
SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair

2025 - 2026 Regular

Bill No: AB 1967

Author: Zbur

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Urgency: No

Consultant: Heather Hopkins

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Fiscal: Yes

Subject: Juveniles

SUMMARY

This bill would, when a petition to enter foster care has been filed by a minor living in a residential facility, require the social worker to investigate the minor's home and add deadlines for the court to review a social worker's decision not to begin juvenile dependency proceedings. This bill also permits a nonminor dependent to become a dependent of the juvenile court if their guardian or adoptive parent receives benefits on their behalf but does not actually financially support the nonminor dependent.

ABSTRACT

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. (*Welfare and Institutions Code [WIC] 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. (*WIC 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. (*WIC 11400(v)*)
- 4) Permits a person to apply to a social worker to commence proceedings in the juvenile court. 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. The social worker must immediately investigate, as necessary, to determine whether proceedings in the juvenile court should be commenced. 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. (*WIC 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. (*WIC 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. (*WIC 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. (*WIC 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. (*WIC 388.1(e)*)

This Bill:

- 1) Provides that an affidavit to a social worker to commence proceedings in the juvenile court may be submitted to the social worker by mail, facsimile, or electronic mail.
- 2) Provides that if an application to commence proceedings in the juvenile court has been submitted by a minor or their attorney and the minor is currently residing at a residential facility, the social worker shall assess the safety of the home of those who hold custodial rights of the minor as part of the safety assessment or substitute care provider safety assessment.
- 3) Provides that if a minor or their attorney has applied 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, the juvenile court shall review the decision and either affirm their 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) Makes a number of nonsubstantive technical changes.
- 5) 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 themselves if their adoptive parent(s) or guardian(s) receive specified benefits or payments on the nonminor's behalf.

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

FISCAL IMPACT

According to the Assembly Appropriations Committee:

- 1) Ongoing General Fund (GF) administrative costs to county child welfare agencies of an unknown amount, potentially in the high hundreds of thousands of dollars or more

annually associated with reopening cases, expanded safety assessments, and other requirements in the bill. Costs will depend on the number of affected cases, which is unknown, and the amount of additional time spent on each case.

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) Ongoing costs to the courts (General Fund, Trial Court Trust Fund) of an unknown amount for additional workload to the extent additional cases are filed.
- 3) One-time GF automation costs in the range of \$500,000 to \$1 million for updates to the Child Welfare Services – California Automated Response and Engagement System (CWS-CARES).

The Legislative Analyst’s Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

BACKGROUND AND DISCUSSION

Purpose of the Bill:

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.

“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 their guardian or adoptive parent is no longer providing support; and updating relevant code sections by replacing binary language with gender-neutral language.”

Child Welfare System (CWS)

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 possible¹. Social workers in each county receive reports of abuse or

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

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 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.

Extended Foster Care

The intent of extended foster care is to bridge the gap between the intensive supervision of foster care and unsupervised adulthood by maintaining a safety net of support while providing the youth independence and additional educational or work opportunities. Extended foster care was prompted by the recognition that many youth were unable to successfully transition from foster care or group care to adulthood without additional guidance and assistance.

In 2010, California enacted AB 12 (*Beall, Chapter 559, Statutes of 2010*), which permits foster youth to remain in extended foster care until age 21, under the same criteria as the federal statute. At the six month hearing prior to a youth turning 18 years old, the youth's social worker or probation officer must submit a transitional living plan to ensure that the youth will meet at least one participation criteria, listed above, if the youth plans to participate in extended foster care. The youth must also sign an agreement to remain in foster care within six months of turning 18, reside in an eligible placement, and agree to work with their social worker to meet the goals of their transitional living plan. Additionally, existing law allows qualifying nonminors who are former foster youth under the age of 21 to petition the court for re-entry into foster care to participate in extended foster care, as provided.

Petition for Reentry to Foster Care

Under current law, a person can apply to a social worker to find them a dependent by filing a JV-210 form with the court. Minors who were previously a dependent or their attorneys can make this application. Once made, the social worker must immediately investigate to see if juvenile court proceedings should commence. The bill sponsors state that currently these investigations typically only include where the minor is currently staying, such as a shelter or other temporary housing, but not their original home. This bill would require investigation into the residential facility where the minor is staying, as well as the home of their parent or guardian where they had previously been living if a minor is no longer living in the home.

Once a request is made to the social worker to be found a dependent, the burden is then on the person who made the request to seek judicial review if the social worker decides to not file a petition. The bill sponsors indicate that currently if a minor asks the court to review the social worker's decision to not file a petition, the court's decision can take as long as 300 days. This bill would instead give the court 14 days to affirm the decision of the social worker or order the social worker to begin juvenile court proceedings.

