

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

AB 2478 (Schultz)
Version: June 16, 2026
Hearing Date: June 23, 2026
Fiscal: Yes
Urgency: No
AWM

SUBJECT

Kinship family approval

DIGEST

This bill requires the California Department of Social Services (CDSS) to adopt a simplified kinship family approval process to approve a relative, nonrelative extended family member (NREFM), or, for an Indian child, extended family member, pursuant to specified guidelines, on or before January 1, 2028.

EXECUTIVE SUMMARY

Research shows that a child taken from the custody of their parent, guardian, or Indian custodian will suffer fewer negative outcomes if they are placed with a trusted relative or other person with whom they have a family-like relationship, rather than with a stranger. To this end, California law establishes a relative placement preference when a child is taken into custody and declared a dependent of the juvenile court, and the child's social worker is required to make efforts to find any suitable relatives for a placement, and such relatives are given preference over any other placement alternatives. Current law, however, requires relatives and NREFMs to be approved through the same resource family approval (RFA) process as other persons wishing to serve as resource families; the process can be onerous and slow, and arguably excessive given the relative's or NREFM's preexisting relationship with the child.

To make it easier for relatives to be approved to serve as an out-of-home placement for a child who is within the jurisdiction of the juvenile court, the Legislature in 2024 enacted AB 2830 (Robert Rivas, Ch. 417, Stats. 2024), which required CDSS, on or before January 1, 2027, to implement a simplified process for relative caregivers. This bill follows up on AB 2830 by setting forth a framework for CDSS's streamlined kinship approval process for relatives, NREFMs, and extended family members. The process must be implemented on or before January 1, 2028.

This bill is sponsored by the Alliance for Children's Rights, the Children's Law Center of California, Children's Legal Services of California, and the County Welfare Directors Association of California and is supported by the California Alliance of Caregivers, the California State Association of Counties, and Habematolel Pomo of Upper Lake. The Committee has not received timely opposition to this bill. The Senate Human Services Committee passed this bill with a vote of 4-0.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides that the juvenile court 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) Provides that the purpose of the juvenile court and the dependency system is to provide the maximum safety and protection for children who are currently being physically, sexually, or emotionally abused, being neglected, or being exploited, and to ensure the safety, protection, and physical and emotional well-being of children who are at risk of that harm; this safety, protection, and physical and emotional well-being may include the provision of a full array of social and health services to help the child and family and to prevent the reabuse of children. (Welf. & Inst. Code, § 300.2.)
- 3) States that it is the intent of the Legislature 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, such as adoption or guardianship. (Welf. & Inst. Code, § 16000.)
- 4) Defines the following terms:
 - a) "Extended family member" has the same meaning as defined by the law or custom of an 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. (Welf. & Inst. Code, § 224.1(c).)
 - b) "Relative" means 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 those persons, even if the marriage was terminated by death or dissolution. (Welf. & Inst. Code, § 114000(m).)

- c) "Nonrelative extended family member" means an adult caregiver who has an established or familial mentoring relationship with the child. (Welf. & Inst. Code, § 114000(n).)
- 5) Requires a social worker, at the initial petition hearing on a petition to make a child a dependent of the juvenile court, to report to the court on topics including whether there are any relatives who are able and willing to take temporary physical custody of the child. (Welf. & Inst. Code, § 319(b).)
- 6) Permits a juvenile court to order a temporary placement of a child removed from their parent's custody in the home of a relative, NREFM, or, in the case of an Indian child, extended family member. (Welf. & Inst. Code, § 319(h).)
- 7) Requires, in any case in which a child is removed from the physical custody of their parents and adjudged to be a dependent of the juvenile court, preferential consideration to be given to a request of a relative for placement of the child with the relative, including NREFMs, subject to 8) and 9). (Welf. & Inst. Code, § 361.3.)
- 8) Requires, when the home of a NREFM is being considered for the placement of a child, the home to be evaluated, and approval of the home to be granted or denied, pursuant to the same standards set forth in the regulations for the licensing of foster family homes, as specified; and requires the county welfare department to verify the existence of the NREFM relationship through interviews with the parent and child or with one or more third parties, which may include the child's relatives, teachers, medical professionals, clergy, neighbors, and family friends. (Welf. & Inst. Code, § 362.7.)
- 9) Provides that, in any case where an Indian child is removed from the physical custody of their parents or Indian custodian and adjudged to be a dependent of the juvenile court, preference shall be given to the child's placement with one of the following, in descending priority order, unless the child's tribe has established a different order of placement preference:
 - a) An extended family member.
 - b) A foster home licensed, approved, or specified by the child's Indian tribe.
 - c) An Indian foster home licensed or approved by an authorized non-Indian licensing authority.
 - d) An institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs. (Welf. & Inst. Code, § 361.31.)
- 10) Establishes the Resource Family Approval (RFA) process, through which a person or persons can be certified to serve as a foster home or foster care provider and approved as a guardian or adoptive parent. (Welf. & Inst. Code, div. 9, pt. 4, ch. 5, art. 2, §§ 16519.5.)

