

---

## SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair

2025 - 2026 Regular

---

**Bill No:** AB 1688  
**Author:** Carrillo  
**Version:** June 17, 2026  
**Urgency:** No  
**Consultant:** Heather Hopkins  
**Hearing Date:** June 29, 2026  
**Fiscal:** Yes

**Subject:** Child abuse or neglect: reporting

### SUMMARY

This bill requires notice of reports of suspected abuse or neglect of a child in out of home placement to be sent to the child's parent's attorney as well as the attorneys of all other children in the placement.

### ABSTRACT

#### Existing Law:

- 1) Requires a mandated reporter to make a report to any agency, whenever in the mandated reporter's professional capacity or within the scope of the mandated reporter's employment, the mandated reporter has knowledge of or observes a child whom they know, or reasonably suspect has been the victim of child abuse or neglect. Requires the initial report to be made by telephone to the agency immediately or as soon as is practicably possible, and to prepare and send, fax, or electronically transmit a written follow-up report within 36 hours of receiving the information concerning the incident. *(Penal Code [PEN] 11166(a))*
- 2) Requires an agency that receives a report from a mandated reporter that contains either of the following, to, within 24 hours, notify the licensing office with jurisdiction over the facility and to send the licensing agency a copy of its investigation:
  - a. A report of abuse alleged to have occurred in facilities licensed to care for children by the California Department of Social Services (CDSS); or,
  - b. A report of the death of a child who was, at the time of death, living at, enrolled in, or regularly attending a facility licensed to care for children by CDSS, unless the circumstances of the child's death are clearly unrelated to the child's care at the facility. *(PEN 11166.1(a))*
- 3) Requires any employee of an agency who has knowledge of, or observes in their professional capacity or within the scope of their employment, a child in protective custody whom the employee knows or reasonably suspects has been the victim of child

abuse or neglect to, within 36 hours, send to the attorney who represents the child in dependency court, a copy of the report prepared in accordance with the Child Abuse and Neglect Reporting Act (CANRA). Requires the agency to maintain a copy of the written report and for all information requested by the attorney for the child to be provided by the agency within 30 days of the request. (*PEN 11166.1(b)*)

- 4) Establishes CANRA to protect children under 18 years of age from abuse and neglect by requiring certain individuals, known as mandated reporters, to report known cases of child abuse or neglect to designated agencies. Enumerates the types of conduct that must be reported, establishes confidentiality for reporters, and authorizes the agency receiving the report to evaluate and determine if an investigation and removal of the child from their home shall take place. (*PEN 1164-1174.3*)
- 5) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk of abuse and neglect or to have been abused or neglected, as specified. (*Welfare and Institutions Code [WIC] 202*)
- 6) States that the purpose of foster care law is to provide maximum safety and protection for children who are currently being physically, sexually, emotionally abused, neglected, or exploited, and to ensure the safety, protection, and physical and emotional well-being of children who are at risk of harm. (*WIC 300.2*)
- 7) Requires the court to appoint counsel for a parent if they are unable to afford one and the child has been placed in out-of-home care. The court is also required to appoint counsel for the child unless it finds that the child would not benefit from such an appointment. (*WIC 317*)

**This Bill:**

- 1) Provides that when a child welfare agency receives a report regarding abuse or neglect of a child in an out of home placement, the agency shall, within 36 hours, provide notice of the report to the attorney who represents a parent or legal guardian of the child in dependency court.
- 2) Provides that this notification shall consist of notice that a report has been made and shall not disclose any information concerning the substance of the report, including the identity of any person named or referenced in the report.
- 3) Provides that the notice requirement does not apply to a parent whose parental rights have been terminated.
- 4) Provides that if the suspected abuse or neglect occurred in any placement, all attorneys who represent children with an open dependency case in that placement shall be notified by the county welfare agency. Provides that placement includes, but is not limited to, placement in foster care or congregate care, placement in a short-term residential therapeutic program facility, or a relative placement.

