

AMENDED IN SENATE AUGUST 17, 2016
AMENDED IN SENATE AUGUST 1, 2016
AMENDED IN SENATE MAY 11, 2016
AMENDED IN SENATE MAY 3, 2016
AMENDED IN ASSEMBLY JANUARY 14, 2016
AMENDED IN ASSEMBLY JANUARY 4, 2016
AMENDED IN ASSEMBLY MARCH 26, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1067

Introduced by Assembly Member Gipson

February 26, 2015

An act to amend Section 16501.1 of, and to add Section 16001.8 to, the Welfare and Institutions Code, relating to foster children.

LEGISLATIVE COUNSEL'S DIGEST

AB 1067, as amended, Gipson. Foster children: rights.

(1) Existing law provides that it is the policy of the state that all minors and nonminors in foster care have specified rights, including, among others, the right to be free of the administration of medication or chemical substances, unless authorized by a physician.

This bill would require the State Department of Social Services to convene a working group regarding the specified rights of all minors and nonminors in foster care in order to educate them, foster care providers, and others, and would require the working group to be composed of, among others, the County Welfare Directors Association

of California and foster children advocacy groups. The bill would provide the responsibilities of the working group, including making recommendations to the Legislature, by January 1, 2018, for revising the rights, and developing standardized information regarding the revised rights, by July 1, 2018, as specified.

(2) Existing law requires, at least once every 6 months, at the time of a regularly scheduled placement agency contact with the foster child, a foster child’s social worker or probation officer to inform the child of the above-mentioned rights.

This bill would additionally require the social worker or probation officer to inform the care provider and child and family team, if applicable, of those rights, provide a written copy of the rights to the child, and document in the case plan that he or she has informed the child of, and has provided the child with a written copy of, his or her rights. By imposing duties on local officials, the bill would impose a state-mandated local program.

(3) *This bill would incorporate additional changes in Section 16501.1 of the Welfare and Institutions Code proposed by AB 1849 and AB 1997, that would become operative only if this bill and either or both of those bills are chaptered and become effective on or before January 1, 2017, and this bill is chaptered last.*

(3)

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 16001.8 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 16001.8. (a) The State Department of Social Services shall
- 4 convene a working group regarding the rights of all minors and
- 5 nonminors in foster care, as specified in Section 16001.9, in order
- 6 to educate foster youth, foster care providers, and others.
- 7 Responsibilities of the working group shall include all of the
- 8 following:

1 (1) By January 1, 2018, make recommendations to the
2 Legislature for revising the rights based on a review of state law.

3 (2) By July 1, 2018, develop standardized information regarding
4 the revised rights in an age-appropriate manner and reflective of
5 any relevant licensing requirements with respect to the foster care
6 providers' responsibilities to adequately supervise children in care.

7 (3) By July 1, 2018, develop recommendations regarding
8 methods for disseminating the standardized information specified
9 in paragraph (2), including whether to require the signature of a
10 foster child verifying that he or she has received and understands
11 his or her rights.

12 (4) By July 1, 2018, develop recommendations for measuring
13 and improving, if necessary, the degree to which foster youth are
14 adequately informed of their rights.

15 (b) The working group shall be composed of all of the following:

16 (1) The Office of the State Foster Care Ombudsperson.

17 (2) The bureau at the Department of Justice whose mission is
18 to protect the rights of children.

19 (3) The County Welfare Directors Association of California.

20 (4) The Chief Probation Officers of California.

21 (5) The County Behavioral Health Directors Association of
22 California.

23 (6) Current and former foster youth.

24 (7) Foster parents and caregivers.

25 (8) Foster children advocacy groups.

26 (9) Foster care provider associations.

27 (10) Any other interested parties.

28 SEC. 2. Section 16501.1 of the Welfare and Institutions Code
29 is amended to read:

30 16501.1. (a) (1) The Legislature finds and declares that the
31 foundation and central unifying tool in child welfare services is
32 the case plan.

33 (2) The Legislature further finds and declares that a case plan
34 ensures that the child receives protection and safe and proper care
35 and case management, and that services are provided to the child
36 and parents or other caretakers, as appropriate, in order to improve
37 conditions in the parent's home, to facilitate the safe return of the
38 child to a safe home or the permanent placement of the child, and
39 to address the needs of the child while in foster care.

1 (3) The agency shall consider the recommendations of the child
2 and family team, as defined in paragraph (4) of subdivision (a) of
3 Section 16501, if any are available. The agency shall document
4 the rationale for any inconsistencies between the case plan and the
5 child and family team recommendations.

6 (b) (1) A case plan shall be based upon the principles of this
7 section and the input from the child and family team.

8 (2) The case plan shall document that a preplacement assessment
9 of the service needs of the child and family, and preplacement
10 preventive services, have been provided, and that reasonable efforts
11 to prevent out-of-home placement have been made. Preplacement
12 services may include intensive mental health services in the home
13 or a community setting and the reasonable efforts made to prevent
14 out-of-home placement.

15 (3) In determining the reasonable services to be offered or
16 provided, the child's health and safety shall be the paramount
17 concerns.

18 (4) Upon a determination pursuant to paragraph (1) of
19 subdivision (e) of Section 361.5 that reasonable services will be
20 offered to a parent who is incarcerated in a county jail or state
21 prison, detained by the United States Department of Homeland
22 Security, or deported to his or her country of origin, the case plan
23 shall include information, to the extent possible, about a parent's
24 incarceration in a county jail or the state prison, detention by the
25 United States Department of Homeland Security, or deportation
26 during the time that a minor child of that parent is involved in
27 dependency care.

28 (5) Reasonable services shall be offered or provided to make it
29 possible for a child to return to a safe home environment, unless,
30 pursuant to subdivisions (b) and (e) of Section 361.5, the court
31 determines that reunification services shall not be provided.

32 (6) If reasonable services are not ordered, or are terminated,
33 reasonable efforts shall be made to place the child in a timely
34 manner in accordance with the permanent plan and to complete
35 all steps necessary to finalize the permanent placement of the child.

36 (c) If out-of-home placement is used to attain case plan goals,
37 the case plan shall consider the recommendations of the child and
38 family team.

39 (d) (1) The case plan shall include a description of the type of
40 home or institution in which the child is to be placed, and the

1 reasons for that placement decision. The decision regarding choice
2 of placement shall be based upon selection of a safe setting that is
3 the least restrictive family setting that promotes normal childhood
4 experiences and the most appropriate setting that meets the child's
5 individual needs and is available, in proximity to the parent's home,
6 in proximity to the child's school, and consistent with the selection
7 of the environment best suited to meet the child's special needs
8 and best interests. The selection shall consider, in order of priority,
9 placement with relatives, nonrelated extended family members,
10 and tribal members; foster family homes, resource families, and
11 nontreatment certified homes of foster family agencies; followed
12 by treatment and intensive treatment certified homes of foster
13 family agencies; or multidimensional treatment foster care homes
14 or therapeutic foster care homes; group care placements in the
15 order of short-term residential treatment centers, group homes,
16 community treatment facilities, and out-of-state residential
17 treatment pursuant to Part 5 (commencing with Section 7900) of
18 Division 12 of the Family Code.

19 (2) If a short-term intensive treatment center placement is
20 selected for a child, the case plan shall indicate the needs of the
21 child that necessitate this placement, the plan for transitioning the
22 child to a less restrictive environment, and the projected timeline
23 by which the child will be transitioned to a less restrictive
24 environment. This section of the case plan shall be reviewed and
25 updated at least semiannually.

26 (A) The case plan for placements in a group home, or
27 commencing January 1, 2017, in a short-term residential treatment
28 center, shall indicate that the county has taken into consideration
29 Section 16010.8.

30 (B) After January 1, 2017, a child and family team meeting as
31 ~~defined~~ *described* in Section 16501 shall be convened by the county
32 placing agency for the purpose of identifying the supports and
33 services needed to achieve permanency and enable the child or
34 youth to be placed in the least restrictive family setting that
35 promotes normal childhood experiences.

36 (3) On or after January 1, 2012, for a nonminor dependent, as
37 defined in subdivision (v) of Section 11400, who is receiving
38 AFDC-FC benefits and who is up to 21 years of age pursuant to
39 Section 11403, in addition to the above requirements, the selection
40 of the placement, including a supervised independent living

1 placement, as described in subdivision (w) of Section 11400, shall
2 also be based upon the developmental needs of young adults by
3 providing opportunities to have incremental responsibilities that
4 prepare a nonminor dependent to transition to successful adulthood.
5 If admission to, or continuation in, a group home or short-term
6 residential treatment center placement is being considered for a
7 nonminor dependent, the group home or short-term residential
8 treatment center placement approval decision shall include a
9 youth-driven, team-based case planning process, as defined by the
10 department, in consultation with stakeholders. The case plan shall
11 consider the full range of placement options, and shall specify why
12 admission to, or continuation in, a group home placement is the
13 best alternative available at the time to meet the special needs or
14 well-being of the nonminor dependent, and how the placement
15 will contribute to the nonminor dependent's transition to successful
16 adulthood. The case plan shall specify the treatment strategies that
17 will be used to prepare the nonminor dependent for discharge to
18 a less restrictive family setting that promotes normal childhood
19 experiences, including a target date for discharge from the group
20 home placement. The placement shall be reviewed and updated
21 on a regular, periodic basis to ensure that continuation in the group
22 home placement remains in the best interests of the nonminor
23 dependent and that progress is being made in achieving case plan
24 goals leading to successful adulthood. The group home placement
25 planning process shall begin as soon as it becomes clear to the
26 county welfare department or probation office that a foster child
27 in group home placement is likely to remain in group home
28 placement on his or her 18th birthday, in order to expedite the
29 transition to a less restrictive family setting that promotes normal
30 childhood experiences, if he or she becomes a nonminor dependent.
31 The case planning process shall include informing the youth of all
32 of his or her options, including, but not limited to, admission to
33 or continuation in a group home placement. Consideration for
34 continuation of existing group home placement for a nonminor
35 dependent under 19 years of age may include the need to stay in
36 the same placement in order to complete high school. After a
37 nonminor dependent either completes high school or attains his or
38 her 19th birthday, whichever is earlier, continuation in or admission
39 to a group home placement is prohibited unless the nonminor
40 dependent satisfies the conditions of paragraph (5) of subdivision

1 (b) of Section 11403, and group home placement functions as a
2 short-term transition to the appropriate system of care. Treatment
3 services provided by the group home placement to the nonminor
4 dependent to alleviate or ameliorate the medical condition, as
5 described in paragraph (5) of subdivision (b) of Section 11403,
6 shall not constitute the sole basis to disqualify a nonminor
7 dependent from the group home placement.

8 (4) In addition to the requirements of paragraphs (1) to (3),
9 inclusive, and taking into account other statutory considerations
10 regarding placement, the selection of the most appropriate home
11 that will meet the child's special needs and best interests shall also
12 promote educational stability by taking into consideration
13 proximity to the child's school of origin, and school attendance
14 area, the number of school transfers the child has previously
15 experienced, and the child's school matriculation schedule, in
16 addition to other indicators of educational stability that the
17 Legislature hereby encourages the State Department of Social
18 Services and the State Department of Education to develop.

19 (e) A written case plan shall be completed within a maximum
20 of 60 days of the initial removal of the child or of the in-person
21 response required under subdivision (f) of Section 16501 if the
22 child has not been removed from his or her home, or by the date
23 of the dispositional hearing pursuant to Section 358, whichever
24 occurs first. The case plan shall be updated, as the service needs
25 of the child and family dictate. At a minimum, the case plan shall
26 be updated in conjunction with each status review hearing
27 conducted pursuant to Sections 364, 366, 366.3, and 366.31, and
28 the hearing conducted pursuant to Section 366.26, but no less
29 frequently than once every six months. Each updated case plan
30 shall include a description of the services that have been provided
31 to the child under the plan and an evaluation of the appropriateness
32 and effectiveness of those services.

33 (1) It is the intent of the Legislature that extending the maximum
34 time available for preparing a written case plan from 30 to 60 days
35 will afford caseworkers time to actively engage families, and to
36 solicit and integrate into the case plan the input of the child and
37 the child's family, as well as the input of relatives and other
38 interested parties.

39 (2) The extension of the maximum time available for preparing
40 a written case plan from the 30 to 60 days shall be effective 90

1 days after the date that the department gives counties written notice
2 that necessary changes have been made to the Child Welfare
3 Services/Case Management System (CWS/CMS) to account for
4 the 60-day timeframe for preparing a written case plan.

5 (f) The child welfare services case plan shall be comprehensive
6 enough to meet the juvenile court dependency proceedings
7 requirements pursuant to Article 6 (commencing with Section 300)
8 of Chapter 2 of Part 1 of Division 2.

9 (g) The case plan shall be developed considering the
10 recommendations of the child and family team, as follows:

11 (1) The case plan shall be based upon an assessment of the
12 circumstances that required child welfare services intervention.
13 The child shall be involved in developing the case plan as age and
14 developmentally appropriate.

15 (2) The case plan shall identify specific goals and the
16 appropriateness of the planned services in meeting those goals.

17 (3) The case plan shall identify the original allegations of abuse
18 or neglect, as defined in Article 2.5 (commencing with Section
19 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code, or the
20 conditions cited as the basis for declaring the child a dependent of
21 the court pursuant to Section 300, or all of these, and the other
22 precipitating incidents that led to child welfare services
23 intervention.

