMENTS

- AB 718 would modify existing law to so that transition age youth have timely access to vital documents, which are necessary for financial aid, housing, employment and other supports and services.

AB 748 – NON-MINOR DEPENDENTS (CLC CO-SPONSORED)

- AB 748 would eliminate barriers to ensure that youth are able to access the supports and services of the foster care system after age 18 as intended.

AB 1068 – CHILD AND FAMILY TEAMS (CLC CO-SPONSORED)

- A primary vision of the Continuum of Care Reform (CCR) was that decision-making for placement and services would be driven by the family-centered child and family team (CFT process). AB 1068 would address current gaps in implementation by ensuring key CFT participants receive proper notice and information, enabling the court to consider CFT recommendations, requiring a neutral facilitator when appropriate, and clarifying confidentiality provisions.

2018

AB 1811 – OMNIBUS HUMAN SERVICES TRAILER BILL – FUNDING FOR EMERGENCY PLACEMENTS

- AB 1811 makes statutory changes to implement the 2018-2019 budget. One such change is to provide immediate and critical resources to relatives and non-relative extended family members caring for children who have been removed from their parent(s) because of abuse or neglect.

AB 2337: NONMINOR DEPENDENTS (GIPSON) (CLC CO-SPONSORED)

- AB 2337 removes an administrative barrier to ensure that a small, yet important, population of former foster youth are able to access services and support when needed. Specifically, the bill clarifies that eligible foster youth who receive Supplement Security Income (SSI) are permitted to re-enter extended foster care.

AB 2992: PEACE OFFICER TRAINING: COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN (DALY) (CLC CO-SPONSORED)

- AB 2992 improves the state's response to the commercial sexual exploitation of children (CSEC) by requiring the Commission on Peace Officer Standards and Training (POST) to develop a training for law enforcement.

SB 1083: RESOURCE FAMILY APPROVAL (MITCHELL) (CLC CO-SPONSORED)

- California recently implemented a new approval process, known as Resource Family Approval (RFA), for prospective caregivers of children in foster care. SB 1083 makes a series of practical improvements to the RFA process to ensure caregivers have the resources they need to provide stable and loving homes to children in foster care.

2017

AB 766 – SUPPORT FOR MINORS IN COLLEGE (FRIEDMAN)

- AB 766 provides important support for minors who are accepted into college by enabling them to reside in the dorms while still getting the services and benefits of the foster care system.

AB 1371 – PARENTING DEPENDENTS AND WARDS (STONE) (CLC CO-SPONSORED)

- AB 1371 requires that parenting foster youth and wards have an opportunity to consult with an attorney prior to relinquishing any custody of their children. This ensures that parenting youth have a full understanding of the terms and implications of a custody agreement.

SB 213 – (MITCHELL) EXPANDING PLACEMENTS FOR CHILDREN IN FOSTER CARE (CLC CO-SPONSORED)

- SB 213 reduces unnecessary delays for relative placements for children in foster care and expands the availability of placements by repealing redundant state criminal history restrictions and streamlining the process by which a prospective caregiver's criminal history is reviewed.

AB 97 – BUDGET ACT OF 2017

- AB 97 allocated an additional \$22 million for court-appointed dependency counsel in order to decrease caseloads for attorneys representing children and families under the jurisdiction of the dependency court.

SB 89 – OMNIBUS HUMAN SERVICES TRAILER BILL – PREVENTING UNINTENDED PREGNANCIES FOR FOSTER YOUTH

- SB 89 made statutory changes to implement the 2017-2018 budget. One important change provides funding to increase access to reproductive health information and services for youth in foster care.

2016

AB 1688 – NOTICE FOR OUT OF COUNTY PLACEMENTS (RODRIGUEZ)

- AB 1688 helps ensure children in foster care have a voice in important placement decisions by clarifying existing law regarding the child’s right to be notified when the social worker is considering moving the child out of county.

SB 831 – OMNIBUS HUMAN SERVICES TRAILER BILL – INFANT SUPPLEMENT

- SB 831 made statutory changes to implement the 2016-2017 budget. One such change was a substantial increase to the infant supplement, which is a monetary supplement provided for the care of children of dependents. This increase lends critical support to parenting foster youth.

2014

AB 1761 – PLACING FOSTER CHILDREN WITH RELATIVES (HALL)

- AB 1761 clarifies current law regarding the temporary placement of a foster child with a relative or relatives up until the dependency dispositional hearing. Recently, some hearing officers have interpreted the law as only allowing preferential placement with relatives through the detention hearing; this bill will resolve issue and make it clear that youth may be placed with relatives through the dispositional phase of the dependency process.

