

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2767**

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**Introduced by Assembly Member Lopez**

February 19, 2016

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An act to amend Section 16010.4 of the Welfare and Institutions Code, relating to foster care.

LEGISLATIVE COUNSEL'S DIGEST

AB 2767, as amended, Lopez. Foster care: ~~child care.~~ *caregivers: information.*

*Existing law provides that a caregiver of a foster child should have certain basic information in order to provide for the needs of children placed in his or her care, including the name, mailing address, telephone number, and facsimile number of the child's social worker, the social worker's supervisor, the child's attorney, and the court-appointed special advocate, if applicable.*

*This bill would additionally provide that caregivers should also be provided with the email address of the child's social worker, the social worker's supervisor, the child's attorney, and the court-appointed special advocate, if applicable.*

~~Existing law declares the intent of the Legislature to preserve and strengthen a child's family ties whenever possible, removing the child from the custody of his or her parents only when necessary for his or her welfare or for the safety and protection of the public. Existing law includes various provisions relating to appropriate placement and other services for children in foster care.~~

This bill would state the intent of the Legislature to enact legislation to meet the immediate child care needs of families who accept the foster care placement of children in their homes.

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 16010.4 of the Welfare and Institutions  
2 Code is amended to read:

3 16010.4. The Legislature finds and declares all of the following:  
4 (a) The State of California is guardian to ~~more than 90,000~~  
5 ~~roughly 60,000~~ children in foster care, ~~more than any other state~~  
6 ~~in the nation. As of 2002,~~ care. California has a disproportionately  
7 high number of children in foster care. While the state is home to  
8 12 percent of the nation’s population, it guards over 20 percent of  
9 the nation’s children in its foster care system. Thirty-five percent  
10 of foster children live with relatives.

11 (b) Foster parents are one of the most important sources of  
12 information about the children in their care. Courts, lawyers, and  
13 social workers should have the benefit of caregivers’ perceptions.  
14 Both federal and state law recognize the importance of foster  
15 parents’ participation in juvenile court proceedings. Federal law  
16 requires that foster parents and other caregivers receive expanded  
17 opportunities for notice, the right to participate in dependency  
18 court review and permanency hearings, and the right to  
19 communicate concerns to the courts. State law similarly provides  
20 that caregivers may submit their concerns to courts in writing.

21 (c) It is in the children’s best interests that their caregivers are  
22 privy to important information about them. This information is  
23 necessary to obtain social and health services for children, enroll  
24 children in school and extracurricular activities, and update social  
25 workers and court personnel about important developments  
26 affecting foster children.

27 (d) Most school districts and extracurricular organizations  
28 require proof of age before enrolling a child in their programs.  
29 Moreover, caregivers are required to obtain a medical appointment  
30 for their foster children within the first month of receiving the  
31 children into their homes. It would therefore be in both the  
32 children’s and the caregivers’ best interests to be provided with

1 any available medical information, medications and instructions  
2 for use, and identifying information about the children upon  
3 receiving the children into their homes.

4 (e) Caregivers should have certain basic information in order  
5 to provide for the needs of children placed in their care, including  
6 all of the following:

7 (1) The name, mailing address, telephone number, ~~and~~ facsimile  
8 ~~number number, and email address~~ of the child's social worker  
9 and the social worker's supervisor.

10 (2) The name, mailing address, telephone number, ~~and~~ facsimile  
11 ~~number number, and email address~~ of the child's attorney and  
12 court-appointed special advocate (CASA), if any.

13 (3) The name, address, and department number of the juvenile  
14 court in which the child's juvenile court case is pending.

15 (4) The case number assigned to the child's juvenile court case.

16 (5) A copy of the child's birth certificate, passport, or other  
17 identifying documentation of age as may be required for enrollment  
18 in school and extracurricular activities.

19 (6) The child's State Department of Social Services  
20 identification number.

21 (7) The child's Medi-Cal identification number or group health  
22 insurance plan number.

23 (8) Medications or treatments in effect for the child at the time  
24 of placement, and instructions for their use.

25 (9) A plan outlining the child's needs and services, including  
26 information on family and sibling visitation.

27 (f) Caregivers should have knowledge of all of the following:

28 (1) Their right to receive notice of all review and permanency  
29 hearings concerning the child during the placement.

30 (2) Their right to attend those hearings or submit information  
31 they deem relevant to the court in writing.

32 (3) The "Caregiver Information Form" (Judicial Council Form  
33 JV-290), which allows the caregiver to provide information directly  
34 to the court.

35 (4) Information about and referrals to any existing services,  
36 including transportation, translation, training, forms, and other  
37 available services.

38 (5) The caregiver's obligation to cooperate with any  
39 reunification, concurrent, or permanent planning for the child.

1 (6) Any known siblings or half-siblings of the child, whether  
2 the child has, expects, or desires to have contact or visitation with  
3 any or all siblings, and how and when caregivers facilitate the  
4 contact or visitation.

5 (g) Courts should know, at the earliest possible date, the interest  
6 of the caretaker in providing legal permanency for the child.

7 ~~SECTION 1. It is the intent of the Legislature to enact~~  
8 ~~legislation to meet the immediate child care needs of families who~~  
9 ~~accept the foster care placement of children in their homes.~~