24 (4) The case plan shall include a description of the schedule of
25 the placement agency contacts with the child and the family or
26 other caretakers. The frequency of these contacts shall be in
27 accordance with regulations adopted by the State Department of
28 Social Services. If the child has been placed in foster care out of
29 state, the county social worker or probation officer, or a social
30 worker or probation officer on the staff of the agency in the state
31 in which the child has been placed, shall visit the child in a foster
32 family home or the home of a relative, consistent with federal law
33 and in accordance with the department's approved state plan. For
34 children in out-of-state group home facilities, visits shall be
35 conducted at least monthly, pursuant to Section 16516.5. At least
36 once every six months, at the time of a regularly scheduled
37 placement agency contact with the foster child, and at each
38 placement change, the child's social worker or probation officer
39 shall inform the child, the care provider, and the child and family
40 team, if applicable, of the child's rights as a foster child, as

1 specified in Section 16001.9, and shall provide a written copy of
2 the rights to the child as part of the explanation. The social worker
3 or probation officer shall provide the information to the child in a
4 manner appropriate to the age or developmental level of the child.
5 The social worker or probation officer shall document in the case
6 plan that he or she has informed the child of, and has provided the
7 child with a written copy of, his or her rights.

8 (5) (A) When out-of-home services are used, the frequency of
9 contact between the natural parents or legal guardians and the child
10 shall be specified in the case plan. The frequency of those contacts
11 shall reflect overall case goals, and consider other principles
12 outlined in this section.

13 (B) Information regarding any court-ordered visitation between
14 the child and the natural parents or legal guardians, and the terms
15 and conditions needed to facilitate the visits while protecting the
16 safety of the child, shall be provided to the child's out-of-home
17 caregiver as soon as possible after the court order is made.

18 (6) When out-of-home placement is made, the case plan shall
19 include provisions for the development and maintenance of sibling
20 relationships as specified in subdivisions (b), (c), and (d) of Section
21 16002. If appropriate, when siblings who are dependents of the
22 juvenile court are not placed together, the social worker for each
23 child, if different, shall communicate with each of the other social
24 workers and ensure that the child's siblings are informed of
25 significant life events that occur within their extended family.
26 Unless it has been determined that it is inappropriate in a particular
27 case to keep siblings informed of significant life events that occur
28 within the extended family, the social worker shall determine the
29 appropriate means and setting for disclosure of this information
30 to the child commensurate with the child's age and emotional
31 well-being. These significant life events shall include, but shall
32 not be limited to, the following:

33 (A) The death of an immediate relative.

34 (B) The birth of a sibling.

35 (C) Significant changes regarding a dependent child, unless the
36 child objects to the sharing of the information with his or her
37 siblings, including changes in placement, major medical or mental
38 health diagnoses, treatments, or hospitalizations, arrests, and
39 changes in the permanent plan.

1 (7) If out-of-home placement is made in a foster family home,
2 group home, or other child care institution that is either a
3 substantial distance from the home of the child’s parent or out of
4 state, the case plan shall specify the reasons why that placement
5 is in the best interest of the child. When an out-of-state group home
6 placement is recommended or made, the case plan shall, in
7 addition, specify compliance with Section 7911.1 of the Family
8 Code.

9 (8) A case plan shall ensure the educational stability of the child
10 while in foster care and shall include both of the following:

11 (A) An assurance that the placement takes into account the
12 appropriateness of the current educational setting and the proximity
13 to the school in which the child is enrolled at the time of placement.

14 (B) An assurance that the placement agency has coordinated
15 with the person holding the right to make educational decisions
16 for the child and appropriate local educational agencies to ensure
17 that the child remains in the school in which the child is enrolled
18 at the time of placement or, if remaining in that school is not in
19 the best interests of the child, assurances by the placement agency
20 and the local educational agency to provide immediate and
21 appropriate enrollment in a new school and to provide all of the
22 child’s educational records to the new school.

23 (9) (A) If out-of-home services are used, or if parental rights
24 have been terminated and the case plan is placement for adoption,
25 the case plan shall include a recommendation regarding the
26 appropriateness of unsupervised visitation between the child and
27 any of the child’s siblings. This recommendation shall include a
28 statement regarding the child’s and the siblings’ willingness to
29 participate in unsupervised visitation. If the case plan includes a
30 recommendation for unsupervised sibling visitation, the plan shall
31 also note that information necessary to accomplish this visitation
32 has been provided to the child or to the child’s siblings.

33 (B) Information regarding the schedule and frequency of the
34 visits between the child and siblings, as well as any court-ordered
35 terms and conditions needed to facilitate the visits while protecting
36 the safety of the child, shall be provided to the child’s out-of-home
37 caregiver as soon as possible after the court order is made.

38 (10) If out-of-home services are used and the goal is
39 reunification, the case plan shall describe the services to be
40 provided to assist in reunification and the services to be provided

1 concurrently to achieve legal permanency if efforts to reunify fail.
2 The plan shall also consider in-state and out-of-state placements,
3 the importance of developing and maintaining sibling relationships
4 pursuant to Section 16002, and the desire and willingness of the
5 caregiver to provide legal permanency for the child if reunification
6 is unsuccessful.

7 (11) If out-of-home services are used, the child has been in care
8 for at least 12 months, and the goal is not adoptive placement, the
9 case plan shall include documentation of the compelling reason
10 or reasons why termination of parental rights is not in the child's
11 best interest. A determination completed or updated within the
12 past 12 months by the department when it is acting as an adoption
13 agency or by a licensed adoption agency that it is unlikely that the
14 child will be adopted, or that one of the conditions described in
15 paragraph (1) of subdivision (c) of Section 366.26 applies, shall
16 be deemed a compelling reason.

17 (12) (A) Parents and legal guardians shall have an opportunity
18 to review the case plan, and to sign it whenever possible, and then
19 shall receive a copy of the plan. In a voluntary service or placement
20 agreement, the parents or legal guardians shall be required to
21 review and sign the case plan. Whenever possible, parents and
22 legal guardians shall participate in the development of the case
23 plan. Commencing January 1, 2012, for nonminor dependents, as
24 defined in subdivision (v) of Section 11400, who are receiving
25 AFDC-FC or CalWORKs assistance and who are up to 21 years
26 of age pursuant to Section 11403, the transitional independent
27 living case plan, as set forth in subdivision (y) of Section 11400,
28 shall be developed with, and signed by, the nonminor.

29 (B) Parents and legal guardians shall be advised that, pursuant
30 to Section 1228.1 of the Evidence Code, neither their signature on
31 the child welfare services case plan nor their acceptance of any
32 services prescribed in the child welfare services case plan shall
33 constitute an admission of guilt or be used as evidence against the
34 parent or legal guardian in a court of law. However, they shall also
35 be advised that the parent's or guardian's failure to cooperate,
36 except for good cause, in the provision of services specified in the
37 child welfare services case plan may be used in any hearing held
38 pursuant to Section 366.21, 366.22, or 366.25 of this code as
39 evidence.

1 (13) A child shall be given a meaningful opportunity to
2 participate in the development of the case plan and state his or her
3 preference for foster care placement. A child who is 12 years of
4 age or older and in a permanent placement shall also be given the
5 opportunity to review the case plan, sign the case plan, and receive
6 a copy of the case plan.

7 (14) The case plan shall be included in the court report and shall
8 be considered by the court at the initial hearing and each review
9 hearing. Modifications to the case plan made during the period
10 between review hearings need not be approved by the court if the
11 casework supervisor for that case determines that the modifications
12 further the goals of the plan. If out-of-home services are used with
13 the goal of family reunification, the case plan shall consider and
14 describe the application of subdivision (b) of Section 11203.

15 (15) (A) If the case plan has as its goal for the child a permanent
16 plan of adoption or legal guardianship, it shall include a statement
17 of the child's wishes regarding their permanent placement plan
18 and an assessment of those stated wishes. The agency shall also
19 include documentation of the steps the agency is taking to find an
20 adoptive family or other permanent living arrangements for the
21 child; to place the child with an adoptive family, an appropriate
22 and willing relative, or a legal guardian, and to finalize the adoption
23 or legal guardianship. At a minimum, the documentation shall
24 include child-specific recruitment efforts, such as the use of state,
25 regional, and national adoption exchanges, including electronic
26 exchange systems, when the child has been freed for adoption.
27 Regardless of whether the child has been freed for adoption,
28 documentation shall include a description of any barriers to
29 achieving legal permanence and the steps the agency will take to
30 address those barriers. If the plan is for kinship guardianship, the
31 case plan shall document how the child meets the kinship
32 guardianship eligibility requirements.

33 (B) When the child is 16 years of age or older and is in another
34 planned permanent living arrangement, the case plan shall identify
35 the intensive and ongoing efforts to return the child to the home
36 of the parent, place the child for adoption, place the child for tribal
37 customary adoption in the case of an Indian child, establish a legal
38 guardianship, or place the child nonminor dependent with a fit and
39 willing relative, as appropriate. Efforts shall include the use of

1 technology, including social media, to find biological family
2 members of the child.

3 (16) (A) (i) For a child who is 14 or 15 years of age, the case
4 plan shall include a written description of the programs and services
5 that will help the child, consistent with the child's best interests,
6 to prepare for the transition from foster care to successful
7 adulthood. The description may be included in the document
8 described in subparagraph (A) of paragraph (18).

9 (ii) When appropriate, for a child who is 16 years of age or older
10 and, commencing January 1, 2012, for a nonminor dependent, the
11 case plan shall include the transitional independent living plan
12 (TILP), a written description of the programs and services that
13 will help the child, consistent with the child's best interests, to
14 prepare for the transition from foster care to successful adulthood,
15 and, in addition, whether the youth has an in-progress application
16 pending for Title XVI Supplemental Security Income benefits or
17 for Special Immigrant Juvenile Status or other applicable
18 application for legal residency and an active dependency case is
19 required for that application. When appropriate, for a nonminor
20 dependent, the transitional independent living case plan, as
21 described in subdivision (v) of Section 11400, shall include the
22 TILP, a written description of the programs and services that will
23 help the nonminor dependent, consistent with his or her best
24 interests, to prepare for transition from foster care and assist the
25 youth in meeting the eligibility criteria set forth in paragraphs (1)
26 to (5), inclusive, of subdivision (b) of Section 11403. If applicable,
27 the case plan shall describe the individualized supervision provided
28 in the supervised independent living placement as defined in
29 subdivision (w) of Section 11400. The case plan shall be developed
30 with the child or nonminor dependent and individuals identified
31 as important to the child or nonminor dependent, and shall include
32 steps the agency is taking to ensure that the child or nonminor
33 dependent achieves permanence, including maintaining or
34 obtaining permanent connections to caring and committed adults.

35 (B) During the 90-day period prior to the participant attaining
36 18 years of age or older as the state may elect under Section
37 475(8)(B)(iii) of the federal Social Security Act (42 U.S.C. Sec.
38 675(8)(B)(iii)), whether during that period foster care maintenance
39 payments are being made on the child's behalf or the child is
40 receiving benefits or services under Section 477 of the federal

1 Social Security Act (42 U.S.C. Sec. 677), a caseworker or other
2 appropriate agency staff or probation officer and other
3 representatives of the participant, as appropriate, shall provide the
4 youth or nonminor dependent with assistance and support in
5 developing the written 90-day transition plan, that is personalized
6 at the direction of the child, information as detailed as the
7 participant elects that shall include, but not be limited to, options
8 regarding housing, health insurance, education, local opportunities
9 for mentors and continuing support services, and workforce
10 supports and employment services, a power of attorney for health
11 care, and information regarding the advance health care directive
12 form.

13 (C) For youth 14 years of age or older, the case plan shall
14 include documentation that a consumer credit report was requested
15 annually from each of the three major credit reporting agencies at
16 no charge to the youth and that any results were provided to the
17 youth. For nonminor dependents, the case plan shall include
18 documentation that the county assisted the nonminor dependent
19 in obtaining his or her reports. The case plan shall include
20 documentation of barriers, if any, to obtaining the credit reports.
21 If the consumer credit report reveals any accounts, the case plan
22 shall detail how the county ensured the youth received assistance
23 with interpreting the credit report and resolving any inaccuracies,
24 including any referrals made for the assistance.

25 (17) For youth 14 years of age or older and nonminor
26 dependents, the case plan shall be developed in consultation with
27 the youth. At the youth's option, the consultation may include up
28 to two members of the case planning team who are chosen by the
29 youth and who are not foster parents of, or caseworkers for, the
30 youth. The agency, at any time, may reject an individual selected
31 by the youth to be a member of the case planning team if the
32 agency has good cause to believe that the individual would not act
33 in the youth's best interest. One individual selected by the youth
34 to be a member of the case planning team may be designated to
35 be the youth's adviser and advocate with respect to the application
36 of the reasonable and prudent parent standard to the youth, as
37 necessary.

38 (18) For youth in foster care 14 years of age and older and
39 nonminor dependents, the case plan shall include both of the
40 following:

1 (A) A document that describes the youth’s rights with respect
2 to education, health, visitation, and court participation, the right
3 to be annually provided with copies of his or her credit reports at
4 no cost while in foster care pursuant to Section 10618.6, and the
5 right to stay safe and avoid exploitation.

6 (B) A signed acknowledgment by the youth that he or she has
7 been provided a copy of the document and that the rights described
8 in the document have been explained to the youth in an
9 age-appropriate manner.

10 (19) The case plan for a child or nonminor dependent who is,
11 or who is at risk of becoming, the victim of commercial sexual
12 exploitation, shall document the services provided to address that
13 issue.

14 (h) If the court finds, after considering the case plan, that
15 unsupervised sibling visitation is appropriate and has been
16 consented to, the court shall order that the child or the child’s
17 siblings, the child’s current caregiver, and the child’s prospective
18 adoptive parents, if applicable, be provided with information
19 necessary to accomplish this visitation. This section does not
20 require or prohibit the social worker’s facilitation, transportation,
21 or supervision of visits between the child and his or her siblings.

22 (i) The case plan documentation on sibling placements required
23 under this section shall not require modification of existing case
24 plan forms until the Child Welfare ~~Service/Case Services/Case~~
25 Management System (CWS/CMS) is implemented on a statewide
26 basis.

