
THIRD READING

Bill No: AB 890
Author: Lee (D), et al.
Amended: 9/3/25 in Senate
Vote: 21

SENATE HUMAN SERVICES COMMITTEE: 5-0, 7/7/25
AYES: Arreguín, Ochoa Bogh, Becker, Durazo, Limón

SENATE JUDICIARY COMMITTEE: 13-0, 7/15/25
AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Valladares, Wahab, Weber Pierson, Wiener

ASSEMBLY FLOOR: 74-0, 4/21/25 - See last page for vote

SUBJECT: Nonminor dependents: county of residence

SOURCE: Children's Legal Services of San Diego, Children's Advocacy Institute

DIGEST: This bill revises the residency requirements placed upon foster youth who are participating in the extended foster care program by creating a clear set of guidelines for the court to determine when a change of jurisdiction would be in the best interest of the nonminor dependent.

ANALYSIS:

Existing Law:

- 1) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk of abuse and neglect or who have been abused or neglected, as specified. (Welfare and Institutions Code (WIC) § 202)
- 2) Establishes a system of juvenile dependency for children for specified reasons, and designates that a child who meets certain criteria is within the jurisdiction

of the juvenile court and may be adjudged as a dependent child of the court, as specified. (WIC § 300 et seq.)

- 3) Requires the status of every minor or nonminor dependent in foster care to be reviewed by the court at least once every six months, as specified. (WIC § 366)
- 4) Defines “nonminor dependent” as a current or former foster youth who is a current dependent child or ward of the juvenile court, or who is a nonminor under transition jurisdiction of the juvenile court, who is between 18 and 21 years old, in foster care under the responsibility of the county welfare department, county probation department, or Indian Tribe, and participating in a transitional independent living plan, as specified. (WIC § 11400(v))
- 5) Authorizes the juvenile court to resume jurisdiction over a nonminor who has attained 18 years of age, but not yet attained 21 years of age, and for whom the court has dismissed dependency, delinquency, or transition jurisdiction. (WIC § 303(c))
- 6) Requires the juvenile court, in making the findings regarding continuing dependency jurisdiction of a nonminor, to ensure the nonminor has been informed of their options, including the benefits of remaining in foster care and rights to re-enter foster care, and has had an opportunity to confer with their counsel if counsel has been appointed, as specified. (WIC § 391(c))
- 7) Provides that for youth exiting from care, at 18 or 21 years of age, a case worker, other appropriate agency staff, or probation officer and other representatives of the participant, as appropriate, shall provide the youth or nonminor dependent with assistance and support in developing the written 90-day transition exit plan, that is personalized at the direction of the child or nonminor dependent, as provided. When appropriate, this plan must follow the youth’s transitional independent living plan that was developed to prepare the youth for the transition from foster care. (WIC § 16501.1(g)(16))

This bill:

- 1) Requires the court, at the last review hearing before a foster youth turns 18, and at every subsequent review hearing, to inquire whether the nonminor dependent wants to transfer jurisdiction to a new county.
- 2) Allows the nonminor dependent’s residency to be changed to another county if the court finds the nonminor dependent meets either of the following:

- a) The nonminor dependent had a continuous physical presence in the county for one year, is in a planned permanent living arrangement, and has expressed their intent to remain in that county; or,
- b) The nonminor dependent requests the transfer of jurisdiction to a new county and the court finds that the transfer is in the best interest of the nonminor dependent. In making its determination the court shall consider all relevant information, including, but not limited to, all of the following:
 - i) Whether the transfer would enhance the nonminor dependent's access to services.
 - ii) The position of the social worker or tribal social worker and, if applicable, the probation officer.
 - iii) Whether the nonminor dependent would qualify as a resident of the new county, as specified.
 - iv) Whether the nonminor dependent has established significant connections to the new county through employment or independent contracting, through enrollment in an educational or vocational program, through obtaining housing, or through establishing family or other supportive connections in the new county, including relationships that provide emotional or social support to the nonminor dependent, such as relationships with family members, mentors, close friends, or community ties, such as being a member of a religious congregation or nonprofit organization.
 - v) Whether the nonminor dependent is involved in a separate dependency case as a parent in the new county.
- 3) Requires the court to issue the order for transfer within 30 court days of the nonminor dependent's request and provides that the new county shall be deemed to have jurisdiction over the nonminor dependent within 10 calendar days of the issuance of the order.

Comments

According to the author. "Foster youth enrolled in the extended foster care program are actively working on securing their independence as young adults. For many, that independence means moving to a new place for college, a job, or to maintain personal connections. Whatever the reason, it is vital we remove barriers to allow these youth who have experienced the trauma of being removed from their

home due to abuse and neglect, maximum flexibility to live anywhere in the state they desire, and to be provided with the services and supports to which they are entitled. By offering dependency judges discretion to act at the request of and in the best interests of nonminor dependents who have moved counties, and reducing bureaucratic delays, this bill will dramatically improve the ability of judges and counties, and, by extension, all of us, to provide essential services to these youth who are just starting out in life and are relying on us not to make it any harder.”