AB 2668 – SUPPORT FOR PARENTING NON-MINOR DEPENDENTS (QUIRK-SILVA)

- AB 2668 provides additional support for parenting non-minor dependents (‘NMD’s - youth over 18 years of age in the dependency system) who are living in Supervised Independent Living placements (such as a shared apartment or renting a room from a family friend). Specifically, AB 2668 will authorize the development of a ‘parenting support plan’ between a parenting NMD and an identified responsible adult. Once the plan is completed, the NMD would receive additional foster care support in the amount of \$200 per month to support the NMD and his or her young child.

2013

AB 545 – NON RELATED EXTENDED FAMILY MEMBER CAREGIVERS FOR FOSTER YOUTH (MITCHELL)

- AB 545 clarifies current law to define a non-related extended family member as someone with a relationship to a child's family and not just the child him or herself in order to ensure that potential loving caregivers are not overlooked.

AB 787 – FOSTERING CONNECTIONS TO SUCCESS (STONE) (CLC CO-SPONSORED)

- A follow-up bill to AB 12, the Fostering Connections to Success Act, AB 787 ensures California's effective implementation of the provisions of Fostering Connections to Success and Increasing Adoptions Act.

SB 342 – CHILD SOCIAL WORKER VISITS: PROTECTING THOSE WHO CANNOT SUPPORT THEMSELVES (YEE) (CLC CO-SPONSORED)

- SB 342 requires children's social workers to visit foster children in their foster home or group home placement while preserving the important right of the child to request a private conversation with the social worker outside of the placement.

SB 528 – YOUNG PARENTS IN FOSTER CARE (YEE) (CLC CO-SPONSORED)

- SB 528 will improve service delivery to teen parents in foster care and their children by way of data collection and age-appropriate reproductive health education.

2012

AB 1712 – FOSTERING CONNECTIONS TO SUCCESS (BEALL) (CLC CO-SPONSORED)

- A follow-up bill to AB 12, the Fostering Connections to Success Act, AB 1712 ensures California's adoption of the provisions of Fostering Connections to Success and Increasing Adoptions Act and its effective implementation.

AB 1707 – CHILD ABUSE CENTRAL INDEX (AMMIANO) (CLC CO-SPONSORED)

- AB 1707 provides that the Department of Justice (DOJ) remove a person's name from the Child Abuse Central Index (CACI) ten years after the incident that resulted in the listing if that person was under 18 years of age when the incident occurred and no subsequent reports regarding that individual have been received. A CACI listing can have a severe impact on a foster child's future, many of whom are especially vulnerable to being listed on CACI because they may act out due to past abuse and because their behavior is subject to closer scrutiny by child welfare agency case workers than that of children in the general population.

SB 1048 – JOINDER OF PARTIES PRE-ADJUDICATION (LIU) (CLC CO-SPONSORED)

- SB 1048 allows the dependency court to join agencies (including private service providers who receive government funding or reimbursement) *pre*-adjudication in order to ensure that foster children and their families are receiving needed services. We know that the time prior to adjudication/disposition is a critical one in which these services are critical. The bill ensures that these provisions are applied similarly in delinquency cases.'

2011

AB 212 – FOSTERING CONNECTIONS TO SUCCESS (BEALL) (CLC CO-SPONSORED)

- A follow-up bill to last year's AB 12, AB 212 ensures that California's adoption of the provisions of Fostering Connections to Success and Increasing Adoptions Act (and particularly with regard to re-entry, guardianships, and applicability to youth in delinquency) is loyal to the Act's intent

and has the technical clarity required to enable youth to take advantage of the provisions to which they are entitled.

2009/2010

AB 12 – FOSTERING CONNECTIONS TO SUCCESS (BASS/BEALL) (CLC CO-SPONSORED)

- In October 2008, the federal government enacted the Fostering Connections to Success and Increasing Adoptions Act (Public Law 110-351). This new law gives states the ability to establish relative guardianship programs with federal financial participation in the costs. PL 110-351 also makes federal funds available for foster care, kinship-guardianship, and adoption assistance benefits to youth who meet certain conditions (e.g., employment and education related requirements) until age 21. PL 110-351 provides California with an unprecedented opportunity to access federal funding to improve the lives of our state’s most vulnerable youth.
- AB 12 ensures that California opts into these essential federal funding opportunities. AB 12: 1) re-enacts our existing Kin-GAP program to align it with new federal requirements and 2) provide transitional support to qualifying foster youth until age 21. These changes represent both fiscally and socially responsible improvements to California’s foster care system. As a result, California will utilize federal funds to meet costs currently borne by the state and counties, and will realize proven savings from declines in unemployment, homelessness, teen pregnancy, public assistance, and the other costly outcomes for young adults who “age out” of foster care.

