SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1967 (Zbur)
Version: March 25, 2026
Hearing Date: June 16, 2026
Fiscal: Yes
Urgency: No
AWM

SUBJECT

Juveniles

DIGEST

This bill modifies the procedures through which a minor can apply to a social worker for a petition, on their own behalf, to find them a dependent of the juvenile court; and permits a nonminor dependent to become a dependent of the juvenile court if their guardian(s) or adoptive parent(s) receive benefits on their behalf but do not actually financially support the nonminor dependent, as specified.

EXECUTIVE SUMMARY

California's foster care system provides temporary care for children who have been removed from their homes due to neglect or abuse. Through extended foster care, youths who would otherwise "age out" of the system when they turn 18 may voluntarily remain in the system from 18 to 21 and thus receive support, housing, and educational or employment assistance while transitioning to independent living.

According to the author and sponsor, some of the most at-risk youth and minors currently face barriers to obtaining foster benefits When a youth who is living in a homeless shelter requests that a social worker investigate and file a dependency petition on their behalf, current law is not clear that the social worker's investigation must include an investigation into the youth's original home (i.e., the circumstances that caused them to leave and go to the shelter). Current law also puts the burden on a person who seeks an investigation by a social worker to seek judicial review if the social worker declines to file a petition. With respect to nonminor dependents, current law prohibits a nonminor from petitioning for entry into extended foster care if their guardian or adoptive parent is receiving specified benefits on their behalf; unfortunately, sometimes the guardian or adoptive parent does not actually pass those benefits onto the nonminor, leaving the nonminor stuck without support and without a path back into extended foster care.

This bill seeks to make it easier for minors and eligible nonminors to access foster care services by; (1) requiring a more timely and more appropriately focused child welfare investigation whenever a minor who, while living in a residential facility, seeks to enter foster care through self-petition; and (2) ensuring that a nonminor is not precluded from extended foster care when a guardian or adoptive parent continues to collect benefits for the nonminor but does not actually financially support the child. Consistent with federal and state policy guidelines, the bill would also require the court to order suspension of those benefits paid to the guardians or adoptive parents before the nonminor could obtain foster care benefits. The author has agreed to a minor amendment to clarify that the Department of Social Services is responsible for providing administrative guidance and regulations relating to this bill's provisions.

This bill is sponsored by the Alliance for Children's Rights and the California Coalition for Youth and is supported by the California Alliance of Caregivers, Children Now, John Burton Advocates for Youth, the National Network for Youth, Public Counsel, and Seneca. The Committee has not received timely opposition to this bill. If this Committee passes this bill, it will be referred to the Senate Human Services Committee.

PROPOSED CHANGES TO THE LAW

Existing law:

1) Establishes the juvenile court, which has jurisdiction over minors who are suffering or at substantial risk of suffering harm or abuse and may adjudge the minor to be a dependent of the court. (Welf. & Inst. Code, § 300.)

2) Permits the juvenile court to retain jurisdiction over any person who is found to be a ward or dependent child of the juvenile court until they attain 21 years of age. (Welf. & Inst. Code, § 303.)

3) Establishes criteria for who qualifies as a nonminor dependent subject to the extended jurisdiction under 2), including that the nonminor attained 18 years of age while under an order of foster care placement and has a transitional independent living case plan. (Welf. & Inst. Code, § 11400(v).)

4) Permits a person to apply to a social worker to commence proceedings in the juvenile court.
    a) The application must be in the form of an affidavit alleging that the child is within the county and falls within the juvenile court's jurisdiction.
    b) The social worker must immediately investigate, as necessary, to determine whether proceedings in the juvenile court should be commenced.
    c) If the social worker does not commence a program of supervision with the consent of the parent or file a petition within three weeks after the application, the social worker shall state their intent not to proceed and the

reasons therefor and notify the applicant of that decision. (Welf. & Inst. Code, § 329.)

5) Permits a person who applied to a social worker pursuant to 4), when the social worker declines to commence a program of supervision or file a petition, to, within one month after making the application, apply to the court to review the social worker's decision; the court may affirm the decision of the social worker or, if the court finds that the child is within the jurisdiction of the juvenile court, order the social worker to commence juvenile court proceedings. (Welf. & Inst. Code, § 331.)

