

AMENDED IN ASSEMBLY MARCH 20, 2006

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2031**

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**Introduced by Assembly Member Cohn**

February 14, 2006

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An act to amend Section 16500.1 of the Welfare and Institutions Code, relating to dependent children.

LEGISLATIVE COUNSEL'S DIGEST

AB 2031, as amended, Cohn. Dependent children.

Existing law provides for the placement of dependent children by the juvenile court according to specified procedures. Existing law requires the state to encourage the development of approaches to child protection that employ specified methods.

This bill would expand the latter provision by requiring the state to encourage the development of approaches that include ensuring that a search for relatives available for placement is initiated before permanent placement decisions are made for children who cannot be reunited with their families. The bill would also set forth various requirements for the State Department of Social Services to ensure that as many family members as possible of dependent children are identified, including drafting guidelines outlining best practices in the use of advanced technology to assist counties in identifying all relatives and nonrelative extended family members at the earliest possible time for a foster child ~~and developing a cost benefit analysis, including funding estimates, as specified.~~ The bill would authorize the department to identify best practices for implementing optimal foster child placement opportunities, as reported by designated counties that have developed kinship care programs for that purpose.

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

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

1 SECTION 1. The Legislature finds and declares as follows:  
2 (a) Currently, social workers make the effort to maintain  
3 relationships between the child in foster care and certain  
4 individuals who are important to the child.  
5 (b) The Legislature recognizes the right of a child in foster  
6 care to be involved in the development of his or her own case  
7 plan to identify all relatives, extended family members, and  
8 nonrelative extended family members, and the need to place the  
9 child in a safe home and to complete any steps necessary to  
10 finalize the permanent placement of the child and his or her  
11 siblings, if any.  
12 (c) In California, at least eight counties have voluntarily  
13 initiated programs to provide the vital function of seeking to find  
14 a foster child’s relatives and nonrelative extended family  
15 members using new advances in technology. These proven  
16 search methods can serve to provide family members who may  
17 agree to house children who would otherwise be at risk of foster  
18 care placement. Relative homes offer stability to children in  
19 crisis and enhance family reunification. Outcome data from  
20 Washington and Illinois show that children in the care of  
21 relatives are less likely to enter state custody, and most of these  
22 arrangements do not require intensive supervision of the  
23 placement by the courts or by the department of social services.  
24 Moreover, results from these states demonstrate that even the  
25 most difficult to place foster children have been successfully  
26 placed with extended family members by utilizing family finding  
27 technologies.  
28 SEC. 2. (a) The State Department of Social Services, in  
29 conjunction with stakeholders, including, but not limited to, the  
30 California Youth Connection, County Welfare Directors  
31 Association, and the California Alliance of Child and Family  
32 Services shall draft guidelines outlining best practices in the use  
33 of advanced technology to assist counties in identifying all  
34 relatives and nonrelative extended family members at the earliest  
35 possible time for a foster child. ~~The department, in conjunction~~

1 ~~with stakeholders, shall also develop a cost benefit analysis,~~  
2 ~~including estimates of the funding needed to support family~~  
3 ~~finding technology that counties can utilize, and develop~~  
4 ~~recommended funding strategies, including the use of state~~  
5 ~~master contracts, public and private partnerships, and available~~  
6 ~~federal funds.~~

7 (b) (1) The State Department of Social Services may identify  
8 best practices for the development of optimal foster child  
9 placement opportunities, as reported by the counties listed in  
10 paragraph (2), that are planning, designing, and implementing  
11 strategies, such as kinship care programs, to prioritize the  
12 placement of foster children. The creation of public and private  
13 partnerships is encouraged, and will enhance programs designed  
14 to quickly identify relatives and nonrelative extended family  
15 members of children placed in foster care. The purpose of these  
16 programs is to create a robust component in the spectrum of  
17 foster care placement options, to be used when out-of-home  
18 placement is necessary and to secure permanency for a foster  
19 child and any siblings.