27 (j) When a child is 10 years of age or older and has been in
28 out-of-home placement for six months or longer, the case plan
29 shall include an identification of individuals, other than the child’s
30 siblings, who are important to the child and actions necessary to
31 maintain the child’s relationship with those individuals, provided
32 that those relationships are in the best interest of the child. The
33 social worker or probation officer shall ask every child who is 10
34 years of age or older and who has been in out-of-home placement
35 for six months or longer to identify individuals other than the
36 child’s siblings who are important to the child, and may ask any
37 other child to provide that information, or may seek that
38 information from the child and family team, as appropriate. The
39 social worker or probation officer shall make efforts to identify

1 other individuals who are important to the child, consistent with
2 the child’s best interests.

3 (k) The child’s caregiver shall be provided a copy of a plan
4 outlining the child’s needs and services. The nonminor dependent’s
5 caregiver shall be provided with a copy of the nonminor’s TILP.

6 (l) Each county shall ensure that the total number of visits made
7 by caseworkers on a monthly basis to children in foster care during
8 a federal fiscal year is not less than 95 percent of the total number
9 of those visits that would occur if each child were visited once
10 every month while in care and that the majority of the visits occur
11 in the residence of the child. The county child welfare and
12 probation departments shall comply with data reporting
13 requirements that the department deems necessary to comply with
14 the federal Child and Family Services Improvement Act of 2006
15 (Public Law 109-288) and the federal Child and Family Services
16 Improvement and Innovation Act of 2011 (Public Law 112-34).

17 (m) The implementation and operation of the amendments to
18 subdivision (i) enacted at the 2005–06 Regular Session shall be
19 subject to appropriation through the budget process and by phase,
20 as provided in Section 366.35.

21 *SEC. 2.1. Section 16501.1 of the Welfare and Institutions Code*
22 *is amended to read:*

23 16501.1. (a) (1) The Legislature finds and declares that the
24 foundation and central unifying tool in child welfare services is
25 the case plan.

26 (2) The Legislature further finds and declares that a case plan
27 ensures that the child receives protection and safe and proper care
28 and case management, and that services are provided to the child
29 and parents or other caretakers, as appropriate, in order to improve
30 conditions in the parent’s home, to facilitate the safe return of the
31 child to a safe home or the permanent placement of the child, and
32 to address the needs of the child while in foster care.

33 (3) The agency shall consider the recommendations of the child
34 and family team, as defined in ~~paragraph (4) of subdivision (a) of~~
35 Section 16501, if any are available. The agency shall document
36 the rationale for any inconsistencies between the case plan and the
37 child and family team recommendations.

38 (b) (1) A case plan shall be based upon the principles of this
39 section and the input from the child and family team.

1 (2) The case plan shall document that a preplacement assessment
2 of the service needs of the child and family, and preplacement
3 preventive services, have been provided, and that reasonable efforts
4 to prevent out-of-home placement have been made. Preplacement
5 services may include intensive mental health services in the home
6 or a community setting and the reasonable efforts made to prevent
7 out-of-home placement.

8 (3) In determining the reasonable services to be offered or
9 provided, the child's health and safety shall be the paramount
10 concerns.

11 (4) Upon a determination pursuant to paragraph (1) of
12 subdivision (e) of Section 361.5 that reasonable services will be
13 offered to a parent who is incarcerated in a county jail or state
14 prison, detained by the United States Department of Homeland
15 Security, or deported to his or her country of origin, the case plan
16 shall include information, to the extent possible, about a parent's
17 incarceration in a county jail or the state prison, detention by the
18 United States Department of Homeland Security, or deportation
19 during the time that a minor child of that parent is involved in
20 dependency care.

21 (5) Reasonable services shall be offered or provided to make it
22 possible for a child to return to a safe home environment, unless,
23 pursuant to subdivisions (b) and (e) of Section 361.5, the court
24 determines that reunification services shall not be provided.

25 (6) If reasonable services are not ordered, or are terminated,
26 reasonable efforts shall be made to place the child in a timely
27 manner in accordance with the permanent plan and to complete
28 all steps necessary to finalize the permanent placement of the child.

29 (c) If out-of-home placement is used to attain case plan goals,
30 the case plan shall consider the recommendations of the child and
31 family team.

32 (d) (1) The case plan shall include a description of the type of
33 home or institution in which the child is to be placed, and the
34 reasons for that placement decision. The decision regarding choice
35 of placement shall be based upon selection of a safe setting that is
36 the least restrictive family setting that promotes normal childhood
37 experiences and the most appropriate setting that meets the child's
38 individual needs and is available, in proximity to the parent's home,
39 in proximity to the child's school, and consistent with the selection
40 of the environment best suited to meet the child's special needs

1 and best interests. The selection shall consider, in order of priority,
2 placement with relatives, nonrelated extended family members,
3 and tribal members; foster family homes, resource families, and
4 nontreatment certified homes of foster family agencies; followed
5 by treatment and intensive treatment certified homes of foster
6 family agencies; or multidimensional treatment foster care homes
7 or therapeutic foster care homes; group care placements in the
8 order of short-term residential treatment centers, group homes,
9 community treatment facilities, and out-of-state residential
10 treatment pursuant to Part 5 (commencing with Section 7900) of
11 Division 12 of the Family Code.

12 (2) If a short-term intensive treatment center placement is
13 selected for a child, the case plan shall indicate the needs of the
14 child that necessitate this placement, the plan for transitioning the
15 child to a less restrictive environment, and the projected timeline
16 by which the child will be transitioned to a less restrictive
17 environment. This section of the case plan shall be reviewed and
18 updated at least semiannually.

19 (A) The case plan for placements in a group home, or
20 commencing January 1, 2017, in a short-term residential treatment
21 center, shall indicate that the county has taken into consideration
22 Section 16010.8.

23 (B) After January 1, 2017, a child and family team meeting as
24 ~~defined~~ *described* in Section 16501 shall be convened by the county
25 placing agency for the purpose of identifying the supports and
26 services needed to achieve permanency and enable the child or
27 youth to be placed in the least restrictive family setting that
28 promotes normal childhood experiences.

29 (3) On or after January 1, 2012, for a nonminor dependent, as
30 defined in subdivision (v) of Section 11400, who is receiving
31 AFDC-FC benefits *and who is* up to 21 years of age pursuant to
32 Section 11403, in addition to the above requirements, the selection
33 of the placement, including a supervised independent living
34 placement, as described in subdivision (w) of Section 11400, shall
35 also be based upon the developmental needs of young adults by
36 providing opportunities to have incremental responsibilities that
37 prepare a nonminor dependent to transition to successful adulthood.
38 If admission to, or continuation in, a group home or short-term
39 residential treatment center placement is being considered for a
40 nonminor dependent, the group home or short-term residential

1 treatment center placement approval decision shall include a
2 youth-driven, team-based case planning process, as defined by the
3 department, in consultation with stakeholders. The case plan shall
4 consider the full range of placement options, and shall specify why
5 admission to, or continuation in, a group home placement is the
6 best alternative available at the time to meet the special needs or
7 well-being of the nonminor dependent, and how the placement
8 will contribute to the nonminor dependent's transition to successful
9 adulthood. The case plan shall specify the treatment strategies that
10 will be used to prepare the nonminor dependent for discharge to
11 a less restrictive family setting that promotes normal childhood
12 experiences, including a target date for discharge from the group
13 home placement. The placement shall be reviewed and updated
14 on a regular, periodic basis to ensure that continuation in the group
15 home placement remains in the best interests of the nonminor
16 dependent and that progress is being made in achieving case plan
17 goals leading to successful adulthood. The group home placement
18 planning process shall begin as soon as it becomes clear to the
19 county welfare department or probation office that a foster child
20 in group home placement is likely to remain in group home
21 placement on his or her 18th birthday, in order to expedite the
22 transition to a less restrictive family setting that promotes normal
23 childhood experiences, if he or she becomes a nonminor dependent.
24 The case planning process shall include informing the youth of all
25 of his or her options, including, but not limited to, admission to
26 or continuation in a group home placement. Consideration for
27 continuation of existing group home placement for a nonminor
28 dependent under 19 years of age may include the need to stay in
29 the same placement in order to complete high school. After a
30 nonminor dependent either completes high school or attains his or
31 her 19th birthday, whichever is earlier, continuation in or admission
32 to a group home placement is prohibited unless the nonminor
33 dependent satisfies the conditions of paragraph (5) of subdivision
34 (b) of Section 11403, and group home placement functions as a
35 short-term transition to the appropriate system of care. Treatment
36 services provided by the group home placement to the nonminor
37 dependent to alleviate or ameliorate the medical condition, as
38 described in paragraph (5) of subdivision (b) of Section 11403,
39 shall not constitute the sole basis to disqualify a nonminor
40 dependent from the group home placement.

1 (4) In addition to the requirements of paragraphs (1) to (3),
2 inclusive, and taking into account other statutory considerations
3 regarding placement, the selection of the most appropriate home
4 that will meet the child’s special needs and best interests shall also
5 promote educational stability by taking into consideration
6 proximity to the child’s school of origin, and school attendance
7 area, the number of school transfers the child has previously
8 experienced, and the child’s school matriculation schedule, in
9 addition to other indicators of educational stability that the
10 Legislature hereby encourages the State Department of Social
11 Services and the State Department of Education to develop.

12 (e) A written case plan shall be completed within a maximum
13 of 60 days of the initial removal of the child or of the in-person
14 response required under subdivision (f) of Section 16501 if the
15 child has not been removed from his or her home, or by the date
16 of the dispositional hearing pursuant to Section 358, whichever
17 occurs first. The case plan shall be updated, as the service needs
18 of the child and family dictate. At a minimum, the case plan shall
19 be updated in conjunction with each status review hearing
20 conducted pursuant to Sections 364, 366, 366.3, and 366.31, and
21 the hearing conducted pursuant to Section 366.26, but no less
22 frequently than once every six months. Each updated case plan
23 shall include a description of the services that have been provided
24 to the child under the plan and an evaluation of the appropriateness
25 and effectiveness of those services.

26 (1) It is the intent of the Legislature that extending the maximum
27 time available for preparing a written case plan from 30 to 60 days
28 will afford caseworkers time to actively engage families, and to
29 solicit and integrate into the case plan the input of the child and
30 the child’s family, as well as the input of relatives and other
31 interested parties.

32 (2) The extension of the maximum time available for preparing
33 a written case plan from ~~the~~ 30 to 60 days shall be effective 90
34 days after the date that the department gives counties written notice
35 that necessary changes have been made to the Child Welfare
36 Services/Case Management System (CWS/CMS) to account for
37 the 60-day timeframe for preparing a written case plan.

38 (f) The child welfare services case plan shall be comprehensive
39 enough to meet the juvenile court dependency proceedings

1 requirements pursuant to Article 6 (commencing with Section 300)
2 of Chapter 2 of Part 1 of Division 2.

3 (g) The case plan shall be developed considering the
4 recommendations of the child and family team, as follows:

5 (1) The case plan shall be based upon an assessment of the
6 circumstances that required child welfare services intervention.
7 The child shall be involved in developing the case plan as age and
8 developmentally appropriate.

9 (2) The case plan shall identify specific goals and the
10 appropriateness of the planned services in meeting those goals.

11 (3) The case plan shall identify the original allegations of abuse
12 or neglect, as defined in Article 2.5 (commencing with Section
13 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code, or the
14 conditions cited as the basis for declaring the child a dependent of
15 the court pursuant to Section 300, or all of these, and the other
16 precipitating incidents that led to child welfare services
17 intervention.

18 (4) The case plan shall include a description of the schedule of
19 the placement agency contacts with the child and the family or
20 other caretakers. The frequency of these contacts shall be in
21 accordance with regulations adopted by the State Department of
22 Social Services. If the child has been placed in foster care out of
23 state, the county social worker or probation officer, or a social
24 worker or probation officer on the staff of the agency in the state
25 in which the child has been placed, shall visit the child in a foster
26 family home or the home of a relative, consistent with federal law
27 and in accordance with the department's approved state plan. For
28 children in out-of-state group home facilities, visits shall be
29 conducted at least monthly, pursuant to Section 16516.5. At least
30 once every six months, at the time of a regularly scheduled
31 placement agency contact with the foster child, *and at each*
32 *placement change*, the child's social worker or probation officer
33 shall inform ~~the child of his or her~~ *child, the care provider, and*
34 *the child and family team, if applicable, of the child's rights as a*
35 *foster child, as specified in Section ~~16001.9. 16001.9,~~ and shall*
36 *provide a written copy of the rights to the child as part of the*
37 *explanation.* The social worker or probation officer shall provide
38 the information to the child in a manner appropriate to the age or
39 developmental level of the child. *The social worker or probation*
40 *officer shall document in the case plan that he or she has informed*

1 *the child of, and has provided the child with a written copy of, his*
2 *or her rights.*

3 (5) (A) When out-of-home services are used, the frequency of
4 contact between the natural parents or legal guardians and the child
5 shall be specified in the case plan. The frequency of those contacts
6 shall reflect overall case goals, and consider other principles
7 outlined in this section.

8 (B) Information regarding any court-ordered visitation between
9 the child and the natural parents or legal guardians, and the terms
10 and conditions needed to facilitate the visits while protecting the
11 safety of the child, shall be provided to the child's out-of-home
12 caregiver as soon as possible after the court order is made.

13 (6) When out-of-home placement is made, the case plan shall
14 include provisions for the development and maintenance of sibling
15 relationships as specified in subdivisions (b), (c), and (d) of Section
16 16002. If appropriate, when siblings who are dependents of the
17 juvenile court are not placed together, the social worker for each
18 child, if different, shall communicate with each of the other social
19 workers and ensure that the child's siblings are informed of
20 significant life events that occur within their extended family.
21 Unless it has been determined that it is inappropriate in a particular
22 case to keep siblings informed of significant life events that occur
23 within the extended family, the social worker shall determine the
24 appropriate means and setting for disclosure of this information
25 to the child commensurate with the child's age and emotional
26 well-being. These significant life events shall include, but shall
27 not be limited to, the following:

28 (A) The death of an immediate relative.