AB 743 - KEEPING SIBLINGS IN FOSTER CARE TOGETHER (PORTANTINO)

- This important legislation requires that absent an emergency, the child welfare department is to notify the child’s attorney of a planned separation of siblings ten days *before* the actual change occurs, and that in the event there is more than one attorney representing the siblings, each attorney is notified.
- AB 743 also adds a clearly defined timeframe – as soon as the decision is made to seek a placement change but no later than the close of the following business day -- to the current requirement that the attorney for any child being replaced only be notified of the change ‘as soon as possible’.

2008

SB 1612 – DUE PROCESS FOR TEEN PARENTS IN DEPENDENCY, FAMILY LAW AND PROBATE CASES (KUEHL)

- Provides teen parents full access to the judicial system by allowing for teen parents to appear in court on behalf of their child(ren) without the appointment of a Guardian Ad Litem (GAL) for the minor parent.
- Calls for Judges in dependency, family law and probate guardianship cases to appoint a GAL *only if* the teen parent is found to be incapable of understanding the proceedings or of assisting in the preparation of a case.
- SB 1612 reflects the view that because teen parents in dependency and family law cases, as well as in probate guardianship cases, have the same rights and responsibilities as adult parents, they should be able to communicate their desires directly to their attorneys and to the court without a presumption that they are ‘incompetent’ simply because they are under the age of eighteen. It is an unfair denial of access to the court system – and a waste of scarce public resources – to

require appointment of a GAL for minor parents who are able to understand what is at stake in their case and who have the ability to make their own decisions.

AB 2483 – PROTECTING THE RIGHTS OF TEEN PARENTS IN FOSTER CARE (BASS)

- Ensures that teen parents in foster care have the opportunity to consult with their court-appointed attorneys prior to agreeing to a voluntary placement of their baby in foster care, or to a voluntary family maintenance program, outside of Court jurisdiction.
- Protects young parents and their children, strengthens these young families, prevents unnecessary separation of teen parents and their children and will ensure that where appropriate and needed, supportive services are provided to both the teen parent and the teen’s baby.

AB 2310 - EQUIPPING AGING-OUT FOSTER YOUTH WITH THE PROPER TOOLS TO ACCESS SERVICES AND RESOURCES TO WHICH THEY ARE ENTITLED (MAZE/BASS)

- AB 2310 adds a letter verifying the foster youth’s prior dependency status to the list of documents to which must be provided to the youth in order for the court to terminate jurisdiction.
- Modifies Section 391 to make it clear that the birth certificate, social security card, health and education summary and identification card are required to be provided to all youth aging out of the foster care system rather than only “if applicable.” It is critical that *every* foster youth aging-out of the system have these identifying documents.
- Requires that foster youth aging-out of the child welfare system are in possession of any and all family photographs and/or tribal information from his or her case file.

AB 2096 – EXTRACURRICULAR ACTIVITIES FOR FOSTER YOUTH IN GROUP HOMES (BASS)

- This bill remedies the inadvertent removal of group home providers as a category of caregivers for foster youth empowered to use a “prudent parent standard” in making normal day to day parenting decisions such as whether the youth should attend a particular extracurricular, enrichment or social activity.
- AB 2096 improves foster children’s access to age-appropriate activities and to allow these youth to do things like participate in after-school sports, go to the mall with their friends, and attend birthday parties or school field trips.

AB 2341 – PRESERVING MINIMUM STATUTORY TIMELINES FOR FAMILY REUNIFICATION (MAZE)

- Gives families their full statutory right to reunify for the full six and twelve month periods specified in California statute.
- Prohibits courts from prematurely terminating reunification services just 2 or 3 months into a 6 month review period absent a noticed hearing and a finding by clear and convincing evidence that (1) new evidence or a change of circumstances which would have resulted in a denial of reunification services at the time the initial disposition orders were entered now exists, or (2) that the action or inaction of the parent creates a substantial likelihood that reunification will not occur.