6) Permits a nonminor who has not attained 21 years of age to petition the court in which they were previously found to be a dependent or delinquent child of the juvenile court for a hearing to determine whether to assume dependency jurisdiction over the nonminor, provided that the nonminor meets specified criteria. (Welf. & Inst. Code, § 388.1.)

7) Provides, within certain criteria for the assumption of dependency jurisdiction under 6), that a nonminor does not qualify for the assumption of dependency jurisdiction if the nonminor's former guardian(s) or adoptive parent(s) no longer provide ongoing support to, and no longer receive benefits on behalf of, the nonminor after the nonminor attained 18 years of age. (Welf. & Inst. Code, § 388.1(a).)

8) Permits a nonminor who meets the requirements of 6) to enter into a voluntary reentry agreement in order to establish eligibility for foster care benefits before or after filing the petition to assume dependency jurisdiction; if the agreement is made with a placing agency, the agency shall file the petition to dependency jurisdiction on the nonminor's behalf, unless the nonminor elects to file the petition at an earlier date. (Welf. & Inst. Code, § 388.1.(e).)

This bill:

1) Provides that an affidavit in support of an application to a social worker to commence proceedings in the juvenile court may be submitted to the social worker by mail, facsimile, or email.

2) Provides that, if an application to a social worker to commence proceedings in the juvenile court is submitted by the minor on their own behalf or by the minor's attorney, and the minor is currently residing at a residential facility, as defined, for children and youth, the social worker shall, when conducting a safety assessment or substitute care provider safety assessment, also assess the safety of the home of those who hold the custodial rights of the minor.

3) Provides that, if a minor or attorney has applied on the minor's behalf to a social worker to commence juvenile court proceedings and the social worker does not file

a petition within three weeks after the petition, and the minor has applied to the juvenile court to review the decision of the social worker, the juvenile court shall review the decision and either affirm the decision or order the social worker to commence juvenile court proceedings within 14 days of the minor's application to the court for review.

4) Eliminates the provisions preventing a nonminor who has not attained 21 years of age, and who otherwise meets the conditions for extended foster care, from petitioning the court to resume dependency jurisdiction over themself if their adoptive parent(s) or guardian(s) receive specified benefits or payments on the nonminor's behalf.

5) Provides that a nonminor may enter into a voluntary reentry agreement to establish eligibility for foster care benefits before or after filing a petition to assume dependency only if one of the two following conditions apply:
    a) The nonminor's guardian(s) or adoptive parent(s), as applicable, have died.
    b) The nonminor is no longer receiving ongoing support from their guardian(s) or adoptive parent(s); "ongoing support" means financial support provided to the nonminor on a continuing basis, and may include, but is not limited to, housing, food, clothing, tuition, payment for treatment or services, or other in-kind or cash assistance provided directly to, or for the benefit of, the nonminor; but does not include incidental or de minimis assistance.

6) Requires a juvenile court, when a nonminor enters into a voluntary entry agreement, to order that any benefits being paid on behalf of the nonminor under specified benefits programs shall be suspended, in accordance with the procedures for terminating benefits, until the juvenile court determines that it should not assume dependency jurisdiction or terminates jurisdiction over the nonminor subsequent to assuming dependency jurisdiction.
    a) The suspension of payments does not authorize or require an accounting or investigation regarding the use of payments made prior to the suspension.
    b) Suspension shall be effective as of the date the nonminor executes the voluntary reentry agreement, unless the court specifies a different date no later than the first day of the next benefit cycle.
    c) Within one business day of execution of the voluntary reentry agreement, the placing agency shall provide electronic notice of suspension to the appropriate payment system(s) and payor(s) to prevent further disbursements.
    d) An overpayment made after the effective date of suspension is recoverable from the payee who received the disbursement and shall not create any liability for the nonminor.
    e) An order or action to suspend disbursements shall not be construed as a termination of an adoption assistance agreement or Kin-GAP eligibility under federal or state law.

7) Permits the Department of Social Services to implement the changes made in 6) by means of all-county letters or similar instructions from the department until January 1, 2028.

8) Makes nonsubstantive technical and conforming changes.

