

Date of Hearing: April 21, 2026

ASSEMBLY COMMITTEE ON JUDICIARY  
Ash Kalra, Chair  
AB 2478 (Schultz) – As Introduced February 20, 2026

PROPOSED CONSENT

**SUBJECT:** KINSHIP FAMILY APPROVAL

**KEY ISSUE:** SHOULD THE DEPARTMENT OF SOCIAL SERVICES BE REQUIRED TO ESTABLISH THE KINSHIP FAMILY APPROVAL PROCESS AS A STREAMLINED PROCESS FOR CERTAIN FAMILY MEMBERS AND NONRELATIVE EXTENDED FAMILY MEMBERS TO BECOME APPROVED FOSTER CARE PROVIDERS?

**SYNOPSIS**

*When a child is subject to abuse or neglect and removed from their home, current policy encourages placement of the child with a relative or nonrelative extended family member whenever possible. Studies have repeatedly shown that placement within a family or close community encourages the best possible outcomes for the child, including reunification with their parent or parents. Over the course of the past decade, the Legislature has repeatedly reaffirmed this policy goal and in 2024 enacted AB 2830 (Robert Rivas) Chap. 417, Stats. 2024, which required the Department of Social Services to adopt a simplified process for relative caregivers to become approved foster families by January 1, 2027. This bill represents efforts to comply with that mandate and establishes a kinship family approval (KFA) process for relatives and nonrelative extended family members.*

*This bill is sponsored by the Alliance for Children's Rights, the Children's Law Center of California, Children's Legal Services of San Diego, and the County Welfare Directors Association. It is supported by the California Alliance of Caregivers, the California Court Appointed Special Advocate Association, the California Lawyers Association Family Law Section, California Youth Connection, the Habematolet Pomo of Upper Lake, Los Angeles Dependency Lawyers, Public Counsel, and Seneca Family Agencies. There is no known opposition. This bill was previously heard by the Assembly Committee on Human Services where it was approved unanimously.*

**SUMMARY:** Establishes a Kinship Family Approval (KFA) process within the California Department of Social Services (CDSS) as a streamlined pathway for relatives, nonrelative extended family members (NREFMs), and extended family members of Indian children to become approved foster care providers. Specifically, **this bill:**

- 1) Requires CDSS, on or before January 1, 2028, to adopt a KFA process to approve a relative, NREFM, or extended family member of an Indian child to be a kinship family, defined as an individual or family who has successfully met the home environment assessment and family engagement standards necessary for providing care for a child placed by a county child welfare department or a probation department (county) by court order or voluntarily placed by a parent or legal guardian.

- 2) Requires counties to ensure that relatives, NREFMs, and extended family members of an Indian child are provided information regarding available approval processes and the option to choose between the KFA process, the resource family approval (RFA) process, and, in the case of an Indian child, a tribally approved home (TAH).
- 3) Makes confidential certain personal identifying information, written evaluation reports, and court proceedings relating to kinship families, except as specified, and requires the application form signed by a kinship family applicant to include a declaration that the information submitted is true, correct, and contains no material omissions of fact to the best knowledge and belief of the applicant.
- 4) Adds kinship families, as defined, to the list of persons and entities entitled to access pupil records, including records of grades, transcripts, attendance, discipline, online communications on school-established platforms, and individualized education programs, without written parental consent or judicial order.
- 5) Expands the scope of an existing misdemeanor to include any person who willfully and knowingly, with intent to deceive, makes a false statement or fails to disclose a material fact in a KFA application.
- 6) Expands the court's authority to place a child after an order of removal, or on a temporary or emergency basis, in the home of a NREFM or an extended family member, in addition to a relative, as under existing law, regardless of the status of any criminal record exemption, KFA, or RFA, if the court finds the placement does not pose a risk to the health and safety of the child.
- 7) Recasts and revises existing reporting and recommendation provisions enacted by AB 2830 (Rivas), Chapter 417, Statutes of 2024, with the new KFA statutory framework.
- 8) Makes conforming changes across the Education Code, Family Code, Government Code, Health and Safety Code, Insurance Code, Penal Code, Probate Code, and Welfare and Institutions Code (WIC) to make provisions currently applicable to resource families also applicable to kinship families, and deletes obsolete provisions.
- 9) Conditions implementation on the continued availability of Title IV-E federal financial participation.
- 10) Makes legislative findings that the provisions of this bill limiting access to writings of public officials and agencies address interests of sufficient weight to justify those limitations, as required by the California Constitution.