2007

AB 298 - SUPPORTING RELATIVE CAREGIVERS (MAZE)

- Clarifies that a relative caregiver's preference for legal guardianship over adoption, so long as it does not mean the relative is unwilling to accept full responsibility for the child, is not a reason to remove the child from the relative's home.
- Changes the order of preference in the statute governing permanent planning hearings, Welf. & Inst. Code § 366.26(b), so that adoption by a current caregiver is still first, but legal guardianship by a current relative caregiver is ranked higher than adoption by an as-yet-unidentified family.
- Allows the juvenile court to approve a relative guardianship without requiring proof of a "compelling" reason not to terminate parental rights.
- Allows relative guardians who experience a crisis in caring for a child to receive family reunification services, to enable the child to return safely to the guardian's home.

2005

SB 500 - PREGNANT AND PARENTING TEENS IN FOSTER CARE (KUEHL)

Sponsors – Children’s Law Center of Los Angeles and California Welfare Director’s Association

- This bill declares that a child whose parent is also a dependent of the court shall not be found to be at risk of abuse or neglect solely because of the age, dependent status or foster care status of the parent.
- Removes statutory barriers to receiving federal Title IV-E funds for children who are under the jurisdiction of the dependency court and are living in the same placement as their dependent parent.
- The bill requires teen parents and their caregivers to develop a “shared responsibility plan” aimed at clarifying the role the caregiver will play and the type of support to be provided to the teen with regard to the care of the baby.
- This bill authorizes increased funding for “whole family foster care” placements and homes aimed at creating family-like placements and additional supports for teens and their children, whether or not the baby is the subject of a dependency petition.

AB 824 - TRANSITIONAL HOUSING PROGRAM PLUS (CHU)

Sponsors – Honoring Emancipated Youth, Alameda County Foster Youth Alliance, Campaign for Safe Transitions, Children’s Law Center of Los Angeles

- This bill extends the age of eligibility for participation in Transitional Housing for emancipated foster youth from 21 to 24, thereby allowing newly emancipated foster youth up to the age of 24 to access critical housing and support services.

SB 436 – TRANSITIONAL HOUSING PROGRAM PLUS (MIGDEN)

Sponsors – Honoring Emancipated Youth, Alameda County Foster Youth Alliance, Campaign for Safe Transitions, Children’s Law Center of Los Angeles

- The bill requires each county with a transitional housing program to identify current available transitional housing resources for parenting and pregnant teens, report on the sufficiency of these resources in relation to the number of emancipating pregnant and parenting teens, and identify a plan for meeting any unmet housing needs in each county for these emancipating teens.
- SB 436 also allocates a continuous expenditure of \$250,000 from the General Fund for the purpose of meeting the housing needs of emancipating pregnant or parenting foster youth.

AB 519 - REVERSE TERMINATION OF PARENTAL RIGHTS (LENO)

Sponsor – Children’s Law Center of Los Angeles

- Under existing law, children who become “legal orphans” have no remedy – there is no way to undo a termination of parental rights, even if the factual predicate underlying that decision is no longer valid, absent a finding of fraud.
- For some children, after termination of parental rights, circumstances change and it becomes clear that adoption is no longer either a workable plan or the best plan for the child.
- This bill would allow the child, in limited and exceptional cases and after the passage of time, to petition the court to reinstate parental rights.
- The bill would apply in cases where the child had been legally freed for at least three years, unless all parties stipulate to an earlier hearing on the petition. In order to reinstate parental rights, the juvenile court would be required to find that changed circumstances exist such that the child is no longer likely to be adopted and that reinstatement of parental rights would be in the child’s best interest. The burden of proof would be on the petitioning child.

AB 1261 – SCHOOL STABILITY; FILLING AB 490 GAPS (LENO)

Sponsor – Children’s Law Center of Los Angeles

- This bill will strengthen and clarify certain education and welfare and institutions code provisions relating to school stability for children residing in out of home care.
- Provides that disputes arising in connection with the rights provided for in AB 490 (2003) are to be resolved in accordance with existing dispute resolution process available to any pupil served by the local education agency.
- The court’s authority to temporarily limit a parent’s educational rights in exceptional circumstances is clarified and expanded.

