
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2021 - 2022 Regular Session

AB 1735 (Bryan) - Foster care: rights

Version: March 15, 2022

Urgency: No

Hearing Date: August 1, 2022

Policy Vote: HUMAN S. 4 - 0, JUD. 10 - 0

Mandate: Yes

Consultant: Agnes Lee

Bill Summary: AB 1735 would add to the Foster Youth Bill of Rights, the right that a child's case plan, transitional independent living plan (TILP), and court report be provided to the child in their primary language.

Fiscal Impact:

- The CA Department of Social Services (CDSS) estimates ongoing local costs of \$91,000 (General Fund) for social worker time to request translation of documents and one-time state costs of \$500,000 (General Fund) to translate and print the updated Foster Youth Bill of Rights.
- To the extent the bill increases county costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment, the bill would apply to local agencies only to the extent that the state provides annual funding for the cost increases.

Background: Existing law requires out-of-home placement of a child in foster care to be based upon selection of a safe setting that is the least restrictive family setting that promotes normal childhood experiences, and the most appropriate setting that meets the child's individual needs, as specified. State law requires the creation of a case plan for foster youth within a specified timeframe after the child is introduced into the foster care system. A child who is 12 years of age or older and in permanent placement must be given a meaningful opportunity to review their case plan, sign the plan, and receive a copy of the plan. The case plan must include, for children who are 16 years or older and nonminor dependents, the Transition to Independent Living Plan (TILP), a description of programs and services that will help the child prepare for the transition from foster care to successful adulthood.

Dependency Courts receive court reports from the child or youth's social worker detailing the status of the child in the child welfare services system. At every dependency hearing, including at every six month review hearing, the social worker submits a report to the court making the county's case for the issues at hand.

The Foster Youth Bill of Rights for all minors and nonminors in foster care includes enumerated rights, such as the right to live in a safe, healthy, and comfortable home where they are treated with respect; be free from any abuse, including physical, sexual, emotional, or corporal punishment; receive adequate and healthy food, clothing; receive medical, dental, vision, mental health services, and substance use disorder services; and to be involved in the development of their own case plan.

Proposed Law: Specific provisions of the bill would:

- Add the following to the Foster Youth Bill of Rights:
 - a) For a child who speaks a primary language other than English, the right to be provided a copy of the Foster Youth Bill of Rights in the child's primary language;
 - b) The right to be provided a copy of the court report, case plan, and TILP in the child's primary language, when a child is entitled to receive a copy of those documents.
- Require, for a child who receives a copy of their case plan and who speaks a primary language other than English, that the case plan be translated and provided to the child in their primary language.
- Require, for a child who speaks a primary language other than English, that the child's TILP be translated into their primary language.

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