**EXISTING LAW:**

- 1) Provides that a minor may be removed from the physical custody of their parents and become a dependent of the juvenile court as the result of abuse or neglect, as specified. (Welfare & Institutions Code (WIC) Section 300.)
- 2) Requires, at the detention hearing, that the court take certain steps to evaluate the case, determine whether the child can be returned home safely, and, if not, to ensure the child is

placed in an appropriate placement, with priority consideration for relatives and NREFMs. Provides for temporary placement of a child on an emergency basis with a relative or NREFM, as well as for placement of the child on a longer-term basis following the dispositional hearing to decide where the child will live, subject to a criminal record clearance. (WIC Sections 309, 319, 361.3, 361.4.)

- 3) States legislative intent to reaffirm its commitment to children who are in out-of-home placement to live in the least restrictive family setting and as close to the child's family as possible, as specified. Further states legislative intent that all children live with a committed, permanent, nurturing family and that services and supports should be tailored to meet the specific needs of the individual child and family being served, as specified. (WIC Section 16000.)
- 4) Requires CDSS, in consultation with county child welfare agencies, foster parent associations, and other interested community parties, to implement a unified, family friendly, and child-centered RFA process to replace the existing multiple processes for licensing foster family homes, certifying foster homes by licensed foster family agencies, approving relatives and nonrelative extended family members as foster care providers, and approving guardians and adoptive families. (WIC Section 16519.5.)
- 5) Requires counties to ensure that a resource family applicant completes a minimum of 12 hours of preapproval caregiver training on certain topics, including, the effects of trauma, grief and loss, child abuse and neglect, child development and behavior, health issues in foster care, permanence, well-being and education needs of children, among others. (WIC Section 16519.5 (g)(13).)
- 6) Requires counties to ensure a resource family's responsibility to act as a reasonable and prudent parent, defined as the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities, and to provide a family setting that promotes normal childhood experiences and that serves the needs of the child. (WIC Sections 362.05 (c)(1); 16519.5 (g)(13)(m).)
- 7) Requires a social worker to immediately investigate the circumstances of the child being taken into the custody of the dependency system and attempt to maintain the child with the child's family through the provision of services. (WIC Section 309 (a).)
- 8) Requires a social worker to conduct a search within 30 days to locate and identify all relatives of a youth in the child welfare services system. Requires a social worker to provide written notification within 30 days of certain information, as specified. (WIC Section 309 (e)(1).)
- 9) States legislative intent to preserve and strengthen a child's family ties whenever possible and to reunify a foster youth with their biological family whenever possible, or to provide a permanent placement alternative. (WIC Section 16000.)

- 10) Requires CDSS to provide technical assistance to encourage and facilitate the county placement agency's evaluation of placement needs and the development of needed placement resources and programs. (WIC Section 16001.1.)
- 11) Requires CDSS to adopt, no later than January 1, 2027, a simplified approval process for relative caregivers consistent with the definition of foster family homes for the purposes of federal Title IV-E eligibility. Requires the simplified approval process for relative and kinship caregivers to be implemented only if and to the extent that federal financial participation is available and after necessary federal approval of state plan amendments has been obtained. (WIC Section 16519.3 (a).)
- 12) Authorizes CDSS to convene government-to-government consultation with tribes and communicate with other interested individuals and organizations to develop a simplified approval process for relative and kinship caregivers that achieves the goals of safety, permanency, and well-being for children in out-of-home care. Permits the communication to include seeking feedback from relative and kinship caregivers, foster youth, county child welfare and probation agencies, foster family agencies, tribes, tribal organizations, tribal consortia, and other interested community partners. (WIC Section 16519.3 (b).)
- 13) Defines “relative” to mean an adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship, including stepparents, stepsiblings, and all relatives whose status is preceded by the words “great,” “great-great,” or “grand” or the spouse of any of these persons even if the marriage was terminated by death or dissolution. Defines “extended family member” of an Indian child to have the same meaning as defined by the law or custom of the Indian child’s tribe or, in the absence of such law or custom, shall be a person who has reached 18 years of age and who is the Indian child’s grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent. (WIC Section 11400 (m) and WIC Section 224.1 (c).)
- 14) Defines “nonrelative extended family member” to mean an adult caregiver who has an established familial or mentoring relationship with the child, as described. (WIC Section 11400 (n).)
- 15) Revised the definition of foster family homes to permit claiming of Title IV-E federal financial participation when the agency uses different licensing or approval standards for relative or kinship foster family homes and all nonrelative foster family homes. (Title 45 of the Code of Federal Regulations Section 1355.20.)
- 16) Permits agencies to use different standards for relatives than non-relative homes while maintaining federal funding eligibility. (45 CFR Section 1355.20.)

