

**Report to Legislature:** California Child Welfare Continuum of Care Reform. (CCWCCR)  
[http://www.cdss.ca.gov/cdssweb/entres/pdf/CCR\\_LegislativeReport.pdf](http://www.cdss.ca.gov/cdssweb/entres/pdf/CCR_LegislativeReport.pdf)

**AB 403:** [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB403](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB403)

**SB 794:** [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB794](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB794)

**Family Finding:** At any permanency hearing in which the court terminates reunification services, or at any postpermanency hearing for a child not placed for adoption, the court shall find that the agency...has made diligent efforts to locate an appropriate relative...Family Code §7950

### **Selection and Implementation Hearing (366.26):**

- An approved relative who is willing and capable of providing a stable and permanent environment, but not willing to become LG, as of the hearing date, the court shall order a permanent plan of placement with a fit and willing relative, the child shall not be removed from the home if the court finds the removal would be seriously detrimental to the emotional well-being of the child because the child has substantial psychological ties to the relative caretaker. WIC 366.26(c)(4)(B)(i)
- Nonrelative who offers stable and permanent home but doesn't want to be LG, the court must order that child remain in foster care with an identified permanent plan. Court is not to remove if it would be seriously detrimental to the emotional well-being of the child because of ties to the caregiver. WIC 366.26(c)(4)(B)(ii)
- If child living in a group home, a short-term residential treatment center, the court shall order that the child remain in foster care with an permanent plan of...WIC 366.26(c)(4)(B)(iii)
- Placement in a group home, or, on and after January 1, 2017, a short-term residential treatment facility, shall not be the identified permanent plan for any child or nonminor dependent. §16501(i)(2).

### **Achieving Permanence**

- At permanency and postpermanency hearing hearing, Court shall make factual finding identifying any barriers to achieving the permanent plan and identify a permanent plan. § 366.21(g)(5)(A) & 366.3(h)(1).
- At post permanency hearing, if child is under 16, the report must identify the barriers to achieving the permanent plan and the agency's efforts to address them. § 366.3(h)(4).

- Court must order a permanent plan other than Another Planned Permanent Living Arrangement. § 366.21(g)(5)(A); § 366.25.
- At permanency hearing → The court shall make factual finding identifying any barriers to achieving the permanent plan as of the hearing date. When child is under 16 years of age, the court shall order a permanent plan of return home, adoption, tribal customary adoption in the case of an Indian child, Legal Guardianship, or placement with a fit and willing relative. WIC 366.21(g)(5)(A) .
- Court needs to make finding on the extent of compliance with the case plan in making reasonable efforts, or in the case of a child 16 years of age or older with another planned permanent living arrangement, the ongoing and intensive efforts...to return the child to a safe home and to complete whatever steps are necessary to finalize the permanent placement of the child... WIC 366(a)(1)(B); WIC 727.2 for probation youth.
- Court must ask child about desired permanency outcome; Make a judicial determination as to why APPLA remains best permanency option for the child; and State on the record the compelling reason why it is not in the child's best interest to return home, be placed for adoption, LG, TCA, or with a fit and willing relative. WIC 366.3(h); WIC 366.31(e) for nonminor dependents; WIC 727.3 for probation youth.
- Social study prepared for the hearing shall include intensive and ongoing efforts to establish permanence; steps taken to make sure the caregiver is following the reasonable and prudent parent standard; and whether the child has regular ongoing opportunities to engage in appropriate activities, including consulting with the child. WIC 366.3(h)(3)(A)-(B); WIC 366.31(h)(1); WIC 706.5

**Reasonable and Prudent Parent Standard:** Training for caregivers shall include knowledge and skills relating to the reasonable and prudent parent standard. WIC 362.05(a)(2).

