

CONCURRENCE IN SENATE AMENDMENTS

AB 890 (Lee)

As Amended September 3, 2025

Majority vote

SUMMARY

Revises criteria for the court to consider when youth participating in the extended foster care program request to transfer their case to a new county.

Senate Amendments

- 1) Revert the minimum residency requirement for youth from six months back to one year.
- 2) Revise the conditions under which the court can transfer the residence of a non-minor dependent (NMD) to another county to include whether the court finds that the transfer is in the best interest of the NMD. Requires the court, in making its determination, to consider all relevant information including, but not limited to:
 - a) Whether the transfer would enhance the NMD's access to services;
 - b) The position of the social worker, tribal social worker, or probation officer, if applicable;
 - c) Whether the NMD would qualify as a resident under existing statutory definitions;
 - d) Whether the NMD 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, such as being a member of a religious congregation or nonprofit organization; and,
 - e) Whether the NMD is involved in a separate dependency case as a parent in the new county
- 3) Clarify that a court issuing an order to transfer a case is required to issue the order within 30 "court" days rather than "calendar" days.

COMMENTS

Extended Foster Care. AB 12 (Beall), Chapter 559, Statutes of 2010, established the extended foster care program which allows foster youth to stay in foster care after they reach 18 years of age, until their 21st birthday. Extended foster care is a benefit available to eligible youth to assist them to achieve self-sufficiency and includes educational opportunities, employment trainings, and supervised independent living environments. For a foster youth to be eligible for extended foster care, they must continue to be under the responsibility of the county welfare department, county probation department, or Indian tribe, participate in a Transitional Independent Living Plan (TILP), be enrolled in either postsecondary or vocational educational program, or in an activity designed to promote, or remove barriers to employment, or be employed for at least 80 hours a month, unless they are unable due to a medical condition. When an NMD ages out of extended foster care at 21 years of age, state law provides for various exit requirements to ensure

the youth are provided with all the necessary information to thrive in their transition to adulthood.

Participants in extended foster care retain their rights as adults but remain under the jurisdiction of the court, and the care and responsibility of the county. As young adults, NMDs must be included in any placement decisions. Despite challenges that may arise when working with an NMD to meet their individual needs, the county must offer the NMD a safe and suitable placement that is immediately available to the NMD and remains responsible for ensuring that NMDs have access to a safe and suitable placement at all times.

While in extended foster care, NMDs are required to attend review hearings at least every six months in order for the court to assess the status and progress of the youth. At the review hearings, the court reviews various reports, including the TILP which outlines the youth's goals and progress toward independence. At these review hearings, the court also evaluates the NMD's living situation, educational or employment status, and any barriers to achieving self-sufficiency.

If a youth happens to move into a different county while participating in the extended foster care program, they are required to travel back to their county of origin to attend these review hearings, which can create additional barriers to a youth who has moved a long distance.

For any NMD residing out of county, their efforts to access resources could be affected by the county of jurisdiction's lack of knowledge or strong connections with the resources available in the county where the youth resides. Caseworkers from the jurisdictional county could also find it difficult to provide consistent and thorough oversight when the NMD is living far away. This geographical distance can lead to delays in identifying needed services and addressing housing instability.

This bill would provide NMDs who move to a different county with additional avenues to petition the court to transfer their cases in addition to reducing the amount of time needed to establish residency.

Lack of Flexibility. Currently, if an NMD moves out of the county where they first entered into care, they either have to travel back to their county of origin to attend review hearings or they are required to petition the court to have their case transferred to the new county after living there continuously for one year.

According to a 2024 report entitled *Documenting Out-of-County Residences for Young Adults in Foster Care* (School of Social Welfare, University of California, Berkeley) approximately 37.1% of NMDs have experienced at least one out-of-county residence during their time in extended foster care—a rate that has increased in recent years. However, the study notes that the corresponding changes in supervising counties is rare: only 3.7% of all young people in any out-of-county residence had a documented change in their supervising county.

Counties having jurisdiction of the NMD are required to remain the county of payment regardless of the youth's physical residence. Counties are permitted to develop courtesy supervision agreements to provide case management and independent living services by the county of residence pursuant to the NMD's TILP, however, because Supervised Independent Living Placement (SILP) payments that some participants in extended foster care receive are dependent upon the cost of living in the county where their case was initiated, these foster youth

could encounter considerable obstacles securing stable housing, particularly if the new county has a higher cost of living.

The current residency requirement mandates NMDs to reside continuously in a new county for 12 months before transferring jurisdiction. The maximum length of time an NMD can spend in extended foster care is 36 months. This policy causes significant delays in accessing vital services and housing. Attorneys, advocates, and former foster youth identify the following challenges:

- 1) Supervising social workers and attorneys from the county of jurisdiction often lack knowledge of and connections to resources and services in the NMD's county of residence.
- 2) Delays in SILP approvals exacerbate housing instability for NMDs seeking independence.
- 3) Housing programs in many counties prioritize local residents, leaving NMDs from other counties at a disadvantage when seeking stable housing options.
- 4) Youth unable to secure timely services and housing face increased risks of homelessness, employment disruption, educational disruption, and other detrimental outcomes.

Just in Time for Foster Youth, a nonprofit organization in San Diego that has served thousands of NMDs, confirms that many youth contact them after experiencing significant difficulty accessing resources and assistance—including housing—because they do not meet local residency requirements. Advocates also report that youth with local cases are prioritized over out-of-county youth.

The current one-size-fits-all residency requirement does not capture the many reasons why an NMD may choose to reside in a county apart from their supervising county. Like any other young adult, NMDs may find education and employment opportunities available in new locations. However, the residency requirement can make it difficult or even impossible to take advantage of these opportunities and obtain the services they need and are legally entitled to.

This bill would also allow the additional flexibility of having the court proactively inquire at the regularly scheduled review hearings every six months whether the NMD requests the transfer of jurisdiction to a new county, instead of requiring the youth to seek out the petition on their own after living in the new county for a year.

Equity Implications: Nearly one-third of California's foster youth reported being homeless at least once between 17 and 21 years of age. The state has a unique obligation to ensure these youth have access to secure, permanent housing. Through no fault of their own, these children were removed from their home and it is imperative that barriers to their safety, security and independence are removed. This bill's provisions seek to streamline existing requirements that have made it more difficult for foster youth who are gaining independence to move to a different county and receive services, without having to wait an entire year.

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 NMDs 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."

Arguments in Support

The County Welfare Directors Association of California states they are supportive of the additional factors for the court to consider when an NMD asks for their extended foster care jurisdiction to be moved to another county.

Arguments in Opposition

No opposition on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee on August 18, 2025:

- 1) 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.
- 2) 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.

VOTES:

ASM HUMAN SERVICES: 6-0-0

YES: Lee, Castillo, Calderon, Elhawary, Jackson, Celeste Rodriguez

ASSEMBLY FLOOR: 74-0-5

YES: 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

ABS, ABST OR NV: Gallagher, Papan, Ramos, Sharp-Collins, Valencia

UPDATED

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