**FISCAL EFFECT:** As currently in print this bill is keyed fiscal.

**COMMENTS:** California’s child welfare system is tasked with ensuring the safety of children in the state at risk of abuse, neglect, or abandonment. The most desired outcome of the child welfare system is to keep or reunite children with their parents wherever possible. In circumstances where reunification is not appropriate, courts and social workers then look to place children in a variety of alternative placements, whether that is with a relative, an adoptive family, or with a guardian. Over the course of the last decade, the Legislature has reaffirmed that

state policy is to keep the child with their family member, including non-relative extended family members (NREFMs) whenever possible, if it is safe to do so and in the best interest of the child.

***The importance of placement within families.*** Studies have repeatedly shown that children in dependency overwhelmingly benefit from placement within their families. Children who are not placed with their families, whether it is a grandparent, aunt, uncle, or step-sibling, are often not only removed from contact with their families but also from their larger communities.

Additionally, placement within the child's family can help facilitate reunification efforts with their parent or parents. Kin placements can range from placement in a family's home while still under the legal custody of the state, to a guardianship, or even a formal adoption by a family member. These family-based placements can help minimize trauma, increase placement stability, improve behavioral outcomes, and promote stronger relationships with the child's community and culture. (*Kinship Care and the Child Welfare System* (May 2022) Children Welfare Information Gateway and Children's Bureau available at:

[https://www.childwelfare.gov/resources/kinship-care-and-child-welfare-system/.](https://www.childwelfare.gov/resources/kinship-care-and-child-welfare-system/))

***Existing law relating to placement for foster youth.*** In 2012, the Legislature also codified the Resource Family Approval (RFA) process, which provides a single framework and process for approval for anyone seeking to be authorized as a foster parent. The RFA process incorporates procedures for foster parent licensing, adoption and guardianship approval, and relative approval processes. Once authorized through the RFA process, a resource family is considered approved for adoption or legal guardianship. Notably, anyone seeking to take custody of a foster youth must comply with the RFA process, regardless of their relationship to the child.

California's statutes work in tandem with federal law that governs placement of dependent youth in foster settings. In September 2023, the federal Administration on Children and Families (ACF) published a final rule regarding separate licensing and approval standards for kinship placements. The rule permits Title IV-E agencies (consisting of state agencies and specified tribal welfare entities) to claim Title IV-E federal financial participation on behalf of a minor placed in a relative or kinship licensed or approved foster family home when the agency uses different licensing or approval standards for relative or kinship homes and non-relative or non-kinship foster family homes. In response to the change at the federal level, AB 2830 (Rivas) Chap 417 Stats 2024 directed the Department of Social Services to adopt a simplified approval process for relative caregivers consistent with the ACF guidance.

For a more detailed discussion about the types of foster homes, including tribally approved homes, available under existing law and their relative funding mechanisms, please refer to the analysis from the Assembly Committee on Human Services.

***This bill*** complies with the directive in AB 2830 by establishing what it has titled a kinship family approval (KFA) process. According to the author:

Despite officially embracing a "kin-first" culture that prioritizes placing children with family or trusted adults in a child's life, California currently utilizes a one-size-fits-all foster care approval process that can create unnecessary administrative burdens for a child's kin.