- 11) Defines “tribally approved home” as a home that has been licensed by an Indian child’s tribe, or a tribe or tribal organization designated by the Indian child’s tribe, for foster care or adoptive placement of an Indian child using standards established by the child’s tribe, as specified; a tribally approved home is not required to be licensed or approved by the state or county and is equivalent to a state-licensed or county-licensed or approved home, including an RFA. (Welf. & Inst. Code, § 224.1(r).)
- 12) Requires CDSS, on or before January 1, 2027, to adopt a simplified approval process for relative caregivers consistent with specified federal regulations.
 - a) The simplified approval process shall be implemented only if, and to the extent, federal financial participation is available and after necessary federal approval of the state plan amendments has been obtained.
 - b) CDSS may convene government-to-government consultation with tribes and communicate with other stakeholders to develop a simplified approval process for relative and kinship caregivers that achieves the goals of safety, permanency, and wellbeing for children in out-of-home care. (Welf. & Inst. Code, § 16519.3.)
- 13) Permits a state or county agency or court, when determining whether to approve a relative as a resource family or order an emergency or temporary placement with a relative, to approve the home or order the placement notwithstanding the relative’s criminal record, as specified, if the placement does not pose a risk to the health and safety of the child. (SB 354 Skinner, Ch. 687, Stats. 2021); Health & Saf. Code, § 1522(g); Welf. & Inst. Code, § 361.4.)

This bill:

- 1) Requires CDSS, on or before January 1, 2028, to adopt a kinship family approval process to approve a relative, NREFM, or extended family member to be a kinship family for a child or nonminor dependent under the jurisdiction of the juvenile court; CDSS shall, in collaboration with county child welfare agencies, probation departments, foster parent associations, tribes, tribal organizations, tribal consortia, and other interested community partners, implement a supportive, engaging, family friendly, and child-centered kinship family approval process to approve relatives, NREFMs, and extended family members as foster care providers to keep children connected to their biological families and extended family members and minimize trauma associated with the foster care system.
- 2) Defines “kinship family” and “kinship family approval” to mean an individual or family that has successfully met the home environment assessment and family engagement standards adopted in 3) necessary for providing care for a child placed by a public child placement agency by court order or voluntarily placed by a parent

or legal guardian; the individual or family shall be a relative or NREFM of the child, or an extended family member of an Indian child.

- 3) Provides that a kinship family approved under 1) shall be eligible to provide foster care for children in out-of-home placement for whom the kinship family applicant is a relative, NREFM, or extended family member, and shall be considered approved for adoption and guardianship; in the case of an Indian child for whom the child's tribe is not exercising its right to approve a home, the county shall apply the prevailing social and cultural standards of the Indian community to the kinship family applicant approval for that child.
- 4) Requires CDSS to adopt standards pertaining to home environment assessment, family engagement process, and kinship training requirements for a kinship family, including specified assessments such as family home environment assessment standards (including criminal record clearance), family engagement process standards, and caregiver training.
- 5) Expands a juvenile court's authority to make an emergency or temporary placement of a child with an NREFM, notwithstanding the NREFM's criminal record, if the court finds that the placement does not pose a risk to the health and safety of the child.
- 6) Provides that any kinship applicant shall be eligible for criminal record exemptions set forth in Health & Safety Code section 1522, as specified.
- 7) Permits CDSS to administer the kinship approval program through the issuance of written directives until regulations are adopted.
- 8) Requires a county to ensure that relatives, NREFMs, and extended family members are provided information regarding approval processes and the option to choose between the kinship family approval process, RFA, and, in the case of an Indian child, approval as a tribally approved home.
- 9) Makes conforming changes, including amending references to RFAs throughout the Codes to include references to kinship families.

COMMENTS

1. Author's comment

According to the author:

While California has officially embraced a "kin-first" culture that prioritizes placing children with family or trusted adults in a child's life, the state 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 improved 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.