- Adds definition of RPP: 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, social activities. WIC 362.05
- Every child adjudged a dependent child of the juvenile court shall be entitled to participate in age appropriate extracurricular, enrichment, and social activities. (a)(1)
- Age or developmentally appropriate means both of the following: Activities or items that are generally accepted as suitable for the specific child or children of the same chronological age or level of maturity or that are determined to be developmentally appropriate for a child, based on the development of cognitive, emotional, physical and behavioral capacities that are typical for an age or age group. (c)(2)(A) & (B)

**Group Homes:** A child of any age who is placed in a community care facility licensed as a group home for children or a short-term residential treatment center, as defined in subdivision (ad) of Section 11400 and paragraph (18) of subdivision (a) of Section 1502 of the Health and Safety Code, shall have a case plan that indicates that placement is for purposes of providing short term, specialized, and intensive treatment for the child, the case plan specifies the need for, nature of, and anticipated duration of this treatment, pursuant to paragraph (2) of subdivision (c) of Section 16501.1, and the case plan includes transitioning the child to a less restrictive environment and the projected timeline by which the child will be transitioned to a less restrictive environment. If the placement is longer than six months, the placement shall be documented consistent with paragraph (3) of subdivision (a) of Section 16501.1 and shall be approved by the deputy director or director of the county child welfare department. WIC 361.2(e)(9)

- If a short-term intensive treatment center placement is selected for a child, the case plan must state the needs of the child that necessitate the placement, the plan for transitioning the child to a less restrictive environment, and the projected timeline by which the child will be transitioned to a less restrictive environment. WIC 16501.1 (d)(2).
- for children in group care, after 1/1/17 a CaFT meeting must be convened to identify the supports and services needed to achieve permanency and allow the child to be placed in the least restrictive family setting. WIC 16501.1(d)(2)(B).

**Child and Family Team:** A group of individuals who are convened by the placing agency and who are engaged through a variety of team-based processes to identify the strengths and needs of the child or youth and his family, and to help achieve positive outcomes for safety, permanency, and well-being. WIC 16501(a)(4).

- The child and family team process shall engage the child or youth, the child's family, and other people important to the family or to the child or youth in meeting the objectives set forth in subparagraph (A). The child and family team shall also include representatives who provide formal supports to the child or youth and family when appropriate, including, but not limited to, the caregiver, the placing agency caseworker, a representative from a foster family agency or short-term residential treatment center with which a child or youth is placed, a county mental health representative, a representative from the regional center when the child is eligible for regional center service, and a representative of the child's or youth's tribe or Indian custodian, as applicable. As appropriate, the child and family team also may include other formal supports, such as substance use disorder treatment professionals and educational professionals, providing services to the child or youth and family. For purposes of this definition, the child and family team also may include extended family and informal support persons, such as friends, coaches, faith-based connections, and tribes as identified by the child or youth and family. If placement into a short-term residential treatment center or a foster family

agency that provides treatment services has occurred or is being considered, the mental health representative is required to be a licensed mental health professional. Any party to the child's case who is represented by an attorney may consult with his or her attorney regarding this process. The child or youth and his or her family may request specific persons to be included on the child and family team. Nothing shall preclude another agency serving the child or youth from convening a team in collaboration with the placing agency. WIC 16501(a)(1)(B).

- Agency shall consider recommendations of child and family team and document rationale for inconsistencies between case plan and CaFT recs. WIC 16501.1(a)(3).
- If out of home placement is used to attain case plan goals, the case plan must consider recommendations of CaFT. WIC 16501.1(c).
- Case plan must be developed considering recs of CaFT. WIC 16501.1(g)

➤ See All County Letter No. 16-84: Requirements and Guidelines for Creating and Providing a Child and Family Team.  
<http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acl/2016/16-84.pdf>

Changes the age requirement for the determination that are services are provided to assist child to make the **transition to successful adulthood** from 16 to 14. 366.3(e)(10).

Court at permanency hearing, must determine whether services have been provided to youth 16 or older to help the youth **transition from foster care to successful adulthood**. WIC 366.21(f)(1)(D).

**Credit check** now required at 14 instead of 16. WIC 10618.6

(a)(1)-if minor, department shall inquire of each of three major credit reporting agencies as to whether the child has any consumer credit history

(b)-if NMD, department shall assist with requesting consumer credit report