Research has consistently and resoundingly shown that children experience a wide range of better outcomes when placed with familiar caregivers, including greater placement and educational stability, higher likelihood of reuniting with siblings, and improved mental and behavioral health. California's current system, the Resource Family Approval (RFA) process, was largely designed for licensed foster parents and does not fully reflect the needs of

relatives and other trusted adults who step forward during a family crisis. Administrative burdens and irrelevant requirements can create undue delays for placing a child in the safest and most supportive setting possible. To address these unacceptable delays and promote the resounding benefits of kinship care, the legislature enacted AB 2830 (Rivas) to direct the California Department of Social Services to develop policy improvements to strengthen kinship placement pathways.

AB 2478 follows through on these improvements by creating the Kinship Family Approval (KFA) pathway, a streamlined approval framework for kin caregivers. This pathway is designed specifically to recognize that caregivers with pre-existing meaningful relationships with a child should not face unnecessary regulatory barriers designed for traditional foster homes. This legislation additionally clarifies emergency placement rules, allows agencies to access Title IV-E federal funding that encourages the creation of separate kinship approval pathways, and extends the eligibility of very limited criminal record exemptions to a wider range of kin so that children can be placed quickly with safe caregivers who are familiar to them. By reducing administrative delays and strengthening family-first placement policies, AB 2478 will maximize kin placements while remaining unwavering in safeguards that secure the safety and stability of a caregiver's home. The KFA pathway will ensure children are more efficiently given a sense of stability, consistency, and permanency with a caregiver that will keep them connected to their communities and culture.

The bill provides standards, procedures, definitions, and department accountability structures to approve “kinship family” as foster families. The bill defines “kinship family” as an individual or family that has successfully met the home environment assessment and family engagement process standards. Notably, this current measure expands beyond the directive of AB 2830 by authorizing nonrelative extended family members to comply with the simplified KFA process, not just relatives of the child.

***The role of the courts in AB 2478.*** Of particular relevance to this Committee, as part of the process to establish the KFA, AB 2478 incorporates NREFMs into existing law governing a court’s placement of a minor into a temporary home following their removal. Under existing law, a court may order a temporary placement for a dependent minor following the child’s removal from their home. In making that placement, the court is required to consider the recommendations of a social worker, including the results of any criminal background check. Prior to 2021, if the background check turned up certain criminal convictions, particularly violent felonies, the court could not place the child in the home regardless of the relevance of the past conviction. In 2021, the Legislature enacted SB 354 (Skinner) Chap. 687, Stats 2021 which, in part, gave a court the discretion to complete the placement of a child with a relative if it found that the placement did not pose a risk to the health and safety of the child. (Welfare and Institutions Code Section 319 (h)(3).) This bill appropriately extends the court’s discretion to make such orders to also apply in cases where the placement is with a nonrelative extended family member.

If the minor is ultimately ordered removed from their home, existing law authorizes the court to order the child placed with an approved resource family, tribally approved home, or the home of a relative or nonrelative extended family member, or any of those settings which are pending approval pursuant to their relevant processes. In making conforming changes to numerous provisions of the Welfare and Institutions Code, AB 2478 incorporates kinship family homes into each of the provisions relevant to the court authorizations enumerated above. In doing so,

the bill acknowledges the validity of such placements akin to those already in existing law. However, as currently drafted, the bill raises two primary questions related to the courts.

First, by incorporating nonrelative extended family members throughout the relevant code sections and through the establishment of the KFA process, the bill functionally authorizes a court to order placement of a child with a nonrelative pending the nonrelative's approval either through the RFA or KFA process. Approval as a foster family is typically accompanied by funding via a mechanism unique to the type of application and the applicant's relationship with the child. As detailed by the analysis from the Assembly Committee on Human Services, intending caregivers who are either pending RFA approval or have been denied in some cases may be eligible for state-provided funding, but generally must be a relative or family member. These funding mechanisms are typically not available to nonrelative extended family members. Therefore, while well-intentioned, the bill as currently in print potentially creates a scenario where a court can order placement of a child with a nonrelative extended family member who very well may be the best suited to care for the child, and has successfully completed the KFA process but is ineligible to receive funding to support the child. A court may very well recognize that the applicant is ideally suited to care for the minor and want to award placement with that individual, but a lack of accompanying funding may pose a challenging question for the court, which is ultimately tasked with making determinations in the best interest of the child – is such a placement actually in the child's best interest if the caregiver does not have adequate resources to provide for the child? These circumstances are likely exacerbated in the context of low-income children and their families. Without addressing the lack of funding in these circumstances, this bill may ultimately only help children who have nonrelative extended family members with substantial resources. *In order to ensure this bill is effective in ensuring the best placement for all children, the author may wish to consider addressing the funding mechanisms available to NREFMs pending approval through either the RFA or new KFA process.*

