
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 651 (Bryan) - Juveniles: dependency: incarcerated parent

Version: April 9, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: PUB. S. 6 - 0, JUD. 13 - 0

Mandate: Yes

Consultant: Liah Burnley

Bill Summary: AB 651 requires an incarcerated parent be provided an opportunity to appear at specified dependency hearings about their child, and expands the hearing rights of a nonminor dependent who is the subject of juvenile court proceedings.

Fiscal Impact:

- Costs of an unknown but potentially significant amount to the counties to facilitate appearances of incarcerated parents in dependency proceedings in person or through remote technology. Actual costs will depend on the number of hearings attended by parents incarcerated in county jail and whether affected jails have sufficient space and IT infrastructure. The state must reimburse these county costs from the General Fund if the Commission on State Mandates determines the duties imposed by this bill constitute a reimbursable state mandate.
- The California Department of Corrections and Rehabilitation (CDCR) recognizes the critical importance of maintaining the parent-child bond and supports efforts to preserve and strengthen these connections during a parent's incarceration as a key component of promoting family stability and success. Accordingly, CDCR currently complies with all court orders for in-person, video, or telephone appearances for dependency hearings. To the extent that this measure results in an increase in court orders for in-person appearances, the estimated cost to transport one incarcerated person, excluding fuel costs, to a court hearing is approximately \$565 for a four-hour trip and \$1,129 for an eight-hour trip. There is also potential for increased staff workload related to the facilitation of remote appearances, if significantly increased as a result of this measure.
- Possible workload cost pressures (Trial Court Trust Fund, General Fund) of an unknown amount to the courts to facilitate participation in dependency hearings by incarcerated parents. Existing law permits a court to conduct a juvenile dependency proceeding remotely, so costs may not be significant, but requiring the courts to accommodate more remote appearances may impact existing court calendars.

Background: When a child is removed from their parent's custody, decisions about the child's welfare are made through juvenile dependency proceedings in court. Once a child has been removed from their parent's custody, the court initiates a reunification plan, which includes arrangements for the child's care and steps the parent may take to remedy the situation and re-obtain custody of the child. The court may also order supervised or unsupervised visits between the parent and the child. After a reunification plan is in place, the court typically conducts regular status review hearings at which the

court evaluates the custody of the child and their placement and determines what is needed to support the child. Under existing law, a juvenile dependency court maintains its jurisdiction over a youth who has been removed from the custody of their parent until the youth turns 21 years old, so the court can provide extended support for and oversight over the youth's care. A person aged 18 through 20 who is still under the jurisdiction of a juvenile dependency court is called a "nonminor dependent."

Proposed Law:

- Expands the types of hearings that an incarcerated parent has a right to attend to include permanency planning hearings, regular review hearings, and hearings to determine parentage.
- Requires the court to facilitate an incarcerated parent's participation in a dependency hearing through videoconferencing or teleconferencing.
- Provides that a minor, nonminor dependent, and any person entitled to notice of a specified juvenile dependency hearing is entitled to be present at that hearing.
- Extends the rights that minors have in juvenile dependency proceedings to nonminor dependents subject to the same proceedings, including the right to be represented by counsel and to address the court and participate in the proceedings.

Related Legislation: AB 1195 (Quirk-Silva) would require county jails to facilitate visitation of children with incarcerated parents when reunification services have been ordered by the courts. AB 1195 is pending in this Committee.

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