COMMENTS

1. Author's comment

According to the author:

> Young people in foster care who reach out for help are often doing so at a moment of crisis. Without swift access to services they face housing instability and homelessness, which significantly hinder their pursuit of higher education, meaningful employment, and self-sufficiency. This bill ensures that youth in foster care—who are disproportionately LGBTQ+, Black, Latino, and Native American—receive the timely support and crucial interventions required to care for them and keep them safe.
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> Specifically, AB 1967 will ensure that the child welfare system does not leave these youth behind by ensuring that requests for intervention from vulnerable, older youth receive timely and responsive attention; eliminating barriers so that youth formerly in foster care, who need transitional services, are able to enter extended foster care when they are no longer receiving support from their guardian or adoptive parent; and updating relevant code sections by replacing binary language with gender-neutral language.

2. Background on the dependency system and extended foster care for nonminor dependents

The overarching goal of dependency proceedings is to safeguard the welfare of California's children.[1] Welfare and Institutions Code section 300 sets forth the circumstances that can bring a child within the jurisdiction of the juvenile dependency court. " 'Although the harm or risk of harm to the child [for jurisdictional purposes] must generally be the result of an act, omission or inability of one of the parents or guardians, the central focus of dependency jurisdiction is clearly on the child rather than the parent.' "[2] When a child is found to be under the jurisdiction of the juvenile court, the child is deemed a dependent of that court and the court may begin proceedings to remove the child from the custody of their parent(s); if, after a series of hearings, a parent is found to be unfit, the court can terminate the parent's parental

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[1] *In re Josiah Z.* (2005) 36 Cal.4th 664, 673.
[2] *In re R.T.* (2017) 3 Cal.5th 622, 626.

rights.[3] The relevant inquiry, at each stage of the process, is whether the child would suffer, or is likely to suffer, harm if they remain with their parent.

In October 2008, the federal government enacted the Fostering Connections to Success and Increasing Adoptions Act,[4] which, among other things, offered additional funding to states that opted to extend foster care services to youths between 18 and 21 years of age. Two years later, the Legislature enacted the California Fostering Connections to Success Act (the Act),[5] which authorized the juvenile courts to exercise jurisdiction over, and extend foster care benefits to, persons between 18 to 21 years of age who are eligible for specified public assistance and for whom one or more of the following conditions exist:

- The nonminor is working toward their high school education or an equivalent credential;
- The nonminor is enrolled in a postsecondary institution or vocational education program;
- The nonminor is participating in a program or activity designed to promote or remove barriers to employment;
- The nonminor is employed for at least 80 hours per month; and/or,
- The nonminor is incapable of doing any of the activities described above, due to a medical condition, and that incapability is supported by regularly updated information in the case plan of the nonminor.[6]

In the years after the Act's passage, the Legislature passed several additional measures to refine, and close gaps in, the laws governing foster care for youths between 18 and 21 years of age.[7] These dependents are known as "nonminor dependents," or NMDs,[8] and the system of supports provided to them is known as "extended foster care." As of January 1, 2026, there were 36,999 minors and NMDs in foster care in California, 6,753 of whom were NMDs.[9]

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[3] Welf. & Inst. Code, §§ 360, 361.3, 366.26.
[4] Pub. L. No. 110-351 (Oct. 7, 2008) 112 Stat. 3949.
[5] AB 12 (Beall, Ch. 559, Stats. 2010).
[6] Welf. & Inst. Code, § 11403.
[7] *See* AB 212 (Beall, Ch. 459, Stats. 2011), AB 1712 (Beall, Ch. 846, Stats. 2012), AB 787 (Stone, Ch. 487, Stats. 2013), AB 2454 (Quirk-Silva, Ch. 769, Stats. 2014), AB 2337 (Gipson, Ch. 539, Stats. 2018), AB 748 (Gipson, Ch. 682, Stats. 2019).
[8] *See* Welf. & Inst. Code, § 11400(v).
[9] California Child Welfare Indicators Project, University of California at Berkeley, Report: Children in Foster Care, CWS/CMS 2025 Quarter 4 Extract (Jun. 10), *available at* https://ccwip.berkeley.edu/childwelfare/reports/PIT/MTSG/r/ab636/l (link current as of Jun. 10, 2026).

