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AB-1911 Dual status minors. (2015-2016)

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Assembly Bill No. 1911

CHAPTER 637

An act to repeal and add Section 241.2 of the Welfare and Institutions Code, relating to juveniles.

[Approved by Governor September 26, 2016. Filed with Secretary of State September 26, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1911, Eggman. Dual status minors.

Existing law requires the probation department and the child welfare services department in each county to jointly develop a written protocol, as specified, to ensure appropriate local coordination in the assessment of a minor who is both a dependent child and a ward of the juvenile court. Existing law requires, whenever a minor appears to be both a dependent child and a ward of the juvenile court, the county probation department and the child welfare services department, pursuant to that jointly developed written protocol, to initially determine which status will serve the best interests of the minor and the protection of society.

Existing law authorizes the probation department and the child welfare services department in a county to create a jointly written protocol to allow the 2 departments to jointly assess and produce a recommendation that the child be designated as a dual status child, as specified. Existing law requires the protocol to include a plan to collect data, and requires the Judicial Council to collect and compile the data. Existing law requires the Judicial Council to prepare an evaluation of the results of the implementation of the protocol, as specified, and to report its findings and any resulting recommendations to the Legislature within 2 years of the date those counties first deem a child to be a dual status child.

This bill would instead require the Judicial Council to convene a committee comprised of stakeholders involved in serving the needs of dependents or wards of the juvenile court, as specified. The bill would require the committee, by January 1, 2018, to develop and report to the Legislature its recommendations to facilitate and enhance comprehensive data and outcome tracking for the state's youth involved in both the child welfare system and the juvenile justice system, and would require the recommendations to include specified information, including standardized definitions related to these youth. The bill would also require the State Department of Social Services, on or before January 1, 2019, to implement a function within the applicable case management system that will enable county child welfare agencies and county probation departments to identify youth described above who are within their counties, and to issue instructions to all counties on the manner in which to completely and consistently track the involvement of these youth in both the child welfare system and the juvenile justice system.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 241.2 of the Welfare and Institutions Code is repealed.

SEC. 2. Section 241.2 is added to the Welfare and Institutions Code, to read:

241.2. (a) The Judicial Council shall convene a committee comprised of stakeholders involved in serving the needs of dependents or wards of the juvenile court, including, but not limited to, judges, probation officers, social workers, youth involved in both the child welfare system and the juvenile justice system, child welfare and juvenile justice attorneys, child welfare and juvenile justice advocates, education officials, and representatives from the State Department of Social Services, county child welfare agencies, and county probation departments. By January 1, 2018, the committee shall develop and report to the Legislature, pursuant to Section 9795 of the Government Code, its recommendations to facilitate and enhance comprehensive data and outcome tracking for the state's youth involved in both the child welfare system and the juvenile justice system. The committee's recommendations shall include, but not be limited to, all of the following:

(1) A common identifier for counties to use to reconcile data across child welfare and juvenile justice systems statewide.

(2) Standardized definitions for terms related to the populations of youth involved in both the child welfare system and the juvenile justice system.

(3) Identified and defined outcomes for counties to track youth involved in both the child welfare system and the juvenile justice system, including, but not limited to, outcomes related to recidivism, health, pregnancy, homelessness, employment, and education.

(4) Established baselines and goals for the identified and defined outcomes specified in paragraph (3).

(5) An assessment as to the costs and benefits associated with requiring all counties to implement the committee's recommendations.

(6) An assessment of whether a single technology system, including, but not limited to, the State Department of Social Services' Child Welfare Services/Case Management System (CWS/CMS) or the Child Welfare Services-New System (CWS-NS), is needed to track youth in the child welfare system and the juvenile justice system.

(b) The State Department of Social Services shall, on or before January 1, 2019, implement a function within the applicable case management system that will enable county child welfare agencies and county probation departments to identify youth involved in both the child welfare system and the juvenile justice system who are within their counties and shall issue instructions to all counties on how to completely and consistently track the involvement of these youth in both the child welfare system and the juvenile justice system.