2004

AB 1858 - QUALITY EDUCATION AND NONPUBLIC SCHOOLS (STEINBERG)

- This legislation addresses the tremendous educational needs of the many youth in foster care whose special education needs cannot be met in a traditional classroom.
- AB 1858 raises the standards for oversight of nonpublic schools and thereby prevents the most challenged children from being allowed to languish in classrooms that don't always provide the type of education essential to their academic achievement.
- AB 1858 will require all nonpublic schools to staff each classroom with a teacher who holds a certificate, permit or other valid teaching credential equal to that of staff in a public school.
- AB 1858 will also require that students educated in nonpublic schools have access to the opportunities afforded other students -- college preparation courses, extracurricular activities, and career preparation/vocational training.
- The bill makes clear that nonpublic schools must provide instruction and services aimed at integrating pupils into public schools and reinforces the prohibition against a licensed children’s institution from requiring, as a condition of residency, that a child be required to attend a nonpublic school.
- Finally, AB 1858 will ensure a more rigorous certification process, to include input from students themselves, and call for unannounced visits to schools under certain conditions.

AB 1913 - CRIMINAL BACKGROUND CHECKS (COHN)

- AB 1913 removes barriers to relative placement and clarifies ambiguities in the law governing background checks required for placement of abused and neglected children with relative caregivers.
- This bill clarifies that children can be temporarily placed with appropriate relatives based on a California Law Enforcement Telecommunications System (“CLETS”) criminal record check and thereby spared the trauma of having to stay with strangers while final clearances are processed.
- AB 1913 also gives counties discretion to grant a *temporary* criminal record exemption to relatives based on CLETS results, thereby allowing more children to be promptly placed with appropriate relatives and spared interim stranger care. Final exemption decisions must still be based on fingerprint results so as not to jeopardize any child’s safety.

AB 129 – CROSSOVER YOUTH (COHN)

- This legislation will allow for a more comprehensive handling of the issues and concerns involving dependent youth at risk of, or already involved with, the juvenile justice system.
- AB 129 allows individual counties, with the agreement of a county’s child welfare director, chief probation officer, and supervising judge of the juvenile court, to create pilot programs permitting a “child to be simultaneously a dependent child and a ward of the court.” This more flexible approach can lead to improved efficiency and consideration of *all* needs of the child and his or her family when a child transitions from one system to the other.
- Counties will have the ability to craft a mechanism to ensure appropriate and efficient transition of children out of delinquency and into dependency when they no longer require the supervision of probation and a delinquency court.

SB 1178 - TEEN PARENTS IN FOSTER CARE ACT (KUEHL)

- This bill requires the court and responsible agencies to protect the best interests of a dependent minor parent and his or her child as a unit and make diligent attempts to place them together in a family-like setting.
- Requires that teen parents in foster care have access to services specifically targeted at supporting, maintaining, and developing both the parent child bond and the teen’s ability to provide a permanent and safe home for the child.
- Ensures that minor parents are permitted to attend school, complete homework, and participate in activities unrelated to and separate from parenting.
- Finally, child welfare agencies, the State and providers are directed to develop, identify and utilize whole family placements and placement models that provide supportive family focused care for dependent teens and their children.

2003

AB 408 - QUALITY OF LIFE AND PERMANENCY (STEINBERG)

- Assembly Bill 408, effective January 1, 2004, seeks to improve the quality of life for foster children by establishing a right to participate in age-appropriate enrichment, extracurricular and social activities (WIC 362.05). Caregivers are expected to make normal day-to-day parenting decisions and are to act as prudent parents in determining whether to give permission for a child to participate in any of these activities.
- AB 408 also sets forth a series of reforms aimed at promoting and ensuring permanence through the development of lifelong connections to a committed, caring adult for all children in foster care.

- The bill assures that children 10 years of age or older receive notice of and have the right to attend their court proceedings.

AB 490 - EDUCATIONAL STABILITY (STEINBERG)

- Effective January 1, 2004, AB 490 establishes legislative intent that foster and probation youth shall be ensured access to the same opportunities to meet academic achievement standards to which all students are held, maintain stable school placements, be placed in the least restrictive educational placement, and have access to the same academic resources, services and extracurricular and enrichment activities as all other children. Makes clear that education and school placement decisions are to be dictated by the best interest of the child.
- Creates school stability for foster children by allowing them to remain in their school of origin for the duration of the school year when their placement changes and remaining in the same school is in the child's best interests.
- Requires Local Educational Agencies (LEAs) to designate a staff person as a foster care education liaison to ensure proper placement, transfer and enrollment in school for foster youth.
- Makes LEAs and county social workers or probation officers jointly responsible for the timely transfer of students and their records when a change of schools occurs.
- Allows a foster child to be immediately enrolled in school even if all typically required school records, immunizations, or school uniforms are not available.