Currently law prohibits a nonminor dependent from petitioning for entry into extended foster care if their guardian or adoptive parent is receiving certain benefits on their behalf. The bill sponsors indicate that there are situations where the parent or guardian is receiving these benefits but not actually passing those benefits to the nonminor or using them to support the nonminor.

In those circumstances the nonminor is unable to enter extended foster care and is not receiving support from the benefits received by their parent or guardian, leaving them in an untenable position. This bill seeks to remedy that by providing a path for a nonminor dependent to become a dependent of the court if their guardian or adoptive parent receive benefits on their behalf but do not financially support the nonminor dependent.

Related/Prior Legislation:

AB 748 (Gipson, Chapter 682, Statutes of 2019) required the court to hold a dispositional proceeding for a youth 18 years of age if the youth, prior to attaining 18 years of age, was determined to be within the jurisdiction of the court at a jurisdictional hearing and was continuously detained by the court; and the youth provided informed consent.

AB 861 (Chen, 2019) would have shortened the timeframe that a social worker has from three weeks to 10 business days, to act on affidavits alleging maltreatment, for youth who are either experiencing homelessness or have had past involvement with the child welfare or juvenile justice systems. The bill would have also required the juvenile court to act upon, within 14 days, any application requesting a review of a social worker's decision regarding an affidavit to commence court proceedings. The bill was held in the Senate Appropriations Committee.

COMMENTS

Youth and nonminor dependents who want to enter or re-enter the foster care system can be especially vulnerable. This bill seeks to provide greater protections for these youth and aid their entry into the foster cares system in three ways. First, this bill provides if a petition is filed by a minor in a residential facility the social worker must also investigate the youth's permanent residence of their parent or guardian. Placement in a residential facility is temporary by nature, and the home they came from or would return to deserves equal inquiry. Second, this bill requires 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. This ensures that these youth do not languish while waiting for a court's decision. Finally, this bill allows a nonminor dependent to become a dependent of the juvenile court if their guardian or adoptive parent receives benefits on their behalf but does not actually financially support the nonminor dependent. These changes help support and protect these vulnerable young people seeking foster benefits.

SUPPORT/OPPOSITION**Arguments in Support:**

The Alliance for Children's Rights and California Coalition for Youth write, "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 accessing the supports and services of extended foster care, if they choose to self-petition for entry into foster care. It requires 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. The bill also strengthens oversight of these decisions. If the youth applies to a social worker to initiate juvenile court proceedings and the social worker does not file a petition within three weeks, the youth may request judicial review. In these self-petition cases, the juvenile court must review the social worker's decision and act within 14 days of the minor's request to either affirm the decision or order the social worker to commence juvenile court proceedings... 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 the youth is no longer receiving support, and allowing the nonminor to enter into extended foster care under a voluntary reentry agreement."

Arguments in Opposition:

Californias United for Sex-Based Evidence in Police and Law writes, "AB 1967 contains no exemption for minors who are in facilities approved or paid for by parents, no minimum age, and no requirement that the minor allege any specifics of harm by the parent(s). This bill empowers and encourages mentally unstable and irrational minor adolescents and children to make claims against their parents even where there is no abuse or neglect. AB 1967 will cause the state of California to be in violation of parents' fundamental rights, due process rights, and free exercise of religion. CAUSE must oppose AB 1967 because youth services and legislation impacting youth services in California have been captured by gender identity ideology in clear violation of what is best for the long term health and wellness... California has used the child welfare system to target parents who want to shield their children from the irrationality and life-changing harms of gender identity ideology for more than a decade. AB 1967 is another bill designed to achieve the anti-parent, anti- family, anti-child, anti-humanity and anti-REALITY result of removal of children from the care of parents who, out of love, decline to affirm their children's maladaptive beliefs."

PRIOR VOTES

Senate Judiciary Committee:	9 - 0
Assembly Floor:	72 - 0
Assembly Appropriations Committee:	15 - 0
Assembly Judiciary Committee:	12 - 0

POSITIONS

Support:

Alliance for Children's Rights (Co-Sponsor)

California Coalition for Youth (Co-Sponsor)
Advanced Consulting, LLC
California Alliance of Caregivers
California Alliance of Child and Family Services
Children Now
First Place for Youth
John Burton Advocates for Youth
National Network for Youth
Public Counsel - Tay
Seneca Family of Agencies

Oppose:

Cause: Californians United for Sex-based Evidence in Policy and Law
Democrats for an Informed Approach to Gender
Los Angeles County Moms for Liberty
Our Duty
Sfv Alliance

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