29 (B) The birth of a sibling.

30 (C) Significant changes regarding a dependent child, unless the
31 child objects to the sharing of the information with his or her
32 siblings, including changes in placement, major medical or mental
33 health diagnoses, treatments, or hospitalizations, arrests, and
34 changes in the permanent plan.

35 (7) If out-of-home placement is made in a foster family home,
36 group home, or other child care institution that is either a
37 substantial distance from the home of the child's parent or out of
38 state, the case plan shall specify the reasons why that placement
39 is in the best interest of the child. When an out-of-state group home
40 placement is recommended or made, the case plan shall, in

1 addition, specify compliance with Section 7911.1 of the Family
2 Code.

3 (8) A case plan shall ensure the educational stability of the child
4 while in foster care and shall include both of the following:

5 (A) An assurance that the placement takes into account the
6 appropriateness of the current educational setting and the proximity
7 to the school in which the child is enrolled at the time of placement.

8 (B) An assurance that the placement agency has coordinated
9 with the person holding the right to make educational decisions
10 for the child and appropriate local educational agencies to ensure
11 that the child remains in the school in which the child is enrolled
12 at the time of placement or, if remaining in that school is not in
13 the best interests of the child, assurances by the placement agency
14 and the local educational agency to provide immediate and
15 appropriate enrollment in a new school and to provide all of the
16 child's educational records to the new school.

17 (9) (A) If out-of-home services are used, or if parental rights
18 have been terminated and the case plan is placement for adoption,
19 the case plan shall include a recommendation regarding the
20 appropriateness of unsupervised visitation between the child and
21 any of the child's siblings. This recommendation shall include a
22 statement regarding the child's and the siblings' willingness to
23 participate in unsupervised visitation. If the case plan includes a
24 recommendation for unsupervised sibling visitation, the plan shall
25 also note that information necessary to accomplish this visitation
26 has been provided to the child or to the child's siblings.

27 (B) Information regarding the schedule and frequency of the
28 visits between the child and siblings, as well as any court-ordered
29 terms and conditions needed to facilitate the visits while protecting
30 the safety of the child, shall be provided to the child's out-of-home
31 caregiver as soon as possible after the court order is made.

32 (10) If out-of-home services are used and the goal is
33 reunification, the case plan shall describe the services to be
34 provided to assist in reunification and the services to be provided
35 concurrently to achieve legal permanency if efforts to reunify fail.
36 The plan shall also consider in-state and out-of-state placements,
37 the importance of developing and maintaining sibling relationships
38 pursuant to Section 16002, and the desire and willingness of the
39 caregiver to provide legal permanency for the child if reunification
40 is unsuccessful.

1 (11) If out-of-home services are used, the child has been in care
 2 for at least 12 months, and the goal is not adoptive placement, the
 3 case plan shall include documentation of the compelling reason
 4 or reasons why termination of parental rights is not in the child's
 5 best interest. A determination completed or updated within the
 6 past 12 months by the department when it is acting as an adoption
 7 agency or by a licensed adoption agency that it is unlikely that the
 8 child will be adopted, or that one of the conditions described in
 9 paragraph (1) of subdivision (c) of Section 366.26 applies, shall
 10 be deemed a compelling reason.

11 (12) (A) Parents and legal guardians shall have an opportunity
 12 to review the case plan, and to sign it whenever possible, and then
 13 shall receive a copy of the plan. In a voluntary service or placement
 14 agreement, the parents or legal guardians shall be required to
 15 review and sign the case plan. Whenever possible, parents and
 16 legal guardians shall participate in the development of the case
 17 plan. Commencing January 1, 2012, for nonminor dependents, as
 18 defined in subdivision (v) of Section 11400, who are receiving
 19 AFDC-FC or CalWORKs assistance *and who are* up to 21 years
 20 of age pursuant to Section 11403, the transitional independent
 21 living case plan, as set forth in subdivision (y) of Section 11400,
 22 shall be developed with, and signed by, the nonminor.

23 (B) Parents and legal guardians shall be advised that, pursuant
 24 to Section 1228.1 of the Evidence Code, neither their signature on
 25 the child welfare services case plan nor their acceptance of any
 26 services prescribed in the child welfare services case plan shall
 27 constitute an admission of guilt or be used as evidence against the
 28 parent or legal guardian in a court of law. However, they shall also
 29 be advised that the parent's or guardian's failure to cooperate,
 30 except for good cause, in the provision of services specified in the
 31 child welfare services case plan may be used in any hearing held
 32 pursuant to Section 366.21, 366.22, or 366.25 of this code as
 33 evidence.

34 (13) A child shall be given a meaningful opportunity to
 35 participate in the development of the case plan and state his or her
 36 preference for foster care placement. A child who is 12 years of
 37 age or older and in a permanent placement shall also be given the
 38 opportunity to review the case plan, sign the case plan, and receive
 39 a copy of the case plan.

1 (14) The case plan shall be included in the court report and shall
2 be considered by the court at the initial hearing and each review
3 hearing. Modifications to the case plan made during the period
4 between review hearings need not be approved by the court if the
5 casework supervisor for that case determines that the modifications
6 further the goals of the plan. If out-of-home services are used with
7 the goal of family reunification, the case plan shall consider and
8 describe the application of subdivision (b) of Section 11203.

9 (15) (A) If the case plan has as its goal for the child a permanent
10 plan of adoption or legal guardianship, it shall include a statement
11 of the child's wishes regarding their permanent placement plan
12 and an assessment of those stated wishes. The agency shall also
13 include documentation of the steps the agency is taking to find an
14 adoptive family or other permanent living arrangements for the
15 child; to place the child with an adoptive family, an appropriate
16 and willing relative, or a legal guardian, and to finalize the adoption
17 or legal guardianship. At a minimum, the documentation shall
18 include child-specific recruitment efforts, such as the use of state,
19 regional, and national adoption exchanges, including electronic
20 exchange systems, when the child has been freed for adoption.
21 Regardless of whether the child has been freed for adoption,
22 documentation shall include a description of any barriers to
23 achieving legal permanence and the steps the agency will take to
24 address those barriers. If the plan is for kinship guardianship, the
25 case plan shall document how the child meets the kinship
26 guardianship eligibility requirements.

27 (B) When the child is 16 years of age or older and is in another
28 planned permanent living arrangement, the case plan shall identify
29 the intensive and ongoing efforts to return the child to the home
30 of the parent, place the child for adoption, place the child for tribal
31 customary adoption in the case of an Indian child, establish a legal
32 guardianship, or place the child nonminor dependent with a fit and
33 willing relative, as appropriate. Efforts shall include the use of
34 technology, including social media, to find biological family
35 members of the child.

36 (16) (A) (i) For a child who is 14 or 15 years of age, the case
37 plan shall include a written description of the programs and services
38 that will help the child, consistent with the child's best interests,
39 to prepare for the transition from foster care to successful

1 adulthood. The description may be included in the document
2 described in subparagraph (A) of paragraph (18).
3 (ii) When appropriate, for a child who is 16 years of age or older
4 and, commencing January 1, 2012, for a nonminor dependent, the
5 case plan shall include the transitional independent living plan
6 (TILP), a written description of the programs and services that
7 will help the child, consistent with the child’s best interests, to
8 prepare for the transition from foster care to successful adulthood,
9 and, in addition, whether the youth has an in-progress application
10 pending for Title XVI Supplemental Security Income benefits or
11 for Special Immigrant Juvenile Status or other applicable
12 application for legal residency and an active dependency case is
13 required for that application. When appropriate, for a nonminor
14 dependent, the transitional independent living case plan, as
15 described in subdivision (v) of Section 11400, shall include the
16 TILP, a written description of the programs and services that will
17 help the nonminor dependent, consistent with his or her best
18 interests, to prepare for transition from foster care and assist the
19 youth in meeting the eligibility criteria set forth in paragraphs (1)
20 to (5), inclusive, of subdivision (b) of Section 11403. If applicable,
21 the case plan shall describe the individualized supervision provided
22 in the supervised independent living placement as defined in
23 subdivision (w) of Section 11400. The case plan shall be developed
24 with the child or nonminor dependent and individuals identified
25 as important to the child or nonminor dependent, and shall include
26 steps the agency is taking to ensure that the child or nonminor
27 dependent achieves permanence, including maintaining or
28 obtaining permanent connections to caring and committed adults.
29 (B) During the 90-day period prior to the participant attaining
30 18 years of age or older as the state may elect under Section
31 475(8)(B)(iii) of the federal Social Security Act (42 U.S.C. Sec.
32 675(8)(B)(iii)), whether during that period foster care maintenance
33 payments are being made on the child’s behalf or the child is
34 receiving benefits or services under Section 477 of the federal
35 Social Security Act (42 U.S.C. Sec. 677), a caseworker or other
36 appropriate agency staff or probation officer and other
37 representatives of the participant, as appropriate, shall provide the
38 youth or nonminor dependent with assistance and support in
39 developing the written 90-day transition plan, that is personalized
40 at the direction of the child, information as detailed as the

1 participant elects that shall include, but not be limited to, options
2 regarding housing, health insurance, education, local opportunities
3 for mentors and continuing support services, and workforce
4 supports and employment services, a power of attorney for health
5 care, and information regarding the advance health care directive
6 form. *Information provided regarding health insurance options*
7 *shall include verification that the eligible youth or nonminor is*
8 *enrolled in Medi-Cal and a description of the steps that have been*
9 *or will be taken by the youth's social worker or probation officer*
10 *to ensure that the eligible youth or nonminor is transitioned into*
11 *the Medi-Cal program for former foster youth upon case closure*
12 *with no interruption in coverage and with no new application*
13 *being required, as provided in Section 14005.28.*

14 (C) For youth 14 years of age or older, the case plan shall
15 include documentation that a consumer credit report was requested
16 annually from each of the three major credit reporting agencies at
17 no charge to the youth and that any results were provided to the
18 youth. For nonminor dependents, the case plan shall include
19 documentation that the county assisted the nonminor dependent
20 in obtaining his or her reports. The case plan shall include
21 documentation of barriers, if any, to obtaining the credit reports.
22 If the consumer credit report reveals any accounts, the case plan
23 shall detail how the county ensured the youth received assistance
24 with interpreting the credit report and resolving any inaccuracies,
25 including any referrals made for the assistance.

26 (17) For youth 14 years of age or older and nonminor
27 dependents, the case plan shall be developed in consultation with
28 the youth. At the youth's option, the consultation may include up
29 to two members of the case planning team who are chosen by the
30 youth and who are not foster parents of, or caseworkers for, the
31 youth. The agency, at any time, may reject an individual selected
32 by the youth to be a member of the case planning team if the
33 agency has good cause to believe that the individual would not act
34 in the youth's best interest. One individual selected by the youth
35 to be a member of the case planning team may be designated to
36 be the youth's adviser and advocate with respect to the application
37 of the reasonable and prudent parent standard to the youth, as
38 necessary.

1 (18) For youth in foster care 14 years of age and older and
2 nonminor dependents, the case plan shall include both of the
3 following:

4 (A) A document that describes the youth's rights with respect
5 to education, health, visitation, and court participation, the right
6 to be annually provided with copies of his or her credit reports at
7 no cost while in foster care pursuant to Section 10618.6, and the
8 right to stay safe and avoid exploitation.

9 (B) A signed acknowledgment by the youth that he or she has
10 been provided a copy of the document and that the rights described
11 in the document have been explained to the youth in an
12 age-appropriate manner.

13 (19) The case plan for a child or nonminor dependent who is,
14 or who is at risk of becoming, the victim of commercial sexual
15 exploitation, shall document the services provided to address that
16 issue.

17 (h) If the court finds, after considering the case plan, that
18 unsupervised sibling visitation is appropriate and has been
19 consented to, the court shall order that the child or the child's
20 siblings, the child's current caregiver, and the child's prospective
21 adoptive parents, if applicable, be provided with information
22 necessary to accomplish this visitation. This section does not
23 require or prohibit the social worker's facilitation, transportation,
24 or supervision of visits between the child and his or her siblings.

25 (i) The case plan documentation on sibling placements required
26 under this section shall not require modification of existing case
27 plan forms until the Child Welfare ~~Service~~/Case Services/Case
28 Management System (CWS/CMS) is implemented on a statewide
29 basis.

30 (j) When a child is 10 years of age or older and has been in
31 out-of-home placement for six months or longer, the case plan
32 shall include an identification of individuals, other than the child's
33 siblings, who are important to the child and actions necessary to
34 maintain the child's relationship with those individuals, provided
35 that those relationships are in the best interest of the child. The
36 social worker or probation officer shall ask every child who is 10
37 years of age or older and who has been in out-of-home placement
38 for six months or longer to identify individuals other than the
39 child's siblings who are important to the child, and may ask any
40 other child to provide that information, or may seek that

1 information from the child and family team, as appropriate. The
2 social worker or probation officer shall make efforts to identify
3 other individuals who are important to the child, consistent with
4 the child's best interests.

5 (k) The child's caregiver shall be provided a copy of a plan
6 outlining the child's needs and services. The nonminor dependent's
7 caregiver shall be provided with a copy of the nonminor's TILP.

8 (l) Each county shall ensure that the total number of visits made
9 by caseworkers on a monthly basis to children in foster care during
10 a federal fiscal year is not less than 95 percent of the total number
11 of those visits that would occur if each child were visited once
12 every month while in care and that the majority of the visits occur
13 in the residence of the child. The county child welfare and
14 probation departments shall comply with data reporting
15 requirements that the department deems necessary to comply with
16 the federal Child and Family Services Improvement Act of 2006
17 (Public Law 109-288) and the federal Child and Family Services
18 Improvement and Innovation Act of 2011 (Public Law 112-34).