Finally, in establishing the KFA process, this bill entrusts counties with the responsibility to approve or deny kinship family applications; rescind applications; grant, deny, or rescind a criminal record clearance or exemption; provide an applicant, or applicant whose application has been denied, rescinded, or whose criminal record exception has been denied or rescinded “with due process” pursuant to proposed Section 16519.605. Section 16519.605 establishes an administrative hearing process for all of these circumstances, and outlines an appeal process for the applicant. However, it does not appear that the proposed language requires the county to provide an applicant with a reason for their denial or rescission. *In order to provide more meaningful due process, the author may wish to consider an amendment to require the county to provide the applicant a justification for any denial or rescission.*

***ARGUMENTS IN SUPPORT:*** This bill is sponsored by the Alliance for Children's Rights, the Children's Law Center of California, Children's Legal Services of San Diego, and the County Welfare Directors Association. It is supported by the California Alliance of Caregivers, the California Court Appointed Special Advocate Association, the California Lawyers Association Family Law Section, California Youth Connection, the Habematolel Pomo of Upper Lake, Los Angeles Dependency Lawyers, Public Counsel, and Seneca Family Agencies. The Alliance for Children's Rights submits:

### ***Removing Unnecessary Barriers***

Current approval processes were largely designed for licensed foster parents and can create unnecessary barriers for relatives and other trusted adults who step forward during a family crisis. AB 2478 aligns approval processes with the realities of kinship caregiving while maintaining strong child safety protections.

By reducing administrative delays and strengthening family-first placement policies, AB 2478 helps ensure that children entering foster care can remain connected to the people and communities that matter most to them.

### ***Committing to a Kin-First Culture***

California law prioritizes placement with family members and other trusted adults when children cannot safely remain with their parents. Research consistently shows that children placed with familiar caregivers experience better outcomes, including greater placement stability, stronger family connections, and improved emotional well-being. AB 2830 (Rivas) directed the California Department of Social Services (CDSS) to develop policy improvements to strengthen kinship placement pathways, and AB 2478 advances that work by implementing a streamlined approval framework for kin caregivers.

[...]

California has embraced a Kin-First culture, an approach that prioritizes keeping children safely connected to their families and communities whenever possible.<sup>2</sup> CDSS describes Kin-First culture as an environment in which systems serving children and families adopt policies and practices that prioritize keeping children safely at home whenever possible and, when removal is necessary, placing them with family or trusted adults who can maintain connections to community, culture, and tribe.<sup>3</sup>

Despite this commitment, California's foster care placement and approval processes still exclude many extended family members who are fit and willing to care for children but do not fall within the narrow legal definition of a "relative." Ensuring that loved ones can provide a safe and caring home during times of crisis is essential to a child's safety, stability, and well-being.<sup>4</sup>

California currently has more than 37,000 children in foster care,<sup>5</sup> disproportionately from Black and Brown families. Black children are three times more likely than white children to be in foster care, while Native American youth appear in foster care at nearly three times the rate of their white peers. Barriers to placement with family and trusted adults disproportionately affect these communities and are further compounded by criminal history restrictions, which reflect the long-term impacts of discriminatory arrest and prosecution practices.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Alliance for Children's Rights (co-sponsor)  
Children's Law Center of California (co-sponsor)

Children's Legal Services of San Diego (co-sponsor)  
County Welfare Directors Association of California (co-sponsor)  
California Alliance of Caregivers  
California Court Appointed Special Advocate Association  
California Lawyers Association, Family Law Section  
California Youth Connection (CYC)  
Habematolel Pomo of Upper Lake  
Los Angeles Dependency Lawyers, INC  
Public Counsel  
Seneca Family of Agencies

**Opposition**

None on file

**Analysis Prepared by:** Manuela Boucher-de la Cadena / JUD. / (916) 319-2334