

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2000

Introduced by Assembly Member Campos

February 16, 2016

An act to add Section 607.6 to the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2000, as amended, Campos. Wards: termination of juvenile court jurisdiction.

Existing law establishes the jurisdiction of the juvenile court, which may adjudge a minor to be a ward of the court on the basis of the minor's delinquent behavior. Under existing law, the jurisdiction of the juvenile court may continue until the ward attains 21 or 25 years of age, depending on the nature of the offense. Existing law requires the juvenile court to hold a hearing prior to terminating jurisdiction over a ward who is subject to an order of foster care, as specified. Under existing law, whenever the juvenile court terminates jurisdiction over a ward who has also been designated a dependent of the court or previously placed into foster care, the probation or parole officer is required to provide the ward with specified information and documents relating to benefits for former foster children.

~~This bill would require the juvenile court to conduct a hearing prior to terminating jurisdiction over a ward who has attained 18 years of age and who is either placed out of the home by the juvenile court or who is returning to an unstable home environment. The bill would require prohibit the juvenile court from terminating jurisdiction over a ward until the court conducts a hearing and finds that the probation~~

department ~~to provide~~ *has provided, or made reasonable efforts to provide*, certain information, documents, and services to the ~~ward before the court may terminate jurisdiction.~~ *ward*. By imposing this duty on probation officers, this bill would impose a state-mandated local program. The bill would also direct the Judicial Council to develop and implement standards and forms necessary to implement these provisions.

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 607.6 is added to the Welfare and
2 Institutions Code, to read:

3 607.6. (a) The juvenile court shall not terminate jurisdiction
4 over a ward ~~who has attained 18 years of age and who is either~~
5 ~~placed out of the home by the juvenile court in the most recent~~
6 ~~order or who is returning to an unstable home environment,~~ until
7 a hearing is conducted pursuant to this section and the ~~probation~~
8 ~~department has submitted a report verifying~~ *court finds* that the
9 following information, documents, and services have been provided
10 to the ward, ~~or in the case of a ward who, after reasonable efforts~~
11 ~~by the probation department, cannot be located, verifying the~~
12 ~~efforts made to make the following available to the ward: or, in~~
13 *any case in which the information, document, or service is*
14 *unavailable or cannot be provided, that the probation officer has*
15 *made reasonable efforts to provide the following information,*
16 *documents, or services to the ward:*

17 (1) Written information concerning the ward’s case, including
18 any known information regarding the ward’s Indian heritage or
19 tribal connections, if applicable, directions on how to access the
20 documents the ward is entitled to inspect under Section 827, and
21 the date on which the jurisdiction of the juvenile court would be
22 terminated.

- 1 (2) Written information regarding any psychoactive or other
2 medications that the ward is taking, including the dosage, the
3 reason the medications were prescribed, contact information of
4 the prescribing doctor or psychiatrist, and information regarding
5 how to maintain the medication regimen if the ward so chooses.
- 6 (3) The following documents:
- 7 (A) Social security ~~card~~ *card, or a photocopy thereof.*
- 8 (B) Certified copy of his or her birth certificate.
- 9 (C) Health and education summary, as described in subdivision
10 (a) of Section ~~16010~~ *16010, if applicable.*
- 11 (D) Driver's license, as described in Section 12500 of the
12 Vehicle Code, or identification card, as described in Section 13000
13 of the Vehicle Code.
- 14 (E) A letter prepared by the probation department that includes
15 the following information:
- 16 (i) The ward's name and date of birth.
- 17 (ii) The dates during which the ward was within the jurisdiction
18 of the juvenile court.
- 19 ~~(iii) A statement that the ward was a youth in compliance with~~
20 ~~state and federal financial aid documentation requirements.~~
- 21 (F) If applicable, the death certificate of the parent or parents.
- 22 ~~(G) If applicable, proof of the ward's citizenship or legal~~
23 ~~residence.~~
- 24 ~~(H)~~
- 25 (G) An advance health care directive form.
- 26 (4) ~~Referrals for assistance~~ *Assistance* with completing an
27 application for Medi-Cal or ~~referrals for assistance~~ with obtaining
28 other health ~~insurance~~ *insurance, unless the ward has health*
29 *insurance.*
- 30 (5) Referrals to transitional housing, if available, or referrals to
31 *assistance with securing other housing; housing, unless the ward*
32 *has housing.*
- 33 (6) Referrals for assistance with obtaining employment or other
34 financial support.
- 35 (7) ~~Assistance~~ *Referrals for assistance* in applying for admission
36 to college or to a vocational training program or other educational
37 institution and in obtaining financial aid, where appropriate.
- 38 (8) If the ward has been in out-of-home placement for ~~six~~
39 ~~months~~ *90 days* or longer from the date the ward entered foster
40 care or a long-term detention facility, *committed or detained for*

1 90 days or longer, contact information in the ward’s file for
 2 individuals who are important to the ward, based on the ward’s
 3 best interests.

4 ~~(9) For wards between 18 and 21 years of age who were placed
 5 in foster care, assistance in accessing the Independent Living
 6 Aftercare Program in the ward’s county of residence.~~

7 ~~(b) At any hearing for a ward who has turned 18 years of age
 8 at which the court is considering terminating jurisdiction, the
 9 probation department shall ensure that the nonminor is present in
 10 court, unless the nonminor does not wish to appear in court and
 11 elects a telephonic appearance, or shall document reasonable efforts
 12 made by the probation department to locate the ward when the
 13 ward is not available.~~

14 ~~(c) At the hearing closest to and before a ward’s 18th birthday
 15 and every review hearing thereafter for nonminor wards, the
 16 probation department shall submit a report describing efforts
 17 toward completing the items described in subparagraphs (E) to
 18 (H), inclusive, of paragraph (2) of subdivision (a).~~

19 *(9) Information about the sealing of juvenile records as required
 20 by subdivision (h) of Section 781, including information on the
 21 sealing provisions of Section 786 and other applicable provisions
 22 regarding the sealing of juvenile records.*

23 *(10) If the ward has applied for special immigrant juvenile
 24 status or otherwise applied for legal residency, and the application
 25 is being processed, information on the status of the application
 26 and whether an active juvenile court case is required for approval
 27 of the application.*

28 *(b) The ward shall not be held in physical confinement or subject
 29 to any terms or conditions of probation if a continuance of the
 30 termination hearing is required solely for the probation department
 31 to comply with the requirements of this section.*

32 ~~(d)~~

33 *(c) If the ward has met his or her rehabilitative goal and requests
 34 immediate termination of jurisdiction, the termination shall not be
 35 delayed if for the probation department has not complied to comply
 36 with this section.*

37 ~~(e)~~

38 *(d) The Judicial Council shall develop and implement standards,
 39 and develop and adopt appropriate forms, necessary to implement
 40 this section.*

1 SEC. 2. If the Commission on State Mandates determines that
2 this act contains costs mandated by the state, reimbursement to
3 local agencies and school districts for those costs shall be made
4 pursuant to Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of the Government Code.

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