19 (†)

20 (m) The implementation and operation of the amendments to
21 subdivision (i) enacted at the 2005–06 Regular Session shall be
22 subject to appropriation through the budget process and by phase,
23 as provided in Section 366.35.

24 *SEC. 2.2. Section 16501.1 of the Welfare and Institutions Code*
25 *is amended to read:*

26 16501.1. (a) (1) The Legislature finds and declares that the
27 foundation and central unifying tool in child welfare services is
28 the case plan.

29 (2) The Legislature further finds and declares that a case plan
30 ensures that the child receives protection and safe and proper care
31 and case management, and that services are provided to the child
32 and parents or other caretakers, as appropriate, in order to improve
33 conditions in the parent's home, to facilitate the safe return of the
34 child to a safe home or the permanent placement of the child, and
35 to address the needs of the child while in foster care.

36 (3) The agency shall consider the recommendations of the child
37 and family team, as defined in paragraph (4) of subdivision (a) of
38 Section 16501, if any are available. The agency shall document
39 the rationale for any inconsistencies between the case plan and the
40 child and family team recommendations.

- 1 (b) (1) A case plan shall be based upon the principles of this
2 section and the input from the child and family team.
- 3 (2) The case plan shall document that a preplacement assessment
4 of the service needs of the child and family, and preplacement
5 preventive services, have been provided, and that reasonable efforts
6 to prevent out-of-home placement have been made. Preplacement
7 services may include intensive mental health services in the home
8 or a community setting and the reasonable efforts made to prevent
9 out-of-home placement.
- 10 (3) In determining the reasonable services to be offered or
11 provided, the child's health and safety shall be the paramount
12 concerns.
- 13 (4) Upon a determination pursuant to paragraph (1) of
14 subdivision (e) of Section 361.5 that reasonable services will be
15 offered to a parent who is incarcerated in a county jail or state
16 prison, detained by the United States Department of Homeland
17 Security, or deported to his or her country of origin, the case plan
18 shall include information, to the extent possible, about a parent's
19 incarceration in a county jail or the state prison, detention by the
20 United States Department of Homeland Security, or deportation
21 during the time that a minor child of that parent is involved in
22 dependency care.
- 23 (5) Reasonable services shall be offered or provided to make it
24 possible for a child to return to a safe home environment, unless,
25 pursuant to subdivisions (b) and (e) of Section 361.5, the court
26 determines that reunification services shall not be provided.
- 27 (6) If reasonable services are not ordered, or are terminated,
28 reasonable efforts shall be made to place the child in a timely
29 manner in accordance with the permanent plan and to complete
30 all steps necessary to finalize the permanent placement of the child.
- 31 (c) If out-of-home placement is used to attain case plan goals,
32 the case plan shall consider the recommendations of the child and
33 family team.
- 34 (d) (1) The case plan shall include a description of the type of
35 home or institution in which the child is to be placed, and the
36 reasons for that placement decision. The decision regarding choice
37 of placement shall be based upon selection of a safe setting that is
38 the least restrictive family setting that promotes normal childhood
39 experiences and the most appropriate setting that meets the child's
40 individual needs and is available, in proximity to the parent's home,

1 in proximity to the child’s school, and consistent with the selection
2 of the environment best suited to meet the child’s special needs
3 and best interests. The selection shall consider, in order of priority,
4 placement with relatives, nonrelated extended family members,
5 and tribal members; foster family homes, resource families, and
6 nontreatment certified homes of foster family agencies; followed
7 by treatment and intensive treatment certified homes of foster
8 family agencies; or multidimensional treatment foster care homes
9 or therapeutic foster care homes; group care placements in the
10 order of short-term residential ~~treatment centers~~, *therapeutic*
11 *programs*, group homes, community treatment facilities, and
12 out-of-state residential treatment pursuant to Part 5 (commencing
13 with Section 7900) of Division 12 of the Family Code.

14 (2) If a short-term ~~intensive treatment center~~ *residential*
15 *therapeutic program* placement is selected for a child, the case
16 plan shall indicate the needs of the child that necessitate this
17 placement, the plan for transitioning the child to a less restrictive
18 environment, and the projected timeline by which the child will
19 be transitioned to a less restrictive environment. This section of
20 the case plan shall be reviewed and updated at least semiannually.

21 (A) The case plan for placements in a group home, or
22 commencing January 1, 2017, in a short-term residential ~~treatment~~
23 ~~center~~, *therapeutic program*, shall indicate that the county has
24 taken into consideration Section 16010.8.

25 (B) After January 1, 2017, a child and family team meeting as
26 ~~defined~~ *described* in Section 16501 shall be convened by the county
27 placing agency for the purpose of identifying the supports and
28 services needed to achieve permanency and enable the child or
29 youth to be placed in the least restrictive family setting that
30 promotes normal childhood experiences.

31 (3) On or after January 1, 2012, for a nonminor dependent, as
32 defined in subdivision (v) of Section 11400, who is receiving
33 AFDC-FC benefits *and who is* up to 21 years of age pursuant to
34 Section 11403, in addition to the above requirements, the selection
35 of the placement, including a supervised independent living
36 placement, as described in subdivision (w) of Section 11400, shall
37 also be based upon the developmental needs of young adults by
38 providing opportunities to have incremental responsibilities that
39 prepare a nonminor dependent to transition to successful adulthood.
40 If admission to, or continuation in, a group home or short-term

1 residential ~~treatment center~~ *therapeutic program* placement is
2 being considered for a nonminor dependent, the group home or
3 short-term residential ~~treatment center~~ *therapeutic program*
4 placement approval decision shall include a youth-driven,
5 team-based case planning process, as defined by the department,
6 in consultation with stakeholders. The case plan shall consider the
7 full range of placement options, and shall specify why admission
8 to, or continuation in, a group home placement is the best
9 alternative available at the time to meet the special needs or
10 well-being of the nonminor dependent, and how the placement
11 will contribute to the nonminor dependent's transition to successful
12 adulthood. The case plan shall specify the treatment strategies that
13 will be used to prepare the nonminor dependent for discharge to
14 a less restrictive family setting that promotes normal childhood
15 experiences, including a target date for discharge from the group
16 home placement. The placement shall be reviewed and updated
17 on a regular, periodic basis to ensure that continuation in the group
18 home placement remains in the best interests of the nonminor
19 dependent and that progress is being made in achieving case plan
20 goals leading to successful adulthood. The group home placement
21 planning process shall begin as soon as it becomes clear to the
22 county welfare department or probation office that a foster child
23 in group home placement is likely to remain in group home
24 placement on his or her 18th birthday, in order to expedite the
25 transition to a less restrictive family setting that promotes normal
26 childhood experiences, if he or she becomes a nonminor dependent.
27 The case planning process shall include informing the youth of all
28 of his or her options, including, but not limited to, admission to
29 or continuation in a group home placement. Consideration for
30 continuation of existing group home placement for a nonminor
31 dependent under 19 years of age may include the need to stay in
32 the same placement in order to complete high school. After a
33 nonminor dependent either completes high school or attains his or
34 her 19th birthday, whichever is earlier, continuation in or admission
35 to a group home placement is prohibited unless the nonminor
36 dependent satisfies the conditions of paragraph (5) of subdivision
37 (b) of Section 11403, and group home placement functions as a
38 short-term transition to the appropriate system of care. Treatment
39 services provided by the group home placement to the nonminor
40 dependent to alleviate or ameliorate the medical condition, as

1 described in paragraph (5) of subdivision (b) of Section 11403,
2 shall not constitute the sole basis to disqualify a nonminor
3 dependent from the group home placement.

4 (4) In addition to the requirements of paragraphs (1) to (3),
5 inclusive, and taking into account other statutory considerations
6 regarding placement, the selection of the most appropriate home
7 that will meet the child's special needs and best interests shall also
8 promote educational stability by taking into consideration
9 proximity to the child's school of origin, and school attendance
10 area, the number of school transfers the child has previously
11 experienced, and the child's school matriculation schedule, in
12 addition to other indicators of educational stability that the
13 Legislature hereby encourages the State Department of Social
14 Services and the State Department of Education to develop.

15 (e) A written case plan shall be completed within a maximum
16 of 60 days of the initial removal of the child or of the in-person
17 response required under subdivision (f) of Section 16501 if the
18 child has not been removed from his or her home, or by the date
19 of the dispositional hearing pursuant to Section 358, whichever
20 occurs first. The case plan shall be updated, as the service needs
21 of the child and family dictate. At a minimum, the case plan shall
22 be updated in conjunction with each status review hearing
23 conducted pursuant to Sections 364, 366, 366.3, and 366.31, and
24 the hearing conducted pursuant to Section 366.26, but no less
25 frequently than once every six months. Each updated case plan
26 shall include a description of the services that have been provided
27 to the child under the plan and an evaluation of the appropriateness
28 and effectiveness of those services.

29 (1) It is the intent of the Legislature that extending the maximum
30 time available for preparing a written case plan from 30 to 60 days
31 will afford caseworkers time to actively engage families, and to
32 solicit and integrate into the case plan the input of the child and
33 the child's family, as well as the input of relatives and other
34 interested parties.

35 (2) The extension of the maximum time available for preparing
36 a written case plan from the 30 to 60 days shall be effective 90
37 days after the date that the department gives counties written notice
38 that necessary changes have been made to the Child Welfare
39 Services/Case Management System (CWS/CMS) to account for
40 the 60-day timeframe for preparing a written case plan.

1 (f) The child welfare services case plan shall be comprehensive
 2 enough to meet the juvenile court dependency proceedings
 3 requirements pursuant to Article 6 (commencing with Section 300)
 4 of Chapter 2 of Part 1 of Division 2.

5 (g) The case plan shall be developed considering the
 6 recommendations of the child and family team, as follows:

7 (1) The case plan shall be based upon an assessment of the
 8 circumstances that required child welfare services intervention.
 9 The child shall be involved in developing the case plan as age and
 10 developmentally appropriate.

11 (2) The case plan shall identify specific goals and the
 12 appropriateness of the planned services in meeting those goals.

13 (3) The case plan shall identify the original allegations of abuse
 14 or neglect, as defined in Article 2.5 (commencing with Section
 15 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code, or the
 16 conditions cited as the basis for declaring the child a dependent of
 17 the court pursuant to Section 300, or all of these, and the other
 18 precipitating incidents that led to child welfare services
 19 intervention.

20 (4) The case plan shall include a description of the schedule of
 21 the placement agency contacts with the child and the family or
 22 other caretakers. The frequency of these contacts shall be in
 23 accordance with regulations adopted by the State Department of
 24 Social Services. If the child has been placed in foster care out of
 25 state, the county social worker or probation officer, or a social
 26 worker or probation officer on the staff of the agency in the state
 27 in which the child has been placed, shall visit the child in a foster
 28 family home or the home of a relative, consistent with federal law
 29 and in accordance with the department’s approved state plan. For
 30 children in out-of-state group home facilities, visits shall be
 31 conducted at least monthly, pursuant to Section 16516.5. At least
 32 once every six months, at the time of a regularly scheduled
 33 placement agency contact with the foster child, *and at each*
 34 *placement change*, the child’s social worker or probation officer
 35 shall inform ~~the child of his or her child, the care provider, and~~
 36 *the child and family team, if applicable, of the child’s rights as a*
 37 *foster child, as specified in Section ~~16001.9. 16001.9, and shall~~*
 38 *provide a written copy of the rights to the child as part of the*
 39 *explanation.* The social worker or probation officer shall provide
 40 the information to the child in a manner appropriate to the age or

1 developmental level of the child. *The social worker or probation*
2 *officer shall document in the case plan that he or she has informed*
3 *the child of, and has provided the child with a written copy of, his*
4 *or her rights.*

5 (5) (A) When out-of-home services are used, the frequency of
6 contact between the natural parents or legal guardians and the child
7 shall be specified in the case plan. The frequency of those contacts
8 shall reflect overall case goals, and consider other principles
9 outlined in this section.

10 (B) Information regarding any court-ordered visitation between
11 the child and the natural parents or legal guardians, and the terms
12 and conditions needed to facilitate the visits while protecting the
13 safety of the child, shall be provided to the child's out-of-home
14 caregiver as soon as possible after the court order is made.

15 (6) When out-of-home placement is made, the case plan shall
16 include provisions for the development and maintenance of sibling
17 relationships as specified in subdivisions (b), (c), and (d) of Section
18 16002. If appropriate, when siblings who are dependents of the
19 juvenile court are not placed together, the social worker for each
20 child, if different, shall communicate with each of the other social
21 workers and ensure that the child's siblings are informed of
22 significant life events that occur within their extended family.
23 Unless it has been determined that it is inappropriate in a particular
24 case to keep siblings informed of significant life events that occur
25 within the extended family, the social worker shall determine the
26 appropriate means and setting for disclosure of this information
27 to the child commensurate with the child's age and emotional
28 well-being. These significant life events shall include, but shall
29 not be limited to, the following:

30 (A) The death of an immediate relative.

31 (B) The birth of a sibling.

32 (C) Significant changes regarding a dependent child, unless the
33 child objects to the sharing of the information with his or her
34 siblings, including changes in placement, major medical or mental
35 health diagnoses, treatments, or hospitalizations, arrests, and
36 changes in the permanent plan.

37 (7) If out-of-home placement is made in a foster family home,
38 group home, or other child care institution that is either a
39 substantial distance from the home of the child's parent or out of
40 state, the case plan shall specify the reasons why that placement

1 is in the best interest of the child. When an out-of-state group home
2 placement is recommended or made, the case plan shall, in
3 addition, specify compliance with Section 7911.1 of the Family
4 Code.

5 (8) A case plan shall ensure the educational stability of the child
6 while in foster care and shall include both of the following:

7 (A) An assurance that the placement takes into account the
8 appropriateness of the current educational setting and the proximity
9 to the school in which the child is enrolled at the time of placement.