20 (2) Counties that have developed kinship care programs,  
21 whose practices may be considered by the department pursuant to  
22 this subdivision, include, but are not limited to, all of the  
23 following:

- 24 (A) Alameda County.
- 25 (B) Monterey County.
- 26 (C) Orange County.
- 27 (D) Placer County.
- 28 (E) Sacramento County.
- 29 (F) Santa Clara County.
- 30 (G) Stanislaus County.
- 31 (H) San Mateo County.

32 SEC. 3. Section 16500.1 of the Welfare and Institutions Code  
33 is amended to read:

34 16500.1. (a) It is the intent of the Legislature to use the  
35 strengths of families and communities to serve the needs of  
36 children who are alleged to be abused or neglected, as described  
37 in Section 300, to reduce the necessity for removing these  
38 children from their home, to encourage speedy reunification of  
39 families when it can be safely accomplished, to locate permanent  
40 homes and families with relatives, as defined in paragraph (2) of

1 subdivision (c) of Section 361.3, for children who cannot return  
2 to their biological families, to reduce the number of placements  
3 experienced by these children, to ensure that children leaving the  
4 foster care system have support within their communities, to  
5 improve the quality and homelike nature of out-of-home care,  
6 and to foster the educational progress of children in out-of-home  
7 care.

8 (b) In order to achieve the goals specified in subdivision (a),  
9 the state shall encourage the development of approaches to child  
10 protection that do all of the following:

11 (1) Allow children to remain in their own schools, in close  
12 proximity to their families.

13 (2) Increase the number and quality of foster families available  
14 to serve these children.

15 (3) Use a team approach to foster care that permits the  
16 biological and foster family and the child to be part of that team.

17 (4) Use team decisionmaking in case planning.

18 (5) Provide support to foster children and foster families.

19 (6) Ensure that licensing requirements do not create barriers to  
20 recruitment of qualified, high-quality foster homes.

21 (7) Provide training for foster parents and professional staff on  
22 working effectively with families and communities.

23 (8) Encourage foster parents to serve as mentors and role  
24 models for biological parents.

25 (9) Use community resources, including community-based  
26 agencies and volunteer organizations, to assist in developing  
27 placements for children and to provide support for children and  
28 their families.

29 (10) Ensure an appropriate array of placement resources for  
30 children in need of out-of-home care.

31 (11) Ensure that no child leaves foster care without a lifelong  
32 connection to a committed adult.

33 (12) Ensure that children are actively involved in the case plan  
34 and permanency planning process.

35 (13) Ensure that a search for relatives available for placement  
36 is initiated before placement decisions are made for children who  
37 are unable to be reunited with their families.

38 (c) In carrying out the requirements of subdivision (b), the  
39 department shall do all of the following:

1 (1) Consider the existing array of program models provided in  
2 statute and in practice, including, but not limited to, wraparound  
3 services, as defined in Section 18251, children’s systems of care,  
4 as provided for in Section 5852, the Oregon Family Unity or  
5 Santa Clara County Family Conference models, which include  
6 family conferences at key points in the casework process, such as  
7 when out-of-home placement or return home is considered, and  
8 the Annie E. Casey Foundation Family to Family initiative,  
9 which uses team decisionmaking in case planning,  
10 community-based placement practices requiring that children be  
11 placed in foster care in the communities where they resided prior  
12 to placement, and involve foster families as team members in  
13 family reunification efforts.

14 (2) Ensure that emergency response services, family  
15 maintenance services, family reunification services, and  
16 permanent placement services are coordinated with the  
17 implementation of the models described in paragraph (1).

18 (3) Ensure consistency between child welfare services  
19 program regulations and the program models described in  
20 paragraph (1).

21 (d) The department, in conjunction with stakeholders,  
22 including, but not limited to, county child welfare services  
23 agencies, foster parent and group home associations, the  
24 California Youth Connection, and other child advocacy groups,  
25 shall review the existing child welfare services program  
26 regulations to ensure that these regulations are consistent with the  
27 legislative intent specified in subdivision (a). This review shall  
28 also determine how to incorporate the best practice guidelines for  
29 assessment of children and families receiving child welfare and  
30 foster care services, as required by Section 16501.2.

31 (e) The department shall report to the Legislature on the  
32 results of the actions taken under this section on or before  
33 January 1, 2002.