

ASSEMBLY BILL

No. 919

Introduced by Assembly Member Dababneh

February 26, 2015

An act relating to foster youth.

LEGISLATIVE COUNSEL’S DIGEST

AB 919, as introduced, Dababneh. Foster youth: permanency.

Existing law provides for the out-of-home placement, including foster care placement, of children who are unable to remain in the custody and care of their parents. Existing law requires the juvenile court to hold a permanency hearing no later than 12 months after a child has entered foster care to determine the permanent plan for the child. Existing law authorizes the juvenile court to order one of several permanent plans, including an order that the child be placed in long-term foster care, subject to periodic review.

This bill would state the intent of the Legislature to enact legislation that improves permanency outcomes and stability for older children in foster care by, among other things, providing resources and incentives to counties to improve permanency outcomes for older children and youth in foster care.

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. (a) The Legislature finds and declares all of the
2 following:

(1) As of September 30, 2014, there were 62,545 California children living in the foster care system, with 16,561 children, or approximately 26 percent, in foster care for over three years, and 9,780 children, or approximately 16 percent, in care for over five years. Adult outcomes are often poor for the children who remain in foster care long term. Within two years of exiting the foster care system, approximately 50 percent will be homeless, in prison, victimized, or dead.

(2) Families committing to adoption or guardianship of children in foster care may face challenges unique to the adoption or guardianship experience that result from the trauma of the child's adverse childhood experiences. These challenges can create stress that puts the adoption or guardianship at risk of disruption and potentially result in the child's reentry into the foster care system.

(3) Provisions of the federal Preventing Sex Trafficking and Strengthening Families Act (Public Law 133-183) address the need to enhance efforts to improve permanency outcomes for older children in care by eliminating the use of other planned permanent living arrangements as a permanent plan for children under 16 years of age.

(4) The new federal law also requires documentation of intensive and ongoing efforts to achieve permanence for youth with a case plan for another planned permanent living arrangement, and adds additional case plan and case plan review system requirements for children 16 years of age and older.

(b) It is the intent of the Legislature to enact legislation that improves permanency outcomes and stability for older children in foster care and brings California into compliance with provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act by doing all of the following:

(1) Providing resources and incentives to counties to improve permanency outcomes for older children and youth in foster care by updating current California law to require that any federal adoption incentives received be used for that purpose.

(2) Improving the stability of adoptive and guardianship families by requiring the State Department of Social Services, county adoption agencies, county child welfare agencies, and licensed adoption agencies to provide potential adoptive families and guardians information, in writing, regarding the importance of working with mental health providers that have specialized

1 adoption or permanency clinical training and experience if the
2 family needs clinical support and the desirable clinical expertise
3 the family should look for when choosing an adoption- or
4 permanency-competent mental health professional.

5 (3) Improving permanency outcomes for children in foster care
6 by doing all of the following:

7 (A) Requiring child-centered specialized permanency services
8 prior to deeming a child “unlikely to be adopted,” “not a proper
9 subject for adoption,” or “having no one willing to take legal
10 guardianship,” and prior to, and after, making a permanency plan
11 for another planned permanent living arrangement or ordering a
12 child into long-term foster care.

13 (B) Eliminating the use of another planned permanent living
14 arrangement as a permanency plan for children under 16 years of
15 age.

16 (C) Adding “placement with a fit and willing relative” as a
17 permanency planning option.