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 created in recognition that many youth were unable to successfully transition from foster care or group care to adulthood without additional guidance and assistance. The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) enabled states to expand the definition of a foster “child” by creating extended care for youth up to age 21. The federal law allows foster youth to remain in care past age 18 if they meet one of the following participation criteria: enrolled in high school or a high school equivalency credential; enrolled in college, community college, or vocational education; employed for at least 80 hours per month; participating in other qualifying activities or programs designed to remove barriers to employment; or medically exempt from meeting any of the other participation criteria.

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.

The University of Chicago’s Chapin Hall conducted the California Youth Transitions to Adulthood Study (CalYOUTH) in 2018. This study evaluated the impacts of extended foster care on outcomes for transition age foster youth. The following were among the findings of the CalYOUTH study for each additional

year a youth spent in extended foster care: increased the probability that they completed a high school credential by about eight percent; increased their expected probability of enrolling in college by 10 to 11 percent; decreased the odds that they became pregnant or impregnated an individual between the ages of 17 and 21 by 28%; and decreased the odds of being homeless or couch-surfing between the ages of 17 and 21 by about 28 percent.

Youth participation in the extended foster care program has exceeded initial expectations. Between July 2010 and July 2014, the number of youth age 18-20 in extended foster care in California increased by 211 percent, from 2,908 to 9,032, according to data compiled by UC Berkeley. As of January 1, 2025, there were over 6,800 youth ages 18-21 in foster care in California.

Under existing law, if a nonminor dependent moves to another county, they must live in that new county for one year before their case can be transferred to the new county. The nonminor dependent must also intend to remain in that new county. There are status review hearings every six months for nonminor dependents, meaning if a nonminor dependent moved from San Francisco to San Diego, they would have to travel back and forth for a year before the court could transfer their case to the new county. This bill attempts to address this issue by providing clear guidelines as to when the court should transfer the jurisdiction of the case and timelines by which the case is to be transferred after such an order.

Related/Prior Legislation

AB 494 (Davies, 2025) would authorize the residence of a nonminor dependent to be changed to another county where they are living if the nonminor dependent requests the transfer of jurisdiction to the new county and demonstrates an intent to remain in the new county by establishing a significant connection to the new county, as specified. The bill would require a court issuing an order to transfer the case pursuant to this new authority to issue the order within 30 calendar days of the nonminor dependent's request, and deems the new county to have jurisdiction over the nonminor dependent within 10 calendar days of an issuance of an order to transfer. AB 494 did not move and instead the author became a co-author to AB 890.

AB 1712 (Beall, Chapter 846, Statutes of 2012) enacted numerous technical, clarifying, and federal conformity changes to the California Fostering Connections to Success Act of 2010, including allowing the county of residence to assume the supervision of the nonminor dependent after twelve months of continuous residence.

AB 12 (Beall and Bass, Chapter 559, Statutes of 2010) established the California Fostering Connections to Success Act, which extended transitional foster care services to eligible youth between ages 18 and 21 and required California to seek federal financial participation for the Kinship Guardianship Assistance Program (Kin-GAP).

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

According to the Senate Appropriations Committee analysis:

- The California Department of Social Services (CDSS) estimates costs of \$937,000 (\$907,000 General Fund and \$30,000 federal funds) in 2026-27 and \$112,000 (\$82,000 General Fund and \$30,000 federal funds) ongoing thereafter, which reflects increased workload for county workers and a one-time cost of \$825,000 for adding new data fields to the current automation system.
- Unknown, potential ongoing costs to courts for increased workload (Trial Court Trust Fund, General Fund). Although courts are not funded on the basis of workload, increased pressure on staff time and resources may create a need for increased funding for courts from the General Fund to perform existing duties.

SUPPORT: (Verified 09/03/25)

Children's Advocacy Institute at the University of San Diego (co-source)

Children's Legal Services of San Diego (co-source)

Aspiranet

California Youth Connection

Center for Public Interest Law

County Welfare Directors Association

Dependency Legal Services

First Place for Youth

John Burton Advocates for Youth

Justice2jobs Coalition

San Diego Youth Services

OPPOSITION: (Verified 09/03/25)

None received

ASSEMBLY FLOOR: 74-0, 4/21/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Solache, Soria, Stefani, Ta, Tangipa, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Gallagher, Papan, Ramos, Sharp-Collins, Valencia

Prepared by: Heather Hopkins / HUMAN S. / (916) 651-1524
9/6/25 10:30:14

**** END ****