

**ASSEMBLY BILL**

**No. 2573**

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**Introduced by Assembly Member Stone**

February 21, 2014

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An act to amend Section 450 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2573, as introduced, Stone. Foster care: transition jurisdiction.

Existing law establishes transition jurisdiction for the juvenile court, and generally provides that minors who are wards in foster care placement, and certain nonminors who are eligible for aid, and who satisfy other specified criteria, including that their rehabilitative goals have been met and juvenile court jurisdiction over them as a ward is no longer required, are within the transition jurisdiction of the juvenile court.

This bill would delete that criterion that the juvenile's rehabilitative goals have been met, and instead provide that a minor or nonminor over whom the juvenile court has determined jurisdiction as a ward is no longer required, and who satisfies those other specified criteria, is within the transition jurisdiction of the juvenile court.

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

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

- 1 SECTION 1. Section 450 of the Welfare and Institutions Code
- 2 is amended to read:

1 450. (a) A minor or nonminor who satisfies all of the following  
2 criteria is within the transition jurisdiction of the juvenile court:

3 (1) (A) The minor is a ward who is older than 17 years and 5  
4 months of age and younger than 18 years of age and in foster care  
5 placement, or the nonminor is a ward in foster care placement who  
6 was a ward subject to an order for foster care placement on the  
7 day he or she attained 18 years of age and on and after January 1,  
8 2012, has not attained 19 years of age, or, commencing January  
9 1, 2013, 20 years of age, or, commencing January 1, 2014, 21 years  
10 of age.

11 (B) Notwithstanding subparagraph (A), the nonminor is a ward  
12 who has been receiving aid pursuant to Article 5 (commencing  
13 with Section 11400) of Chapter 2 of Part 3 of Division 9 between  
14 January 1, 2012, and December 31, 2012, and attains 19 years of  
15 age prior to January 1, 2013, or who has been receiving that aid  
16 between January 1, 2013, and December 31, 2013, and attains 20  
17 years of age prior to January 1, 2014, and who may continue to  
18 receive aid under the applicable program, provided that the  
19 nonminor dependent continues to meet all other applicable  
20 eligibility requirements as specified in Section 11403.

21 (2) The ward meets either of the following conditions:

22 (A) The ward was removed from the physical custody of his or  
23 her parents or legal guardian, adjudged to be a ward of the juvenile  
24 court under Section 725, and ordered into foster care placement  
25 as a ward.

26 (B) The ward was removed from the custody of his or her  
27 parents or legal guardian as a dependent of the court with an order  
28 for foster care placement as a dependent in effect at the time the  
29 court adjudged him or her to be a ward of the juvenile court under  
30 Section 725.

31 ~~(3) The rehabilitative goals of the minor or nonminor, as set  
32 forth in the case plan, have been met, and juvenile court jurisdiction  
33 over the minor or nonminor as a ward is no longer required.~~

34 *(3) The juvenile court has determined that jurisdiction over the  
35 minor or nonminor as a ward pursuant to Section 602 is no longer  
36 required.*

37 (4) (A) If the ward is a minor, reunification services have been  
38 terminated; the matter has not been set for a hearing for termination  
39 of parental rights pursuant to Section 727.3 or for the establishment  
40 of guardianship pursuant to Section 728; the return of the child to

1 the physical custody of the parents or legal guardian would create  
2 a substantial risk of detriment to the child's safety, protection, or  
3 physical or emotional well-being; and the minor has indicated an  
4 intent to sign a mutual agreement, as described in subdivision (u)  
5 of Section 11400, with the responsible agency for placement in a  
6 supervised setting as a nonminor dependent.

7 (B) If the ward is a nonminor, he or she has signed a mutual  
8 agreement, as described in subdivision (u) of Section 11400, with  
9 the responsible agency for placement in a supervised setting as a  
10 nonminor dependent or has signed a voluntary reentry agreement,  
11 as described in subdivision (z) of Section 11400 for placement in  
12 a supervised setting as a nonminor dependent. A runaway and  
13 homeless youth shelter licensed by the State Department of Social  
14 Services pursuant to Section 1502.35 of the Health and Safety  
15 Code shall not be a placement option pursuant to this section.

16 (b) A minor who is subject to the court's transition jurisdiction  
17 shall be referred to as a transition dependent.

18 (c) A youth subject to the court's transition jurisdiction who is  
19 18 years of age or older shall be referred to as a nonminor  
20 dependent.