10 (B) An assurance that the placement agency has coordinated
11 with the person holding the right to make educational decisions
12 for the child and appropriate local educational agencies to ensure
13 that the child remains in the school in which the child is enrolled
14 at the time of placement or, if remaining in that school is not in
15 the best interests of the child, assurances by the placement agency
16 and the local educational agency to provide immediate and
17 appropriate enrollment in a new school and to provide all of the
18 child's educational records to the new school.

19 (9) (A) If out-of-home services are used, or if parental rights
20 have been terminated and the case plan is placement for adoption,
21 the case plan shall include a recommendation regarding the
22 appropriateness of unsupervised visitation between the child and
23 any of the child's siblings. This recommendation shall include a
24 statement regarding the child's and the siblings' willingness to
25 participate in unsupervised visitation. If the case plan includes a
26 recommendation for unsupervised sibling visitation, the plan shall
27 also note that information necessary to accomplish this visitation
28 has been provided to the child or to the child's siblings.

29 (B) Information regarding the schedule and frequency of the
30 visits between the child and siblings, as well as any court-ordered
31 terms and conditions needed to facilitate the visits while protecting
32 the safety of the child, shall be provided to the child's out-of-home
33 caregiver as soon as possible after the court order is made.

34 (10) If out-of-home services are used and the goal is
35 reunification, the case plan shall describe the services to be
36 provided to assist in reunification and the services to be provided
37 concurrently to achieve legal permanency if efforts to reunify fail.
38 The plan shall also consider in-state and out-of-state placements,
39 the importance of developing and maintaining sibling relationships
40 pursuant to Section 16002, and the desire and willingness of the

1 caregiver to provide legal permanency for the child if reunification
2 is unsuccessful.

3 (11) If out-of-home services are used, the child has been in care
4 for at least 12 months, and the goal is not adoptive placement, the
5 case plan shall include documentation of the compelling reason
6 or reasons why termination of parental rights is not in the child's
7 best interest. A determination completed or updated within the
8 past 12 months by the department when it is acting as an adoption
9 agency or by a licensed adoption agency that it is unlikely that the
10 child will be adopted, or that one of the conditions described in
11 paragraph (1) of subdivision (c) of Section 366.26 applies, shall
12 be deemed a compelling reason.

13 (12) (A) Parents and legal guardians shall have an opportunity
14 to review the case plan, and to sign it whenever possible, and then
15 shall receive a copy of the plan. In a voluntary service or placement
16 agreement, the parents or legal guardians shall be required to
17 review and sign the case plan. Whenever possible, parents and
18 legal guardians shall participate in the development of the case
19 plan. Commencing January 1, 2012, for nonminor dependents, as
20 defined in subdivision (v) of Section 11400, who are receiving
21 AFDC-FC or CalWORKs assistance *and who are* up to 21 years
22 of age pursuant to Section 11403, the transitional independent
23 living case plan, as set forth in subdivision (y) of Section 11400,
24 shall be developed with, and signed by, the nonminor.

25 (B) Parents and legal guardians shall be advised that, pursuant
26 to Section 1228.1 of the Evidence Code, neither their signature on
27 the child welfare services case plan nor their acceptance of any
28 services prescribed in the child welfare services case plan shall
29 constitute an admission of guilt or be used as evidence against the
30 parent or legal guardian in a court of law. However, they shall also
31 be advised that the parent's or guardian's failure to cooperate,
32 except for good cause, in the provision of services specified in the
33 child welfare services case plan may be used in any hearing held
34 pursuant to Section 366.21, 366.22, or 366.25 of this code as
35 evidence.

36 (13) A child shall be given a meaningful opportunity to
37 participate in the development of the case plan and state his or her
38 preference for foster care placement. A child who is 12 years of
39 age or older and in a permanent placement shall also be given the

1 opportunity to review the case plan, sign the case plan, and receive
2 a copy of the case plan.

3 (14) The case plan shall be included in the court report and shall
4 be considered by the court at the initial hearing and each review
5 hearing. Modifications to the case plan made during the period
6 between review hearings need not be approved by the court if the
7 casework supervisor for that case determines that the modifications
8 further the goals of the plan. If out-of-home services are used with
9 the goal of family reunification, the case plan shall consider and
10 describe the application of subdivision (b) of Section 11203.

11 (15) (A) If the case plan has as its goal for the child a permanent
12 plan of adoption or legal guardianship, it shall include a statement
13 of the child's wishes regarding their permanent placement plan
14 and an assessment of those stated wishes. The agency shall also
15 include documentation of the steps the agency is taking to find an
16 adoptive family or other permanent living arrangements for the
17 child; to place the child with an adoptive family, an appropriate
18 and willing relative, or a legal guardian, and to finalize the adoption
19 or legal guardianship. At a minimum, the documentation shall
20 include child-specific recruitment efforts, such as the use of state,
21 regional, and national adoption exchanges, including electronic
22 exchange systems, when the child has been freed for adoption.
23 Regardless of whether the child has been freed for adoption,
24 documentation shall include a description of any barriers to
25 achieving legal permanence and the steps the agency will take to
26 address those barriers. If the plan is for kinship guardianship, the
27 case plan shall document how the child meets the kinship
28 guardianship eligibility requirements.

29 (B) When the child is 16 years of age or older and is in another
30 planned permanent living arrangement, the case plan shall identify
31 the intensive and ongoing efforts to return the child to the home
32 of the parent, place the child for adoption, place the child for tribal
33 customary adoption in the case of an Indian child, establish a legal
34 guardianship, or place the child nonminor dependent with a fit and
35 willing relative, as appropriate. Efforts shall include the use of
36 technology, including social media, to find biological family
37 members of the child.

38 (16) (A) (i) For a child who is 14 or 15 years of age, the case
39 plan shall include a written description of the programs and services
40 that will help the child, consistent with the child's best interests,

1 to prepare for the transition from foster care to successful
2 adulthood. The description may be included in the document
3 described in subparagraph (A) of paragraph (18).

4 (ii) When appropriate, for a child who is 16 years of age or older
5 and, commencing January 1, 2012, for a nonminor dependent, the
6 case plan shall include the transitional independent living plan
7 (TILP), a written description of the programs and services that
8 will help the child, consistent with the child's best interests, to
9 prepare for the transition from foster care to successful adulthood,
10 and, in addition, whether the youth has an in-progress application
11 pending for Title XVI Supplemental Security Income benefits or
12 for Special Immigrant Juvenile Status or other applicable
13 application for legal residency and an active dependency case is
14 required for that application. When appropriate, for a nonminor
15 dependent, the transitional independent living case plan, as
16 described in subdivision (v) of Section 11400, shall include the
17 TILP, a written description of the programs and services that will
18 help the nonminor dependent, consistent with his or her best
19 interests, to prepare for transition from foster care and assist the
20 youth in meeting the eligibility criteria set forth in paragraphs (1)
21 to (5), inclusive, of subdivision (b) of Section 11403. If applicable,
22 the case plan shall describe the individualized supervision provided
23 in the supervised independent living placement as defined in
24 subdivision (w) of Section 11400. The case plan shall be developed
25 with the child or nonminor dependent and individuals identified
26 as important to the child or nonminor dependent, and shall include
27 steps the agency is taking to ensure that the child or nonminor
28 dependent achieves permanence, including maintaining or
29 obtaining permanent connections to caring and committed adults.

30 (B) During the 90-day period prior to the participant attaining
31 18 years of age or older as the state may elect under Section
32 475(8)(B)(iii) of the federal Social Security Act (42 U.S.C. Sec.
33 675(8)(B)(iii)), whether during that period foster care maintenance
34 payments are being made on the child's behalf or the child is
35 receiving benefits or services under Section 477 of the federal
36 Social Security Act (42 U.S.C. Sec. 677), a caseworker or other
37 appropriate agency staff or probation officer and other
38 representatives of the participant, as appropriate, shall provide the
39 youth or nonminor dependent with assistance and support in
40 developing the written 90-day transition plan, that is personalized

1 at the direction of the child, information as detailed as the
2 participant elects that shall include, but not be limited to, options
3 regarding housing, health insurance, education, local opportunities
4 for mentors and continuing support services, and workforce
5 supports and employment services, a power of attorney for health
6 care, and information regarding the advance health care directive
7 form.

8 (C) For youth 14 years of age or older, the case plan shall
9 include documentation that a consumer credit report was requested
10 annually from each of the three major credit reporting agencies at
11 no charge to the youth and that any results were provided to the
12 youth. For nonminor dependents, the case plan shall include
13 documentation that the county assisted the nonminor dependent
14 in obtaining his or her reports. The case plan shall include
15 documentation of barriers, if any, to obtaining the credit reports.
16 If the consumer credit report reveals any accounts, the case plan
17 shall detail how the county ensured the youth received assistance
18 with interpreting the credit report and resolving any inaccuracies,
19 including any referrals made for the assistance.

20 (17) For youth 14 years of age or older and nonminor
21 dependents, the case plan shall be developed in consultation with
22 the youth. At the youth's option, the consultation may include up
23 to two members of the case planning team who are chosen by the
24 youth and who are not foster parents of, or caseworkers for, the
25 youth. The agency, at any time, may reject an individual selected
26 by the youth to be a member of the case planning team if the
27 agency has good cause to believe that the individual would not act
28 in the youth's best interest. One individual selected by the youth
29 to be a member of the case planning team may be designated to
30 be the youth's adviser and advocate with respect to the application
31 of the reasonable and prudent parent standard to the youth, as
32 necessary.

33 (18) For youth in foster care 14 years of age and older and
34 nonminor dependents, the case plan shall include both of the
35 following:

36 (A) A document that describes the youth's rights with respect
37 to education, health, visitation, and court participation, the right
38 to be annually provided with copies of his or her credit reports at
39 no cost while in foster care pursuant to Section 10618.6, and the
40 right to stay safe and avoid exploitation.

1 (B) A signed acknowledgment by the youth that he or she has
2 been provided a copy of the document and that the rights described
3 in the document have been explained to the youth in an
4 age-appropriate manner.

5 (19) The case plan for a child or nonminor dependent who is,
6 or who is at risk of becoming, the victim of commercial sexual
7 exploitation, shall document the services provided to address that
8 issue.

9 (h) If the court finds, after considering the case plan, that
10 unsupervised sibling visitation is appropriate and has been
11 consented to, the court shall order that the child or the child's
12 siblings, the child's current caregiver, and the child's prospective
13 adoptive parents, if applicable, be provided with information
14 necessary to accomplish this visitation. This section does not
15 require or prohibit the social worker's facilitation, transportation,
16 or supervision of visits between the child and his or her siblings.

17 (i) The case plan documentation on sibling placements required
18 under this section shall not require modification of existing case
19 plan forms until the Child Welfare ~~Service~~/*Case Services/Case*
20 Management System (CWS/CMS) is implemented on a statewide
21 basis.

22 (j) When a child is 10 years of age or older and has been in
23 out-of-home placement for six months or longer, the case plan
24 shall include an identification of individuals, other than the child's
25 siblings, who are important to the child and actions necessary to
26 maintain the child's relationship with those individuals, provided
27 that those relationships are in the best interest of the child. The
28 social worker or probation officer shall ask every child who is 10
29 years of age or older and who has been in out-of-home placement
30 for six months or longer to identify individuals other than the
31 child's siblings who are important to the child, and may ask any
32 other child to provide that information, or may seek that
33 information from the child and family team, as appropriate. The
34 social worker or probation officer shall make efforts to identify
35 other individuals who are important to the child, consistent with
36 the child's best interests.

37 (k) The child's caregiver shall be provided a copy of a plan
38 outlining the child's needs and services. The nonminor dependent's
39 caregiver shall be provided with a copy of the nonminor's TILP.

1 (l) Each county shall ensure that the total number of visits made
 2 by caseworkers on a monthly basis to children in foster care during
 3 a federal fiscal year is not less than 95 percent of the total number
 4 of those visits that would occur if each child were visited once
 5 every month while in care and that the majority of the visits occur
 6 in the residence of the child. The county child welfare and
 7 probation departments shall comply with data reporting
 8 requirements that the department deems necessary to comply with
 9 the federal Child and Family Services Improvement Act of 2006
 10 (Public Law 109-288) and the federal Child and Family Services
 11 Improvement and Innovation Act of 2011 (Public Law 112-34).

12 ~~(t)~~

13 (m) The implementation and operation of the amendments to
 14 subdivision (i) enacted at the 2005–06 Regular Session shall be
 15 subject to appropriation through the budget process and by phase,
 16 as provided in Section 366.35.

17 *SEC. 2.3. Section 16501.1 of the Welfare and Institutions Code*
 18 *is amended to read:*

19 16501.1. (a) (1) The Legislature finds and declares that the
 20 foundation and central unifying tool in child welfare services is
 21 the case plan.

22 (2) The Legislature further finds and declares that a case plan
 23 ensures that the child receives protection and safe and proper care
 24 and case management, and that services are provided to the child
 25 and parents or other caretakers, as appropriate, in order to improve
 26 conditions in the parent’s home, to facilitate the safe return of the
 27 child to a safe home or the permanent placement of the child, and
 28 to address the needs of the child while in foster care.

29 (3) The agency shall consider the recommendations of the child
 30 and family team, as defined in ~~paragraph (4) of subdivision (a) of~~
 31 Section 16501, if any are available. The agency shall document
 32 the rationale for any inconsistencies between the case plan and the
 33 child and family team recommendations.

34 (b) (1) A case plan shall be based upon the principles of this
 35 section and the input from the child and family team.

36 (2) The case plan shall document that a preplacement assessment
 37 of the service needs of the child and family, and preplacement
 38 preventive services, have been provided, and that reasonable efforts
 39 to prevent out-of-home placement have been made. Preplacement
 40 services may include intensive mental health services in the home

1 or a community setting and the reasonable efforts made to prevent
2 out-of-home placement.