**FISCAL IMPACT**

According to the Assembly Appropriations Committee

- 1) Estimated General Fund (GF) costs to counties of an unknown amount, potentially in the mid-tens of thousands of dollars annually to meet the notification requirements. Costs will depend on the number of reported incidents of abuse in foster homes or licensed facilities and the amount of time needed to identify contact information and prepare and send notices to multiple attorneys. For context, data from 2022 indicates approximately 170 children were victims of abuse by their foster parents. If a social worker spent three hours on each of the 170 cases, annual costs would be approximately \$51,000.

Although these are state-mandated costs, they are not reimbursable, but instead must be funded by the state pursuant to Proposition 30, which 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 to local agencies only to the extent the state provides annual funding for the cost increase.

- 2) Estimated one-time automation costs to CDSS of an unknown amount but likely in the low- to mid-hundreds of thousands of dollars to generate a notice of the report to attorneys.

## BACKGROUND AND DISCUSSION

### **Purpose of the Bill:**

According to the author, “Each year, 60,000 children move in and out of the foster care system in California, with more than half residing in Southern California. These youth have often experienced abuse, neglect, and trauma, which can have lasting effects on their well-being. However, gaps in reporting requirements leave them vulnerable to further harm. AB 1688 reinforces California's commitment to protecting foster youth by strengthening notice requirements to ensure that all relevant parties are informed. Greater transparency in reporting cases of abuse or neglect is essential to safeguarding foster youth, and this bill reflects our shared responsibility to protect the most vulnerable children in our state.”

### *Child Welfare System*

The CWS is the system of intervention of child abuse and neglect. This system provides services to children who have been abused or neglected and their families. The goal of this system is to keep children in their home when it is safe, and when the child is at risk, to develop an alternative plan as quickly as possible<sup>1</sup>. Social workers in each county receive reports of abuse or neglect, and work to investigate and resolve those reports. When the investigation substantiates the allegations of abuse or neglect, a family is either provided with services to ensure a child's wellbeing and avoid court involvement, or a child is removed from the family and placed into foster care. In 2025, the state's child welfare agencies received 398,861 reports of abuse or

---

<sup>1</sup> <https://www.cdss.ca.gov/inforesources/child-welfare-protection/policies>

neglect. Of these, 45,856 reports contained substantiated allegations, and 17,886 children were removed from their homes and placed into foster care via the CWS system.

After the county child welfare department becomes involved with families, approximately 12 months of services may be provided to children who are able to remain safely in their homes while the family receives “family preservation” services. If the family receives family preservation services, the child does not come under the jurisdiction of the juvenile dependency court during this time.

If a child is removed from their home, they are temporarily within the jurisdiction of the child welfare system until a court makes a determination. Within 48 hours of removal, the social worker must file a petition with the court requesting a detention hearing. The detention hearing is the first court date in a CWS case. This hearing must take place within 48 hours of the petition being filed. At the detention hearing, the social worker outlines the allegations and why the children should be removed. The court then determines if removal is in the best interest of the child. If the court makes that determination, a jurisdiction hearing must take place within 15 days.

If it is determined that a child cannot remain safely in the home, even with family preservation and support services, the child comes under the jurisdiction of the county’s juvenile dependency court while the family is served by a CWS social worker. This system seeks to ensure the safety and protection of these children and, where possible, preserve and strengthen families through visitation and family reunification. It is the state’s goal to reunify a foster child or youth with their biological family whenever possible.

#### *Mandatory Reporters*

California requires that a number of professions have a duty to report suspected child abuse or neglect, so-called mandatory reporters. Mandatory reporters include social workers, foster parents, group home personnel, teachers, physicians, peace officers, medical examiners, alcohol and drug counselors, and child visitation monitors, among many more professions. Reports of suspected child abuse or neglect must be made by mandated reporters to any police department or sheriff’s department (not including a school district police or security department), the county probation department (if designated by the county to receive mandated reports), or the county welfare department and must be made immediately or as soon as practically possible by telephone and a written report must be made within 36 hours of receiving the information concerning the incident. The Suspected Child Abuse Report, or SCAR, requires information regarding the reporting party, the victim and all involved parties, as well as specific incident information.