3. This bill makes it easier for minors and eligible nonminor dependents to access foster care services

According to the author and sponsors, the dependency system has gaps that leave youth and nonminors in unstable situations without a reliable avenue to obtain foster benefits. For minors, current law permits them to request that a social worker investigate them and petition to have them placed under the jurisdiction of the juvenile court. Current law is not clear, however, that when a requesting minor is living in a homeless shelter, the social worker should investigate the minor's original home, the unsafety of which is likely the reason the youth left home in the first place. Current law also places the onus on a youth to seek judicial review when a social worker declines to file a petition on their behalf. For nonminors, current law permits, in some circumstances, a nonminor to petition the juvenile court to resume jurisdiction over them so that they can receive extended foster benefits. The nonminor cannot enter extended foster care, however, if the minor's guardian or adoptive parent is receiving specified benefits intended for the nonminor's benefit. In sad cases where the minor's guardian or adoptive parent is receiving benefits on the nonminor's behalf but not actually using those benefits to support the nonminor, the nonminor is left with no support and no option to petition for reentry into foster care.

This bill is intended to make it easier for youth and nonminors to obtain services to help them regain stability. First, when a minor resides in a residential facility for children and youth, and not with a parent or guardian, and petitions to enter foster care on their own behalf, this bill would require the social worker to conduct a safety assessment of the home of those who have legal custody of the minor, so that the minor is not denied entry because the residential facility is safe. Second, this bill would also make it easier for a nonminor to apply for the benefits of extended foster care when their guardians or adoptive parents have failed to provide the nonminor with financial support, even where the guardians or adoptive parents have received state or federal subsides (including Kin-Gap or AFDC-FC) to support the nonminor. The bill also requires, consistent with federal and state policy guidelines, the court to order suspension of any public funds paid to the guardians or adoptive parents before the nonminor can obtain foster benefits. The author has agreed to a minor amendment to clarify that the Department of Social Services is responsible for providing administrative guidance on, and ultimately adopting regulations for, the implementation of this bill.

4. Arguments in support

According to the Alliance for Children's Rights and the California Coalition for Youth:

> AB 1967 will improve upon the existing referral pathway for anyone who suspects that a youth has been the victim of abuse or neglect when the petition is made by the youth themselves to prevent them from falling through the cracks. AB 1967 will support older youth access the supports and services of extended foster care, if they

choose to self-petition for entry into foster care, by requiring county social workers to review the circumstances in the home of the youth, rather than a youth shelter or group home, if the youth is not living at home when determining whether to open a juvenile dependency case. In addition, by requiring the juvenile court to review the decision and either affirm the decision or order the social worker to commence juvenile court proceedings within 14 days of the minor's application to the court for review, if a minor has applied on their own behalf to the social worker to commence juvenile court proceedings, and the social worker does not file a petition within three weeks after the application, and the minor has applied to the juvenile court to review the decision of the social worker.

AB 1967 will also support older youth in failed adoptions or guardianships access the supports and services of extended foster care, if they choose to voluntarily reenter foster care by:

- suspending the payment to the adoptive parent or guardian when they are not providing support to a nonminor, and
- allowing the nonminor to enter into extended foster care under a voluntary reentry agreement.

Housing instability and homelessness significantly hinders pursuit of higher education, meaningful employment, and self-sufficiency. Ensuring timely entry into foster care and reentry into extended foster care are essential, as unaccompanied and former foster youth often need immediate support with housing, transportation, and food. Without swift access to these services, they face significantly higher risks of homelessness and of losing eligibility for critical programs designed to help them transition successfully into adulthood.

SUPPORT

Alliance for Children's Rights (co-sponsor)
California Coalition for Youth (co-sponsor)
California Alliance of Caregivers
Children Now
John Burton Advocates for Youth
National Network for Youth
Public Counsel
Seneca

OPPOSITION

None received

RELATED LEGISLATION

Pending legislation: None known.

Prior legislation: None known.

PRIOR VOTES

Assembly Floor (Ayes 72, Noes 0)
Assembly Appropriations Committee (Ayes 15, Noes 0)
Assembly Human Services Committee (Ayes 7, Noes 0)
Assembly Judiciary Committee (Ayes 12, Noes 0)

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