3 (3) In determining the reasonable services to be offered or
4 provided, the child's health and safety shall be the paramount
5 concerns.

6 (4) Upon a determination pursuant to paragraph (1) of
7 subdivision (e) of Section 361.5 that reasonable services will be
8 offered to a parent who is incarcerated in a county jail or state
9 prison, detained by the United States Department of Homeland
10 Security, or deported to his or her country of origin, the case plan
11 shall include information, to the extent possible, about a parent's
12 incarceration in a county jail or the state prison, detention by the
13 United States Department of Homeland Security, or deportation
14 during the time that a minor child of that parent is involved in
15 dependency care.

16 (5) Reasonable services shall be offered or provided to make it
17 possible for a child to return to a safe home environment, unless,
18 pursuant to subdivisions (b) and (e) of Section 361.5, the court
19 determines that reunification services shall not be provided.

20 (6) If reasonable services are not ordered, or are terminated,
21 reasonable efforts shall be made to place the child in a timely
22 manner in accordance with the permanent plan and to complete
23 all steps necessary to finalize the permanent placement of the child.

24 (c) If out-of-home placement is used to attain case plan goals,
25 the case plan shall consider the recommendations of the child and
26 family team.

27 (d) (1) The case plan shall include a description of the type of
28 home or institution in which the child is to be placed, and the
29 reasons for that placement decision. The decision regarding choice
30 of placement shall be based upon selection of a safe setting that is
31 the least restrictive family setting that promotes normal childhood
32 experiences and the most appropriate setting that meets the child's
33 individual needs and is available, in proximity to the parent's home,
34 in proximity to the child's school, and consistent with the selection
35 of the environment best suited to meet the child's special needs
36 and best interests. The selection shall consider, in order of priority,
37 placement with relatives, nonrelated extended family members,
38 and tribal members; foster family homes, resource families, and
39 nontreatment certified homes of foster family agencies; followed
40 by treatment and intensive treatment certified homes of foster

1 family agencies; or multidimensional treatment foster care homes
 2 or therapeutic foster care homes; group care placements in the
 3 order of short-term residential ~~treatment centers~~, *therapeutic*
 4 *programs*, group homes, community treatment facilities, and
 5 out-of-state residential treatment pursuant to Part 5 (commencing
 6 with Section 7900) of Division 12 of the Family Code.

7 (2) If a short-term ~~intensive treatment center~~ *residential*
 8 *therapeutic program* placement is selected for a child, the case
 9 plan shall indicate the needs of the child that necessitate this
 10 placement, the plan for transitioning the child to a less restrictive
 11 environment, and the projected timeline by which the child will
 12 be transitioned to a less restrictive environment. This section of
 13 the case plan shall be reviewed and updated at least semiannually.

14 (A) The case plan for placements in a group home, or
 15 commencing January 1, 2017, in a short-term residential ~~treatment~~
 16 ~~center~~, *therapeutic program*, shall indicate that the county has
 17 taken into consideration Section 16010.8.

18 (B) After January 1, 2017, a child and family team meeting as
 19 ~~defined~~ *described* in Section 16501 shall be convened by the county
 20 placing agency for the purpose of identifying the supports and
 21 services needed to achieve permanency and enable the child or
 22 youth to be placed in the least restrictive family setting that
 23 promotes normal childhood experiences.

24 (3) On or after January 1, 2012, for a nonminor dependent, as
 25 defined in subdivision (v) of Section 11400, who is receiving
 26 AFDC-FC benefits *and who is* up to 21 years of age pursuant to
 27 Section 11403, in addition to the above requirements, the selection
 28 of the placement, including a supervised independent living
 29 placement, as described in subdivision (w) of Section 11400, shall
 30 also be based upon the developmental needs of young adults by
 31 providing opportunities to have incremental responsibilities that
 32 prepare a nonminor dependent to transition to successful adulthood.
 33 If admission to, or continuation in, a group home or short-term
 34 residential ~~treatment center~~ *therapeutic program* placement is
 35 being considered for a nonminor dependent, the group home or
 36 short-term residential ~~treatment center~~ *therapeutic program*
 37 placement approval decision shall include a youth-driven,
 38 team-based case planning process, as defined by the department,
 39 in consultation with stakeholders. The case plan shall consider the
 40 full range of placement options, and shall specify why admission

1 to, or continuation in, a group home placement is the best
2 alternative available at the time to meet the special needs or
3 well-being of the nonminor dependent, and how the placement
4 will contribute to the nonminor dependent's transition to successful
5 adulthood. The case plan shall specify the treatment strategies that
6 will be used to prepare the nonminor dependent for discharge to
7 a less restrictive family setting that promotes normal childhood
8 experiences, including a target date for discharge from the group
9 home placement. The placement shall be reviewed and updated
10 on a regular, periodic basis to ensure that continuation in the group
11 home placement remains in the best interests of the nonminor
12 dependent and that progress is being made in achieving case plan
13 goals leading to successful adulthood. The group home placement
14 planning process shall begin as soon as it becomes clear to the
15 county welfare department or probation office that a foster child
16 in group home placement is likely to remain in group home
17 placement on his or her 18th birthday, in order to expedite the
18 transition to a less restrictive family setting that promotes normal
19 childhood experiences, if he or she becomes a nonminor dependent.
20 The case planning process shall include informing the youth of all
21 of his or her options, including, but not limited to, admission to
22 or continuation in a group home placement. Consideration for
23 continuation of existing group home placement for a nonminor
24 dependent under 19 years of age may include the need to stay in
25 the same placement in order to complete high school. After a
26 nonminor dependent either completes high school or attains his or
27 her 19th birthday, whichever is earlier, continuation in or admission
28 to a group home placement is prohibited unless the nonminor
29 dependent satisfies the conditions of paragraph (5) of subdivision
30 (b) of Section 11403, and group home placement functions as a
31 short-term transition to the appropriate system of care. Treatment
32 services provided by the group home placement to the nonminor
33 dependent to alleviate or ameliorate the medical condition, as
34 described in paragraph (5) of subdivision (b) of Section 11403,
35 shall not constitute the sole basis to disqualify a nonminor
36 dependent from the group home placement.

37 (4) In addition to the requirements of paragraphs (1) to (3),
38 inclusive, and taking into account other statutory considerations
39 regarding placement, the selection of the most appropriate home
40 that will meet the child's special needs and best interests shall also

1 promote educational stability by taking into consideration
2 proximity to the child’s school of origin, and school attendance
3 area, the number of school transfers the child has previously
4 experienced, and the child’s school matriculation schedule, in
5 addition to other indicators of educational stability that the
6 Legislature hereby encourages the State Department of Social
7 Services and the State Department of Education to develop.

8 (e) A written case plan shall be completed within a maximum
9 of 60 days of the initial removal of the child or of the in-person
10 response required under subdivision (f) of Section 16501 if the
11 child has not been removed from his or her home, or by the date
12 of the dispositional hearing pursuant to Section 358, whichever
13 occurs first. The case plan shall be updated, as the service needs
14 of the child and family dictate. At a minimum, the case plan shall
15 be updated in conjunction with each status review hearing
16 conducted pursuant to Sections 364, 366, 366.3, and 366.31, and
17 the hearing conducted pursuant to Section 366.26, but no less
18 frequently than once every six months. Each updated case plan
19 shall include a description of the services that have been provided
20 to the child under the plan and an evaluation of the appropriateness
21 and effectiveness of those services.

22 (1) It is the intent of the Legislature that extending the maximum
23 time available for preparing a written case plan from 30 to 60 days
24 will afford caseworkers time to actively engage families, and to
25 solicit and integrate into the case plan the input of the child and
26 the child’s family, as well as the input of relatives and other
27 interested parties.

28 (2) The extension of the maximum time available for preparing
29 a written case plan from ~~the~~ 30 to 60 days shall be effective 90
30 days after the date that the department gives counties written notice
31 that necessary changes have been made to the Child Welfare
32 Services/Case Management System (CWS/CMS) to account for
33 the 60-day timeframe for preparing a written case plan.

34 (f) The child welfare services case plan shall be comprehensive
35 enough to meet the juvenile court dependency proceedings
36 requirements pursuant to Article 6 (commencing with Section 300)
37 of Chapter 2 of Part 1 of Division 2.

38 (g) The case plan shall be developed considering the
39 recommendations of the child and family team, as follows:

1 (1) The case plan shall be based upon an assessment of the
2 circumstances that required child welfare services intervention.
3 The child shall be involved in developing the case plan as age and
4 developmentally appropriate.

5 (2) The case plan shall identify specific goals and the
6 appropriateness of the planned services in meeting those goals.

7 (3) The case plan shall identify the original allegations of abuse
8 or neglect, as defined in Article 2.5 (commencing with Section
9 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code, or the
10 conditions cited as the basis for declaring the child a dependent of
11 the court pursuant to Section 300, or all of these, and the other
12 precipitating incidents that led to child welfare services
13 intervention.

14 (4) The case plan shall include a description of the schedule of
15 the placement agency contacts with the child and the family or
16 other caretakers. The frequency of these contacts shall be in
17 accordance with regulations adopted by the State Department of
18 Social Services. If the child has been placed in foster care out of
19 state, the county social worker or probation officer, or a social
20 worker or probation officer on the staff of the agency in the state
21 in which the child has been placed, shall visit the child in a foster
22 family home or the home of a relative, consistent with federal law
23 and in accordance with the department's approved state plan. For
24 children in out-of-state group home facilities, visits shall be
25 conducted at least monthly, pursuant to Section 16516.5. At least
26 once every six months, at the time of a regularly scheduled
27 placement agency contact with the foster child, *and at each*
28 *placement change*, the child's social worker or probation officer
29 shall inform ~~the child of his or her~~ *child, the care provider, and*
30 *the child and family team, if applicable, of the child's rights as a*
31 *foster child, as specified in Section ~~16001.9. 16001.9, and shall~~*
32 *provide a written copy of the rights to the child as part of the*
33 *explanation.* The social worker or probation officer shall provide
34 the information to the child in a manner appropriate to the age or
35 developmental level of the child. *The social worker or probation*
36 *officer shall document in the case plan that he or she has informed*
37 *the child of, and has provided the child with a written copy of, his*
38 *or her rights.*

39 (5) (A) When out-of-home services are used, the frequency of
40 contact between the natural parents or legal guardians and the child

1 shall be specified in the case plan. The frequency of those contacts
2 shall reflect overall case goals, and consider other principles
3 outlined in this section.

4 (B) Information regarding any court-ordered visitation between
5 the child and the natural parents or legal guardians, and the terms
6 and conditions needed to facilitate the visits while protecting the
7 safety of the child, shall be provided to the child’s out-of-home
8 caregiver as soon as possible after the court order is made.

9 (6) When out-of-home placement is made, the case plan shall
10 include provisions for the development and maintenance of sibling
11 relationships as specified in subdivisions (b), (c), and (d) of Section
12 16002. If appropriate, when siblings who are dependents of the
13 juvenile court are not placed together, the social worker for each
14 child, if different, shall communicate with each of the other social
15 workers and ensure that the child’s siblings are informed of
16 significant life events that occur within their extended family.
17 Unless it has been determined that it is inappropriate in a particular
18 case to keep siblings informed of significant life events that occur
19 within the extended family, the social worker shall determine the
20 appropriate means and setting for disclosure of this information
21 to the child commensurate with the child’s age and emotional
22 well-being. These significant life events shall include, but shall
23 not be limited to, the following:

24 (A) The death of an immediate relative.

25 (B) The birth of a sibling.

26 (C) Significant changes regarding a dependent child, unless the
27 child objects to the sharing of the information with his or her
28 siblings, including changes in placement, major medical or mental
29 health diagnoses, treatments, or hospitalizations, arrests, and
30 changes in the permanent plan.

31 (7) If out-of-home placement is made in a foster family home,
32 group home, or other child care institution that is either a
33 substantial distance from the home of the child’s parent or out of
34 state, the case plan shall specify the reasons why that placement
35 is in the best interest of the child. When an out-of-state group home
36 placement is recommended or made, the case plan shall, in
37 addition, specify compliance with Section 7911.1 of the Family
38 Code.

39 (8) A case plan shall ensure the educational stability of the child
40 while in foster care and shall include both of the following:

1 (A) An assurance that the placement takes into account the
2 appropriateness of the current educational setting and the proximity
3 to the school in which the child is enrolled at the time of placement.

4 (B) An assurance that the placement agency has coordinated
5 with the person holding the right to make educational decisions
6 for the child and appropriate local educational agencies to ensure
7 that the child remains in the school in which the child is enrolled
8 at the time of placement or, if remaining in that school is not in
9 the best interests of the child, assurances by the placement agency
10 and the local educational agency to provide immediate and
11 appropriate enrollment in a new school and to provide all of the
12 child's educational records to the new school.

13 (9) (A) If out-of-home services are used, or if parental rights
14 have been terminated and the case plan is placement for adoption,
15 the case plan shall include a recommendation regarding the
16 appropriateness of unsupervised visitation between the child and
17 any of the child's siblings. This recommendation shall include a
18 statement regarding the child's and the siblings' willingness to
19 participate in unsupervised visitation. If the case plan includes a
20 recommendation for unsupervised sibling visitation, the plan shall
21 also note that information necessary to accomplish this visitation
22 has been provided to the child or to the child's siblings.

23 (B) Information regarding the schedule and frequency of the
24 visits between the child and siblings, as well as any court-ordered
25 terms and conditions needed to facilitate the visits while protecting
26 the safety of the child, shall be provided to the child's out-of-home
27 caregiver as soon as possible after the court order is made.

28 (10) If out-of-home services are used and the goal is
29 reunification, the case plan shall describe the services to be
30 provided to assist in reunification and the services to be provided
31 concurrently to achieve legal permanency if efforts to reunify fail.
32 The plan shall also consider in-state and out-of-state placements,
33 the importance of developing and maintaining sibling relationships
34 pursuant to Section 16002, and the desire and willingness of the
35 caregiver to provide legal permanency for the child if reunification
36 is unsuccessful.