#### *Reports of Abuse in Placement and Notification Requirements*

The above reporting requirements also apply to children who are in the custody of child welfare services and placed in foster homes. Under existing law, when a report of suspected abuse or neglect is made on a child placed in out of home care, only the attorney for that child receives notice and a copy of the report. Under this bill, the child’s attorney would continue to be the only party to receive an actual copy of the report. This bill would expand who receives *notice* that a report has been filed to include the parents’ attorney, so long as their parental rights have

not been terminated, and the attorneys for any other children in that same placement. Those attorneys would then be on notice that abuse or neglect has been reasonably suspected in the out of home placement and do their own investigation, or place the matter on the court's calendar to discuss with the dependency court judge to potentially remove the child from the placement or seek other remedies.

**Related/Prior Legislation:**

*AB 1192 (Carrillo, 2025)* would have required reports of abuse or neglect of a foster youth alleged to have occurred in facilities or placements licensed by CDSS to be sent to the attorney who represents a parent of the dependent child, as well as the attorneys who represent the remaining children in that placement. This bill was held in the Assembly Appropriations Committee.

*AB 670 (Calderon, Chapter 585, Statutes of 2021)* required, when a report alleging abuse or neglect of the child of a dependent of the juvenile court is made, the agency that received the report to notify the attorney representing the dependent within 36 hours.

**COMMENTS**

Under existing law, if a report is made regarding suspected abuse or neglect of a child in a foster home, notice of that report and the report itself is only sent to the child's attorney. This happens even if there are other children placed in that home. This bill increases transparency by requiring notice that a report has been filed to be provided to the attorneys of other children placed in the home as well as the parent's attorney, so long as their parental rights have not been terminated. This bill provides a valuable tool for the protection of the child or children in the foster home by notifying all attorneys a report has been filed. This gives all parties who have a stake in protecting these vulnerable young people the opportunity to take any and all necessary action.

**SUPPORT/OPPOSITION****Arguments in Support:**

Children's Law Center of California writes, "Currently, California law under Penal Code Section 11166.1 requires social service agencies to notify a minor's attorney when there is a reasonable suspicion that the minor has been abused or neglected. However, this requirement does not extend to the attorneys of other foster children residing in the same placement or to the attorneys of the abused child's parents. As a result, children may continue to be placed at risk, and parents are left unaware of crucial information affecting their children's well-being.

"AB 1688 will address these deficiencies by implementing two key reforms: 'Notifying a Minor's Attorney When Another Child in the Same Placement is Suspected to Have Been Abused' If abuse is suspected in a foster home, all attorneys representing foster children residing in that placement must be notified. This allows attorneys to take appropriate action, such as filing for removal, requesting court intervention, or conducting their own investigation, to ensure

their client’s safety. ‘Notifying a Parent’s Attorney When There is a Reasonable Suspicion That Their Child Has Been Abused in Out-of-Home Care’ Parents have a fundamental right to protect and advocate for their children’s safety. Without proper notification, parents and their legal counsel are left unaware of potential harm occurring in foster care, limiting their ability to intervene or seek appropriate legal remedies. Foster care is intended to be a refuge for children who have experienced abuse or neglect. Yet, data reveals that some foster placements fail in their fundamental duty to protect these children: In 2022, the Children’s Bureau reported that 169 California children were victims of abuse or maltreatment by their foster parents. Nationally, six children lost their lives due to abuse by foster parents that same year.”

**PRIOR VOTES**

Senate Public Safety Committee:	6 - 0
Assembly Floor:	76 - 0
Assembly Appropriations Committee:	15 - 0
Assembly Human Services Committee:	6 - 0

**POSITIONS**

**Support:**

Children's Law Center of California (Co-Sponsor)  
Dependency Legal Services (Co-Sponsor)  
California Alliance of Child and Family Services  
California Public Defenders Association  
Public Counsel

**Oppose:**

None received

**-- END --**