2. Background on the juvenile court and the preference for placing dependent children with relatives

The overarching purpose of the juvenile court is to provide for the protection and safety of the public and each child under the court's jurisdiction and, where possible, to preserve and strengthen the child's family ties so that a child is removed from their parent's custody only when necessary for the child's welfare or the safety and protection of the public.¹ To that end, when a child has been removed from a parent's physical custody but the parent's parental rights have not been terminated, the social worker and the court must determine the best placement for the child pending a decision on whether the parent will be permitted to resume custody. This placement

¹ Welf. & Inst. Code, § 202(a).

can be a short-term one – such as when a child is returned to custody at the dispositional hearing, or when the court decides that reunification services will not be offered to the parent – or for up to two years, if the court orders reunification services to the parent to help the parent resume custody of their child.²

In dependency cases, California has a strong preference for preserving and strengthening a child’s family ties whenever possible and to reunify a foster youth with their biological family whenever possible.³ This preference is supported by research showing that family-based placements can minimize a child’s trauma, increase placement stability, improve behavioral outcomes, and promote stronger relationships with the child’s community and culture.⁴ To ensure that all viable relative placements are considered, a social worker is required to conduct diligent efforts to find any and all of a child’s relatives with whom it may be suitable to place the child while they remain out of their parent’s custody.⁵ A child’s relatives are given preference in the initial placement decision, and if a child is not initially placed with a relative due to the lack of a suitable available relative, the social worker must continue to search for relatives who may possibly provide a placement.⁶ If and when a parent’s rights are terminated, the preference for family members changes: at that point, preference is given to the relative caretaker or foster parent who has cared for the dependent child during the dependency proceeding if it appears that the child has substantial emotional ties to that caregiver.⁷

If a child in a dependency proceeding is or may be an Indian child, the federal Indian Child Welfare Act⁸ (ICWA) and the California Indian Child Welfare Act (Cal-ICWA) impose different placement requirements to ensure that the child retains their connections to their family, extended family tribe, Indian community, and culture.⁹ To the extent a child’s tribe adopts its own placement preferences, the court must abide by the tribe’s order of placement preference.¹⁰ Cal-ICWA also permits an Indian tribe to license or approve homes for foster care or adoptive placement of an Indian child; tribally approved homes are the legal equivalent of an RFA and do not need to be licensed or approved by the state or county.¹¹

² *Id.*, §§ 358, 361.1, 361.5, 362, 366.21, 366.22, 366.26.

³ *Id.*, § 16000.

⁴ *E.g.*, Children’s Bureau, Kinship Care and the Child Welfare System (May 2022)

<https://artifacts.childwelfare.gov/public/documents/kinship-care-and-child-welfare-system-ap2.pdf> (link current as of June 18, 2026).

⁵ Welf. & Inst. Code, §§ 319, 358.1, 366.1.

⁶ *Id.*, § 361.3, 366.21.

⁷ *Id.*, § 366.24(k).

⁸ 25 U.S.C. §§ 1901 et seq.

⁹ Welf. & Inst. Code, §§ 224, 361.31.

¹⁰ *Id.*, § 361.31.

¹¹ *Id.*, § 224.1(r).

3. Recent legislative efforts to encourage relative placements

The RFA process, which provides a single framework and process for approval for anyone seeking to be authorized as a foster parent, was implemented on a statewide basis in 2017.¹² 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.¹³ The current RFA process is the same for all persons seeking to serve as a foster family, meaning, e.g., a child's beloved grandfather and a total stranger are subject to the exact same approval process.

California's foster care laws are dictated, in part, by federal law, because the state's entitlement to federal financial participation is conditioned on the state adopting laws that satisfy federal requirements. In the case of relative or kinship placements, the federal Administration on Children and Families did not expressly permit a separate approval process for relative and NREFM placements until 2023.¹⁴

In response to the new federal rules permitting different licensing and approval standards for relative and NREFM homes, the Legislature enacted AB 2830 (Rivas, Ch. 417, Stats. 2024). AB 2830 directed CDSS to adopt a simplified approval process for relative and kinship caregivers, to the extent federal financial participation is available and federal approval is obtained, no later than January 1, 2027.¹⁵

The Legislature has also enacted measures to expand the pool of relatives and NREFMs eligible to serve as a foster family for a child. In 2021, the Legislature enacted SB 354 (Skinner, Ch. 687, Stats. 2021), which shifted the process for obtaining placement with a family member from categorically excluding broad swathes of people with criminal records to requiring an individualized process that allows for a case-by-case determination of the person's fitness to care for the child, with more flexibility with respect to criminal records clearance, resource family approval, and judicial determinations of placement. As passed by this Committee, SB 354's individualized process would have applied to relatives and NREFMs;¹⁶ the bill was amended to remove NREFMs from the individualized placement process in the Assembly.¹⁷ Data collected by CDSS indicates that over 95 percent of RFA applicants were granted a criminal record exemption in the first two years after the passage of SB 354, enabling them to serve as resource families for relatives.¹⁸

¹² AB 403 (Stone, Ch. 773, Stats. 2015).

¹³ See Welf. & Inst. Code, div. 9, pt. 4, ch. 5, art. 2, §§ 16519.5 et seq.

¹⁴ See 45 C.F.R. pt. B, Ch. XIII, subch. G, pt. 1355, §§ 1355.20 et seq.

¹⁵ Welf. & Inst. Code, § 16519.3.