37 (11) If out-of-home services are used, the child has been in care
38 for at least 12 months, and the goal is not adoptive placement, the
39 case plan shall include documentation of the compelling reason
40 or reasons why termination of parental rights is not in the child's

1 best interest. A determination completed or updated within the
2 past 12 months by the department when it is acting as an adoption
3 agency or by a licensed adoption agency that it is unlikely that the
4 child will be adopted, or that one of the conditions described in
5 paragraph (1) of subdivision (c) of Section 366.26 applies, shall
6 be deemed a compelling reason.

7 (12) (A) Parents and legal guardians shall have an opportunity
8 to review the case plan, and to sign it whenever possible, and then
9 shall receive a copy of the plan. In a voluntary service or placement
10 agreement, the parents or legal guardians shall be required to
11 review and sign the case plan. Whenever possible, parents and
12 legal guardians shall participate in the development of the case
13 plan. Commencing January 1, 2012, for nonminor dependents, as
14 defined in subdivision (v) of Section 11400, who are receiving
15 AFDC-FC or CalWORKs assistance *and who are* up to 21 years
16 of age pursuant to Section 11403, the transitional independent
17 living case plan, as set forth in subdivision (y) of Section 11400,
18 shall be developed with, and signed by, the nonminor.

19 (B) Parents and legal guardians shall be advised that, pursuant
20 to Section 1228.1 of the Evidence Code, neither their signature on
21 the child welfare services case plan nor their acceptance of any
22 services prescribed in the child welfare services case plan shall
23 constitute an admission of guilt or be used as evidence against the
24 parent or legal guardian in a court of law. However, they shall also
25 be advised that the parent's or guardian's failure to cooperate,
26 except for good cause, in the provision of services specified in the
27 child welfare services case plan may be used in any hearing held
28 pursuant to Section 366.21, 366.22, or 366.25 of this code as
29 evidence.

30 (13) A child shall be given a meaningful opportunity to
31 participate in the development of the case plan and state his or her
32 preference for foster care placement. A child who is 12 years of
33 age or older and in a permanent placement shall also be given the
34 opportunity to review the case plan, sign the case plan, and receive
35 a copy of the case plan.

36 (14) The case plan shall be included in the court report and shall
37 be considered by the court at the initial hearing and each review
38 hearing. Modifications to the case plan made during the period
39 between review hearings need not be approved by the court if the
40 casework supervisor for that case determines that the modifications

1 further the goals of the plan. If out-of-home services are used with
2 the goal of family reunification, the case plan shall consider and
3 describe the application of subdivision (b) of Section 11203.

4 (15) (A) If the case plan has as its goal for the child a permanent
5 plan of adoption or legal guardianship, it shall include a statement
6 of the child's wishes regarding their permanent placement plan
7 and an assessment of those stated wishes. The agency shall also
8 include documentation of the steps the agency is taking to find an
9 adoptive family or other permanent living arrangements for the
10 child; to place the child with an adoptive family, an appropriate
11 and willing relative, or a legal guardian, and to finalize the adoption
12 or legal guardianship. At a minimum, the documentation shall
13 include child-specific recruitment efforts, such as the use of state,
14 regional, and national adoption exchanges, including electronic
15 exchange systems, when the child has been freed for adoption.
16 Regardless of whether the child has been freed for adoption,
17 documentation shall include a description of any barriers to
18 achieving legal permanence and the steps the agency will take to
19 address those barriers. If the plan is for kinship guardianship, the
20 case plan shall document how the child meets the kinship
21 guardianship eligibility requirements.

22 (B) When the child is 16 years of age or older and is in another
23 planned permanent living arrangement, the case plan shall identify
24 the intensive and ongoing efforts to return the child to the home
25 of the parent, place the child for adoption, place the child for tribal
26 customary adoption in the case of an Indian child, establish a legal
27 guardianship, or place the child nonminor dependent with a fit and
28 willing relative, as appropriate. Efforts shall include the use of
29 technology, including social media, to find biological family
30 members of the child.

31 (16) (A) (i) For a child who is 14 or 15 years of age, the case
32 plan shall include a written description of the programs and services
33 that will help the child, consistent with the child's best interests,
34 to prepare for the transition from foster care to successful
35 adulthood. The description may be included in the document
36 described in subparagraph (A) of paragraph (18).

37 (ii) When appropriate, for a child who is 16 years of age or older
38 and, commencing January 1, 2012, for a nonminor dependent, the
39 case plan shall include the transitional independent living plan
40 (TILP), a written description of the programs and services that

1 will help the child, consistent with the child's best interests, to
2 prepare for the transition from foster care to successful adulthood,
3 and, in addition, whether the youth has an in-progress application
4 pending for Title XVI Supplemental Security Income benefits or
5 for Special Immigrant Juvenile Status or other applicable
6 application for legal residency and an active dependency case is
7 required for that application. When appropriate, for a nonminor
8 dependent, the transitional independent living case plan, as
9 described in subdivision (v) of Section 11400, shall include the
10 TILP, a written description of the programs and services that will
11 help the nonminor dependent, consistent with his or her best
12 interests, to prepare for transition from foster care and assist the
13 youth in meeting the eligibility criteria set forth in paragraphs (1)
14 to (5), inclusive, of subdivision (b) of Section 11403. If applicable,
15 the case plan shall describe the individualized supervision provided
16 in the supervised independent living placement as defined in
17 subdivision (w) of Section 11400. The case plan shall be developed
18 with the child or nonminor dependent and individuals identified
19 as important to the child or nonminor dependent, and shall include
20 steps the agency is taking to ensure that the child or nonminor
21 dependent achieves permanence, including maintaining or
22 obtaining permanent connections to caring and committed adults.

23 (B) During the 90-day period prior to the participant attaining
24 18 years of age or older as the state may elect under Section
25 475(8)(B)(iii) of the federal Social Security Act (42 U.S.C. Sec.
26 675(8)(B)(iii)), whether during that period foster care maintenance
27 payments are being made on the child's behalf or the child is
28 receiving benefits or services under Section 477 of the federal
29 Social Security Act (42 U.S.C. Sec. 677), a caseworker or other
30 appropriate agency staff or probation officer and other
31 representatives of the participant, as appropriate, shall provide the
32 youth or nonminor dependent with assistance and support in
33 developing the written 90-day transition plan, that is personalized
34 at the direction of the child, information as detailed as the
35 participant elects that shall include, but not be limited to, options
36 regarding housing, health insurance, education, local opportunities
37 for mentors and continuing support services, and workforce
38 supports and employment services, a power of attorney for health
39 care, and information regarding the advance health care directive
40 form. *Information provided regarding health insurance options*

1 *shall include verification that the eligible youth or nonminor is*
2 *enrolled in Medi-Cal and a description of the steps that have been*
3 *or will be taken by the youth's social worker or probation officer*
4 *to ensure that the eligible youth or nonminor is transitioned into*
5 *the Medi-Cal program for former foster youth upon case closure*
6 *with no interruption in coverage and with no new application*
7 *being required, as provided in Section 14005.28.*

8 (C) For youth 14 years of age or older, the case plan shall
9 include documentation that a consumer credit report was requested
10 annually from each of the three major credit reporting agencies at
11 no charge to the youth and that any results were provided to the
12 youth. For nonminor dependents, the case plan shall include
13 documentation that the county assisted the nonminor dependent
14 in obtaining his or her reports. The case plan shall include
15 documentation of barriers, if any, to obtaining the credit reports.
16 If the consumer credit report reveals any accounts, the case plan
17 shall detail how the county ensured the youth received assistance
18 with interpreting the credit report and resolving any inaccuracies,
19 including any referrals made for the assistance.

20 (17) For youth 14 years of age or older and nonminor
21 dependents, the case plan shall be developed in consultation with
22 the youth. At the youth's option, the consultation may include up
23 to two members of the case planning team who are chosen by the
24 youth and who are not foster parents of, or caseworkers for, the
25 youth. The agency, at any time, may reject an individual selected
26 by the youth to be a member of the case planning team if the
27 agency has good cause to believe that the individual would not act
28 in the youth's best interest. One individual selected by the youth
29 to be a member of the case planning team may be designated to
30 be the youth's adviser and advocate with respect to the application
31 of the reasonable and prudent parent standard to the youth, as
32 necessary.

33 (18) For youth in foster care 14 years of age and older and
34 nonminor dependents, the case plan shall include both of the
35 following:

36 (A) A document that describes the youth's rights with respect
37 to education, health, visitation, and court participation, the right
38 to be annually provided with copies of his or her credit reports at
39 no cost while in foster care pursuant to Section 10618.6, and the
40 right to stay safe and avoid exploitation.

1 (B) A signed acknowledgment by the youth that he or she has
2 been provided a copy of the document and that the rights described
3 in the document have been explained to the youth in an
4 age-appropriate manner.

5 (19) The case plan for a child or nonminor dependent who is,
6 or who is at risk of becoming, the victim of commercial sexual
7 exploitation, shall document the services provided to address that
8 issue.

9 (h) If the court finds, after considering the case plan, that
10 unsupervised sibling visitation is appropriate and has been
11 consented to, the court shall order that the child or the child's
12 siblings, the child's current caregiver, and the child's prospective
13 adoptive parents, if applicable, be provided with information
14 necessary to accomplish this visitation. This section does not
15 require or prohibit the social worker's facilitation, transportation,
16 or supervision of visits between the child and his or her siblings.

17 (i) The case plan documentation on sibling placements required
18 under this section shall not require modification of existing case
19 plan forms until the Child Welfare ~~Service/Case Services/Case~~
20 Management System (CWS/CMS) is implemented on a statewide
21 basis.

22 (j) When a child is 10 years of age or older and has been in
23 out-of-home placement for six months or longer, the case plan
24 shall include an identification of individuals, other than the child's
25 siblings, who are important to the child and actions necessary to
26 maintain the child's relationship with those individuals, provided
27 that those relationships are in the best interest of the child. The
28 social worker or probation officer shall ask every child who is 10
29 years of age or older and who has been in out-of-home placement
30 for six months or longer to identify individuals other than the
31 child's siblings who are important to the child, and may ask any
32 other child to provide that information, or may seek that
33 information from the child and family team, as appropriate. The
34 social worker or probation officer shall make efforts to identify
35 other individuals who are important to the child, consistent with
36 the child's best interests.

37 (k) The child's caregiver shall be provided a copy of a plan
38 outlining the child's needs and services. The nonminor dependent's
39 caregiver shall be provided with a copy of the nonminor's TILP.

1 (l) Each county shall ensure that the total number of visits made
2 by caseworkers on a monthly basis to children in foster care during
3 a federal fiscal year is not less than 95 percent of the total number
4 of those visits that would occur if each child were visited once
5 every month while in care and that the majority of the visits occur
6 in the residence of the child. The county child welfare and
7 probation departments shall comply with data reporting
8 requirements that the department deems necessary to comply with
9 the federal Child and Family Services Improvement Act of 2006
10 (Public Law 109-288) and the federal Child and Family Services
11 Improvement and Innovation Act of 2011 (Public Law 112-34).

12 (t)

13 (m) The implementation and operation of the amendments to
14 subdivision (i) enacted at the 2005–06 Regular Session shall be
15 subject to appropriation through the budget process and by phase,
16 as provided in Section 366.35.

17 *SEC. 3. (a) Section 2.1 of this bill incorporates amendments*
18 *to Section 16501.1 of the Welfare and Institutions Code proposed*
19 *by both this bill and Assembly Bill 1849. It shall only become*
20 *operative if (1) both bills are enacted and become effective on or*
21 *before January 1, 2017, (2) each bill amends Section 16501.1 of*
22 *the Welfare and Institutions Code, and (3) Assembly Bill 1997 is*
23 *not enacted or as enacted does not amend that section, and (4)*
24 *this bill is enacted after Assembly Bill 1849, in which case Sections*
25 *2, 2.2, and 2.3 of this bill shall not become operative.*

26 *(b) Section 2.2 of this bill incorporates amendments to Section*
27 *16501.1 of the Welfare and Institutions Code proposed by both*
28 *this bill and Assembly Bill 1997. It shall only become operative if*
29 *(1) both bills are enacted and become effective on or before*
30 *January 1, 2017, (2) each bill amends Section 16501.1 of the*
31 *Welfare and Institutions Code, (3) Assembly Bill 1849 is not*
32 *enacted or as enacted does not amend that section, and (4) this*
33 *bill is enacted after Assembly Bill 1997, in which case Sections 2,*
34 *2.1, and 2.3 of this bill shall not become operative.*

35 *(c) Section 2.3 of this bill incorporates amendments to Section*
36 *16501.1 of the Welfare and Institutions Code proposed by this bill,*
37 *Assembly Bill 1849, and Assembly Bill 1997. It shall only become*
38 *operative if (1) all three bills are enacted and become effective on*
39 *or before January 1, 2017, (2) all three bills amend Section*
40 *16501.1 of the Welfare and Institutions Code, and (3) this bill is*

1 *enacted after Assembly Bill 1849 and Assembly Bill 1997, in which*
2 *case Sections 2, 2.1, and 2.2 of this bill shall not become operative.*

3 ~~SEC. 3.~~

4 SEC. 4. To the extent that this act has an overall effect of
5 increasing the costs already borne by a local agency for programs
6 or levels of service mandated by the 2011 Realignment Legislation
7 within the meaning of Section 36 of Article XIII of the California
8 Constitution, it shall apply to local agencies only to the extent that
9 the state provides annual funding for the cost increase. Any new
10 program or higher level of service provided by a local agency
11 pursuant to this act above the level for which funding has been
12 provided shall not require a subvention of funds by the state nor
13 otherwise be subject to Section 6 of Article XIII B of the California
14 Constitution.