

AMENDED IN SENATE JUNE 30, 2011

AMENDED IN ASSEMBLY APRIL 4, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1147**

---

---

**Introduced by Assembly Member Yamada**

February 18, 2011

---

---

An act to amend Section 366.1 of the Welfare and Institutions Code, relating to dependent children.

LEGISLATIVE COUNSEL'S DIGEST

AB 1147, as amended, Yamada. Dependent children: status reports.  
~~The Teen Parents in Foster Care Act~~

*Existing law* sets forth ways in which families of dependent minor parents may be preserved, by assisting these parents in raising their children as well as participating in school and extracurricular activities.

Existing law requires a court to review the status of a dependent child no less than once every 6 months, and requires the county welfare department or social worker to file a supplemental report that addresses specified subjects, including whether the social worker has considered child protective services as a possible solution to the problems at hand, and has offered those services to qualified parents.

This bill would additionally require, if the dependent child in foster care is also a parent, the supplemental report to specifically set forth the age and developmentally appropriate services that were provided to the minor parent to allow him or her to provide a permanent and safe home for the child, ~~consistent with the Teen Parents in Foster Care Act~~ *as specified*. By imposing this additional reporting requirement on

county welfare departments, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 366.1 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 366.1. Each supplemental report required to be filed pursuant
- 4 to Section 366 shall include, but not be limited to, a factual
- 5 discussion of each of the following subjects:
- 6 (a) Whether the county welfare department social worker has
- 7 considered child protective services, as defined in Chapter 5
- 8 (commencing with Section 16500) of Part 4 of Division 9, as a
- 9 possible solution to the problems at hand, and has offered those
- 10 services to qualified parents, if appropriate under the circumstances.
- 11 (b) What plan, if any, for the return and maintenance of the
- 12 child in a safe home is recommended to the court by the county
- 13 welfare department social worker.
- 14 (c) Whether the subject child appears to be a person who is
- 15 eligible to be considered for further court action to free the child
- 16 from parental custody and control.
- 17 (d) What actions, if any, have been taken by the parent to correct
- 18 the problems that caused the child to be made a dependent child
- 19 of the court.
- 20 (e) If the parent or guardian is unwilling or unable to participate
- 21 in making an educational decision for his or her child, or if other
- 22 circumstances exist that compromise the ability of the parent or
- 23 guardian to make educational decisions for the child, the county
- 24 welfare department or social worker shall consider whether the
- 25 right of the parent or guardian to make educational decisions for
- 26 the child should be limited. If the supplemental report makes that

1 recommendation, the report shall identify whether there is a  
2 responsible adult available to make educational decisions for the  
3 child pursuant to Section 361.

4 (f) (1) Whether the child has any siblings under the court's  
5 jurisdiction, and, if any siblings exist, all of the following:

6 (A) The nature of the relationship between the child and his or  
7 her siblings.

8 (B) The appropriateness of developing or maintaining the sibling  
9 relationships pursuant to Section 16002.

10 (C) If the siblings are not placed together in the same home,  
11 why the siblings are not placed together and what efforts are being  
12 made to place the siblings together, or why those efforts are not  
13 appropriate.

14 (D) If the siblings are not placed together, the frequency and  
15 nature of the visits between siblings.

16 (E) The impact of the sibling relationships on the child's  
17 placement and planning for legal permanence.

18 (2) The factual discussion shall include a discussion of indicators  
19 of the nature of the child's sibling relationships, including, but not  
20 limited to, whether the siblings were raised together in the same  
21 home, whether the siblings have shared significant common  
22 experiences or have existing close and strong bonds, whether either  
23 sibling expresses a desire to visit or live with his or her sibling, as  
24 applicable, and whether ongoing contact is in the child's best  
25 emotional interests.

26 (g) Whether a child who is 10 years of age or older and who  
27 has been in an out-of-home placement for six months or longer  
28 has relationships with individuals other than the child's siblings  
29 that are important to the child, consistent with the child's best  
30 interests, and actions taken to maintain those relationships. The  
31 social worker shall ask every child who is 10 years of age or older  
32 and who has been in an out-of-home placement for six months or  
33 longer to identify any individuals other than the child's siblings  
34 who are important to the child, consistent with the child's best  
35 interest. The social worker may ask any other child to provide that  
36 information, as appropriate.

37 (h) If the dependent child in foster care is a minor parent, as  
38 defined in subdivision (f) of Section 16002.5, the supplemental  
39 report shall specifically set forth the age and developmentally  
40 appropriate services that were provided to the minor parent to

1 allow him or her to provide a safe home for the child, consistent  
2 with the ~~Teen Parents in Foster Care Act (Ch. 841, Stats. 2004)~~.  
3 *with Section 16002.5.*

4 (i) The implementation and operation of the amendments to  
5 subdivision (g) enacted at the 2005–06 Regular Session shall be  
6 subject to appropriation through the budget process and by phase,  
7 as provided in Section 366.35.

8 SEC. 2. If the Commission on State Mandates determines that  
9 this act contains costs mandated by the state, reimbursement to  
10 local agencies and school districts for those costs shall be made  
11 pursuant to Part 7 (commencing with Section 17500) of Division  
12 4 of Title 2 of the Government Code.