

ASSEMBLY BILL

No. 1297

Introduced by Assembly Member Torlakson

February 27, 2009

An act to amend Section 16540 of the Welfare and Institutions Code, relating to child welfare services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1297, as introduced, Torlakson. Child welfare services: California Child Welfare Council.

Existing law establishes the California Child Welfare Council, which serves as an advisory body responsible for improving the collaboration and processes of the multiple agencies and the courts that serve the children and youth in the child welfare and foster care systems. In this regard, the council has specified monitoring and reporting duties.

This bill would make technical, nonsubstantive changes to these provisions.

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 16540 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 16540. The California Child Welfare Council is hereby
- 4 established, which shall serve as an advisory body responsible for
- 5 improving the collaboration and processes of the multiple agencies
- 6 and the courts that serve the children and youth in the child welfare
- 7 and foster care systems. The council shall monitor and report the

1 extent to which child welfare and foster care programs and the
2 courts are responsive to the needs of children in their joint care.
3 The council shall issue advisory reports whenever it deems
4 appropriate, but in any event, no less frequently than annually, to
5 the Governor, the Legislature, the Judicial Council, and the public.
6 A report of the Child Welfare Council shall, at a minimum, include
7 recommendations for all of the following:

8 (a) Ensuring that all state child welfare, foster care, and judicial
9 funding and services for children, youth, and families is, to the
10 greatest extent possible, coordinated to eliminate fragmentation
11 and duplication of services provided to children or families who
12 would benefit from integrated multiagency services.

13 (b) Increasing the quality, appropriateness, and effectiveness
14 of program services and judicial processes delivered to children,
15 youth, and families who would benefit from integrated multiagency
16 services to achieve better outcomes for these children, youth, and
17 families.

18 (c) Promoting consistent program and judicial excellence across
19 counties to the greatest extent possible while recognizing the
20 demographic, geographic, and financial differences among the
21 counties.

22 (d) Increasing collaboration and coordination between county
23 agencies, state agencies, federal agencies, and the courts.

24 (e) Ensuring that all state Title IV-E plans, program
25 improvement plans, and court improvement plans demonstrate
26 effective collaboration between public agencies and the courts.

27 (f) Assisting the Secretary of California Health and Human
28 Services and the chief justice in formulating policies for the
29 effective administration of the child welfare and foster care
30 programs and judicial processes.

31 (g) Modifying program practices and court processes, rate
32 structures, and other system changes needed to promote and support
33 relative caregivers, family foster parents, therapeutic placements,
34 and other placements for children who cannot remain in the family
35 home.

36 (h) Developing data- and information-sharing agreements and
37 protocols for the exchange of aggregate data across program and
38 court systems that are providing services to children and families
39 in the child welfare system. These data-sharing agreements shall
40 allow child welfare agencies and the courts to access data

1 concerning the health, mental health, special education, and
2 educational status and progress of children served by county child
3 welfare systems subject to state and federal confidentiality laws
4 and regulations. They shall be developed in tandem with the
5 establishment of judicial case management systems ~~as well as~~
6 ~~additional or enhanced performance measures described in~~
7 ~~subdivision (b) of Section 16544.~~

8 (i) Developing systematic methods for obtaining policy
9 recommendations from foster youth about the effectiveness and
10 quality of program services and judicial processes, and ensuring
11 that the interests of foster youth are adequately addressed in all
12 policy development.

13 (j) Implementing legislative enactments in the child welfare and
14 foster care programs and the courts, and reporting to the Legislature
15 on the timeliness and consistency of the implementation.

16 (k) Monitoring the adequacy of resources necessary for the
17 implementation of existing programs and court processes, and the
18 prioritization of program and judicial responsibilities.

19 (l) Strengthening and increasing the independence and authority
20 of the foster care ombudsperson.

21 (m) Coordinating available services for former foster youth and
22 improving outreach efforts to those youth and their families.