

AMENDED IN ASSEMBLY APRIL 15, 2009

AMENDED IN ASSEMBLY MARCH 27, 2009

AMENDED IN ASSEMBLY MARCH 18, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 270

Introduced by Assembly Member De La Torre

February 12, 2009

An act to amend Section 391 of the Welfare and Institutions Code, relating to dependent children.

LEGISLATIVE COUNSEL'S DIGEST

AB 270, as amended, De La Torre. Dependent children.

Existing law imposes various duties on the county welfare department at any hearing to terminate jurisdiction over a dependent child who has reached the age of majority. Among other duties, the county must submit a report verifying that certain information, documents, and services have been provided to the child including written information concerning the child's dependency case that includes any known information regarding the child's Indian heritage or tribal connections, if applicable, his or her family history and placement history, and any photographs of the child or his or her family in the possession of the department, except as specified. The documents provided must also include a letter prepared by the county welfare department that includes specified information regarding the child, including the dates the child was within the jurisdiction of the juvenile court, and, if applicable, a social security card, a certified birth certificate, a health and education summary, an identification card, a death certificate of parent or parents, and proof of citizenship or residence. The court is authorized to continue jurisdiction

if it finds that the county welfare department has not met these requirements and that termination of jurisdiction would be harmful to the best interests of the child.

This bill would require the county welfare department to fulfill these duties ~~both~~ at the court hearing closest to and before a dependent child's 18th birthday, ~~and~~ *or* at the hearing to terminate jurisdiction over a dependent child who has reached the age of majority, *whichever is earlier*. The bill would additionally require that the *report verifying the information, documents, and services to be provided to the child include whether the child is currently within the date on which the child entered the jurisdiction of the juvenile court and the date on which that jurisdiction is expected to terminate*, all addresses of residency while under the jurisdiction of the juvenile court, a voter registration form, and, if applicable, a United States Selective Service registration form. The bill would require the county welfare department to screen the child and file for the federal Supplemental Security Income (SSI) program, if the child is likely to be eligible for benefits, and to ensure that the child has received a consumer credit report, as specified. The bill would require the court to continue jurisdiction if it finds that the county welfare department has not provided to the child the information, documents, and services described above, unless the child no longer wishes to be a dependent of the court. By imposing additional duties on local employees, the bill would impose a state-mandated local program.

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 391 of the Welfare and Institutions Code
- 2 is amended to read:
- 3 391. (a) At the court hearing closest to and before a dependent
- 4 child's 18th birthday, ~~and~~ *or* at the hearing to terminate jurisdiction

1 over a dependent child who has reached the age of majority,
2 *whichever is earlier*, the county welfare department shall do all of
3 the following:

4 (1) Ensure that the child is present in court, unless the child
5 does not wish to appear in court, or document efforts by the county
6 welfare department to locate the child when the child is not
7 available.

8 (2) Submit a report verifying that the following information,
9 documents, and services have been provided to the child:

10 (A) Written information concerning the child's dependency
11 case, including any known information regarding the child's Indian
12 heritage or tribal connections, if applicable, his or her family
13 history and placement history, any photographs of the child or his
14 or her family in the possession of the county welfare department,
15 other than forensic photographs, the whereabouts of any siblings
16 under the jurisdiction of the juvenile court, unless the court
17 determines that sibling contact would jeopardize the safety or
18 welfare of the sibling, directions on how to access the documents
19 the child is entitled to inspect under Section 827, and the date on
20 which the jurisdiction of the juvenile court would be terminated.

21 (B) The following documents:

22 (i) Social security card.

23 (ii) Certified birth certificate.

24 (iii) Health and education summary, as described in subdivision
25 (a) of Section 16010.

26 (iv) Driver's license, as described in Section 12500 of the
27 Vehicle Code, or identification card, as described in Section 13000
28 of the Vehicle Code.

29 (v) A letter prepared by the county welfare department that
30 includes the following information:

31 (I) The child's name and date of birth.

32 ~~(II) The dates during which the child was within the jurisdiction~~
33 ~~of the juvenile court. If the child is currently within the court's~~
34 ~~jurisdiction, this information shall also be indicated.~~

35 *(II) The date on which the child entered the jurisdiction of the*
36 *juvenile court and the date on which that jurisdiction is expected*
37 *to terminate.*

38 (III) A statement that the child was a foster youth in compliance
39 with state and federal financial aid documentation requirements.

1 (IV) All addresses of residency while under the jurisdiction of
2 the juvenile court. Any information specific to any other resident
3 of those addresses, including names of other residents, shall not
4 be indicated.

5 (vi) If applicable, the death certificate of the parent or parents.

6 (vii) If applicable, proof of the child's citizenship or legal
7 residence.

8 (viii) A voter registration form.

9 (ix) If applicable, a United States Selective Service registration
10 form to assist the dependent child to comply with the requirements
11 of the federal Military Selective Service Act (50 U.S.C. Appen.
12 Sec. 451 et seq.).

13 (C) Assistance in completing an application for Medi-Cal or
14 assistance in obtaining other health insurance; referral to
15 transitional housing, if available, or assistance in securing other
16 housing; and assistance in obtaining employment or other financial
17 support.

18 (D) Pursuant to Section 13757, screen the child for potential
19 eligibility for the federal Supplemental Security Income (SSI)
20 program and file an application on behalf of the child, if he or she
21 is likely to be eligible for federal SSI benefits.

22 (E) Ensure that the child has received a consumer credit report
23 pursuant to Section 10618.6.

24 (F) Assistance in applying for admission to college or to a
25 vocational training program or other educational institution and
26 in obtaining financial aid, where appropriate.

27 (G) Assistance in maintaining relationships with individuals
28 who are important to a child who has been in out-of-home
29 placement in a group home for six months or longer from the date
30 the child entered foster care, based on the child's best interests.

31 (3) The court shall continue jurisdiction if it finds that the county
32 welfare department has not met the requirements of paragraph (2)
33 of subdivision (a), unless the child no longer wishes to be a
34 dependent of the court. If the court determines that continued
35 jurisdiction is warranted pursuant to this section, the continuation
36 shall only be ordered for that period of time necessary for the
37 county welfare department to meet the requirements of paragraph
38 (2) of subdivision (a). This section shall not be construed to limit
39 the discretion of the juvenile court to continue jurisdiction for other
40 reasons. The court may terminate jurisdiction if the county welfare

1 department has offered the required services, and the child either
2 has refused the services or, after reasonable efforts by the county
3 welfare department, cannot be located.

4 (b) The Judicial Council shall develop and implement standards,
5 and develop and adopt appropriate forms, necessary to implement
6 this section.

7 SEC. 2. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.

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