

Date of Hearing: August 3, 2022

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

SB 384 (Cortese) – As Amended June 30, 2022

Policy Committee:	Rules	Vote:	7 - 0
	Human Services		7 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill requires each county welfare and probation department to notify the California Department of Social Services (CDSS) whether it has adopted one of the suggested practices for family finding, as described, and how the practice has been implemented. This bill also includes family finding activities within the due diligence required of a social worker and probation officer when investigating the names and locations of relatives.

Specifically, this bill:

- 1) Requires the social worker and probation officer to include, as part of their due diligence, any parent and alleged parent when investigating the names and locations of relatives upon removal of a child from their home.
- 2) Aligns county probation department requirements with those of the county welfare department by requiring county probation departments to also create and make public a procedure by which a parent and relatives of a child who has been removed from their parents and guardians may identify themselves and be provided with specified notices.
- 3) Requires each county to notify CDSS, by January 1, 2023, in an email or other correspondence, whether it has adopted one of the suggested practices for family finding described in All-County Letter 18-42 (ACL 18-42), as specified.
- 4) Requires, if a county has not adopted one of the suggested practices for family finding described in ACL 18-42, the county to provide a copy to CDSS of its existing family finding policies and practices, as reflected in memoranda, handbooks, manuals, training manuals or any other document, that are in existence prior to January 1, 2022.
- 5) Defines “family finding” to mean conducting an investigation, including, but not limited to, through a computer-based search engine, to identify relatives and kin and to connect a child or youth, who may be disconnected from their parents, with those relatives and kin in an effort to provide family support and possible placement. If it is known or there is reason to know the child is an Indian child, as defined, “family finding” also includes contacting the Indian child’s tribe to identify relatives and kin.

FISCAL EFFECT:

CDSS estimates total costs of \$1.1 million (\$800,000 General Fund (GF)) in fiscal year (FY) 2022-23 and ongoing annual costs of \$911,000 (\$665,000 GF) for increased administrative

workload for county child welfare agencies and county probation departments. This estimate includes one-time costs of \$185,000 (\$135,000 GF) in FY 2022-23 for county welfare and probation departments to report on their family finding practices.

Although these county costs are state-mandated costs, they are not reimbursable, but instead must be funded by the state pursuant to Proposition 30. Proposition 30 (2012) requires legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by realignment (including child welfare services and foster care) to apply only to local agencies to the extent the state provides annual funding for the cost increase.

COMMENTS:

- 1) **Purpose.** This bill seeks to increase relative placements by implementing the use of family finding protocols among social workers and probation officers when identifying placements for foster children. According to the author:

Family Finding has been considered a best practice and has increased relative placements among youth removed from parental care in counties that have taken advantage of the tool. Relative placement is in the best interest of a child for a variety of reasons, including increased stability for a child, preservation of cultural identity and connections to the community, and less school changes. The bill builds upon existing law to ensure that all counties across the state utilize Family Finding protocols, increasing the likelihood of children being placed in a permanent family environment.

- 2) **Background.** In 2015, the Legislature enacted the Continuum of Care Reform (CCR) to reduce the use of congregate care, increase home-based services and improve outcomes for children and youth served by the child welfare system. Research shows children in foster care experience more stability and better outcomes when they are placed with relative caregivers, and placements into congregate care are often associated with poor outcomes. Early and ongoing identification of relatives and other important adults to the foster child is critical for stability and for improved well-being. While current law requires family finding to occur upon a child's removal from the home, CCR did not provide for the tools or resources to counties to support this work.

According to CDSS, family finding and engagement is a broad concept which encompasses not only statutory requirements pertaining to identifying, locating and notifying the relatives of a child in foster care, but also related efforts to foster life-long familial connections for children and youth in care. CDSS describes these additional efforts, which are meant to enhance the long-term well-being of children and youth in care, as an important component of CCR's goal to reduce the use of congregate care and improve child welfare outcomes. Intensive family finding and engagement can be used by counties to identify possible relative or non-relative extended family member placements for children and youth currently placed in group homes, potentially allowing those children and youth to step down to a home-based care setting, consistent with the goals of CCR.

The Budget Act of 2022 includes a \$150 million one-time GF allocation, available over five years, for a county-optional program to supplement foster caregiver recruitment and

retention. The resources will support statewide training and technical assistance on evidence-based best practices for intensive family finding and engagement services.

Social workers are required to use due diligence in their efforts to identify, locate, and notify relatives up to the fifth degree of kinship and to include paternal relatives, with the exception of relatives for whom a history of domestic violence has been determined.

This bill adds family finding to the definition of “due diligence” and thus requires social workers and probation officers to use family finding when identifying a child’s placement and notifying missing parents and relatives. The bill further requires each county to notify CDSS whether it has adopted and implemented suggested practices for family finding and, if not, to provide to CDSS a copy of its existing family finding policies and practices.

- 3) **Technical Amendment Needed.** Two references to January 1, 2023, included when the bill was introduced in 2021, need to be updated to a later date. Specifically on page 6, line 12 and on Page 9, line 25. Other conforming date changes may be indicated.
- 4) **Related Legislation.** SB 1091 (Hurtado) requires CDSS to fund contracts with community-based organizations or to provide allocations to counties or Indian tribes, or both. The bill further requires CDSS to convene a leadership team to develop recommendations relating to family finding and engagement. SB 1091 is pending in this committee.

AB 2579 (Bennett) requires county placing agencies to implement model practices for intensive family finding and support for foster children, children detained but not adjudicated, and candidates for foster care. AB 2579 is pending in the Senate Appropriations Committee.

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