¹⁶ See Sen. Com. on Judiciary, Analysis of Sen. Bill No. 354 (2021-2022 Reg. Sess.) as amended Mar. 25, 2021.

¹⁷ See Assem. Amend. to Sen. Bill No. 354 (2021-2022 Reg. Sess.) Aug. 30, 2021.

¹⁸ CDSS, Senate Bill 354 Report to the Legislature (2024) pp. 6-7.

4. This bill sets forth requirements for a streamlined kinship approval process and requires CDSS to adopt the approval process on or before January 1, 2028

This bill, pursuant to AB 2830, adopts the framework for CDSS's streamlined kinship approval process for relatives, NREFMs, and extended family members. The full process must be implemented on or before January 1, 2028, and developed in consultation with county child welfare agencies, probation departments, foster parent associations, tribes, tribal organizations, tribal consortia, and other interested community partners. The bill incorporates federal definitions necessary to maintain eligibility for federal financial participation.

Under this new regime, relatives and NREFMs will have two options for placement: the kinship approval process, which results in approval for the placement of the specific child with whom they have a relationship; or the RFA process, which grants approval to serve as a placement for any child, regardless of a preexisting relationship. Extended family members of Indian children will be able to use the kinship approval process, the RFA process, or, where available, a tribal approval process to be deemed a tribally approved home.

The brunt of this bill is within the jurisdiction of the Senate Human Services Committee, which passed this bill with a vote of 4-0. This Committee's jurisdiction extends to two small components of the bill:

- This bill permits a juvenile court, when ordering an emergency or temporary placement, to place a child with an NREFM, regardless of the NREFM's criminal history, if the court determines that the placement does not pose a risk to the health and safety of the child. This is consistent with the court's existing authority for an emergency or temporary placement with a relative, and, as noted above, this Committee voted to approve granting the juvenile court such discretion in 2021.
- This bill makes certain documents and proceedings relating to the kinship family approval process confidential and not disclosable pursuant to the California Public Records Act. The measures making these proceedings and documents confidential are consistent with existing confidentiality protections for the RFA process and appear adequately tailored to protect personal and highly sensitive information about kinship families and children.

5. Arguments in support

According to the sponsors of the bill:

Strengthening the family-first placement policy

- AB 2478 strengthens California's family-first placement policy by creating a clearer pathway for kinship caregivers and reducing unnecessary administrative barriers while preserving child safety protections.

Creating a Kinship Family Approval pathway

- AB 2478 directs the CDSS to establish a streamlined approval process designed specifically for kinship caregivers. This pathway recognizes that caregivers who already have meaningful relationships with children should not face unnecessary regulatory barriers designed for traditional foster homes.

Prioritizing placement with family and trusted adults

- The bill clarifies that courts may authorize placement with safe caregivers even when approval or exemption processes are still pending, provided the court determines that the placement does not pose a risk to the child's health and safety.

Maintaining strong safety protections

- AB 2478 preserves all existing child safety safeguards, including background checks, prohibitions on placement where non-exemptible criminal convictions are present, and individualized review of eligible convictions through the exemption process.

Improving efficiency and reducing delays

- AB 2478 clarifies timelines for background checks following emergency placements, allows certain criminal record clearances to transfer across placements when appropriate, and directs the Department of Social Services to evaluate implementation of the kinship approval process.

SUPPORT

Alliance for Children's Rights (co-sponsor)
Children's Law Center of California (co-sponsor)
Children's Legal Services of California (co-sponsor)
County Welfare Directors Association (co-sponsor)
California Alliance of Caregivers
California State Association of Counties
Habematolel Pomo of Upper Lake

OPPOSITION

None received

RELATED LEGISLATION

Pending legislation: AB 1846 (Stefani, 2026) clarifies that the relative placement preference for a child who is a dependent of the juvenile court extends throughout the dependency proceeding, unless and until parental rights are terminated, as specified. AB 1846 is pending before the Senate Human Services Committee.

Prior legislation:

AB 2830 (Robert Rivas, Ch. 417, Stats. 2025) required CDSS, on or before January 1, 2027, to implement a simplified process for relative caregivers. AB 2830 is discussed in further detail in Comment 3 of this analysis.

SB 354 (Skinner, Ch. 687, Stats. 2021) among other things, granted a juvenile court the discretion to place a dependent child with a relative, even if the relative or any other adult living in the home had been convicted of specified offenses, if the court finds that the placement does not pose a risk to the health and safety of the child. SB 354 is discussed in further detail in Comment 3 of this analysis.

PRIOR VOTES

Senate Human Services Committee (Ayes 4, Noes 1)
Assembly Floor (Ayes 78, Noes 0)
Assembly Appropriations Committee (Ayes 15, Noes 0)
Assembly Judiciary Committee (Ayes 12, Noes 0)
Assembly Human Services Committee (Ayes 7, Noes 0)
