

Introduced by Senator Weber Pierson

February 18, 2025

An act to add Chapter 7.5 (commencing with Section 16590) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to child welfare.

LEGISLATIVE COUNSEL'S DIGEST

SB 452, as introduced, Weber Pierson. Child welfare services: prevention legal services.

Existing law establishes the jurisdiction of the juvenile court, which may adjudge children to be dependents of the court under certain circumstances, including when the child suffered or there is a substantial risk that the child will suffer serious physical harm, or a parent fails to provide the child with adequate food, clothing, shelter, or medical treatment. Existing law also establishes a system of child welfare services provided to children alleged to be the victims of child abuse, neglect, or exploitation, and defines "child welfare services" for these purposes to mean public social services that are directed toward the accomplishment of various purposes, including protecting and promoting the welfare of all children, and includes, among other services, emergency response services and family maintenance services.

This bill would, subject to an appropriation by the Legislature, require the State Department of Social Services to establish and implement the Family Advocacy Pilot Program for 3 years to provide grants to qualified organizations, as defined, to provide (1) prevention legal services designed to prevent the filing of a petition in a juvenile court or stabilize a family who is at risk of receiving child welfare services, or in cases in which a report regarding a family has been made to the county child welfare department, (2) direct assistance by an interdisciplinary team

for families who are at risk of child welfare services or in cases in which a report regarding a family has been made to the county child welfare department, and (3) legal training or technical assistance to other qualified organizations providing prevention legal services or direct assistance by an interdisciplinary team. The bill would require the department to submit a report to the Legislature evaluating the effectiveness of the program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares that for many
2 families who come to the attention of the county child welfare
3 department, the provision of early, high-quality legal representation
4 can help stabilize families and prevent unnecessary family
5 separation and foster care placement.

6 SEC. 2. Chapter 7.5 (commencing with Section 16590) is added
7 to Part 4 of Division 9 of the Welfare and Institutions Code, to
8 read:

9

10 CHAPTER 7.5. PREVENTION LEGAL SERVICES

11

12 16590. (a) Subject to an appropriation by the Legislature in
13 the annual Budget Act or another statute for this purpose, the State
14 Department of Social Services shall establish and implement the
15 Family Advocacy Pilot Program for three years to provide grants,
16 as described in Section 16590.1, to qualified organizations.

17 (b) On or before July 1, 2026, the department shall, in
18 consultation with lived experience experts, advocates, dependency
19 attorneys, and community-based organizations, develop parameters
20 and an implementation plan to distribute grants pursuant to this
21 chapter.

22 (c) The department shall seek federal reimbursement through
23 Title IV-E of the federal Social Security Act (42 U.S.C. Sec. 670
24 et seq.), Temporary Assistance for Needy Families block grant,
25 and any other applicable federal funding to the maximum extent
26 possible for any prevention legal services provided pursuant to
27 this chapter. Any costs that are reimbursed shall be used to

1 supplement, and not supplant, the funds appropriated by the
2 Legislature for the program.

3 (d) If any counties are funding prevention legal services
4 programs that are providing the services described in subdivision
5 (a) of Section 16590.1, the department shall seek federal
6 reimbursement through Title IV-E of the federal Social Security
7 Act (42 U.S.C. Sec. 670 et seq.), Temporary Assistance for Needy
8 Families block grant, and any other applicable federal funding to
9 the maximum extent possible. Any costs that are reimbursed shall
10 be used to supplement, and not supplant, the funding available in
11 that county for prevention legal services.

12 16590.1. (a) The department shall provide grants pursuant to
13 this chapter to qualified organizations to provide one or more of
14 the following services, as determined by the department:

15 (1) Prevention legal services designed to prevent the filing of
16 a petition in a juvenile court or stabilize a family that is at risk of
17 receiving child welfare services, as defined in Section 16501, or
18 in cases in which a report regarding a family has been made to the
19 county child welfare department. Prevention legal services may
20 include, but are not limited to, navigating an investigation by the
21 county welfare department, obtaining a restraining order,
22 formalizing safe custody or visitation arrangements, obtaining
23 immigration relief for survivors of domestic violence, obtaining
24 or maintaining public benefits, improving a family's housing
25 stability, reducing barriers to reentry for those who have had
26 involvement with the criminal legal system, accessing health care
27 and coverage, addressing education barriers, and handling probate
28 guardianship matters.

29 (2) Direct assistance by an interdisciplinary team, including,
30 but not limited to, a social worker, case worker, parent partner,
31 and peer advocate, for families who are at risk of child welfare
32 services, as defined in Section 16501, or in cases in which a report
33 regarding a family has been made to the county child welfare
34 department. Assistance by the interdisciplinary team may include,
35 but is not limited to, navigating an investigation by the county
36 child welfare department and accessing services related to
37 substance use, mental health counseling, domestic violence,
38 education, housing, employment, childcare, immigration, and
39 public benefits.

1 (3) Legal training or technical assistance to other qualified
2 organizations providing the services described in paragraphs (1)
3 and (2).

4 (b) All services provided by qualified organizations under a
5 grant provided pursuant to this chapter shall be free to the recipients
6 of the services.

7 (c) (1) For the purposes of this chapter, “qualified organization”
8 includes both of the following:

9 (A) A legal aid or community-based nonprofit organization that
10 has a minimum of three years of experience providing legal
11 services to low-income Californians.

12 (B) A legal service organization providing legal training and
13 technical assistance that has a minimum of seven years of
14 experience conducting dependency legal services and technical
15 assistance training.

16 (2) Priority shall be given to qualified organizations that have
17 been providing prevention legal services to families who are at
18 risk of receiving child welfare services, as defined in Section
19 16501, for a minimum of two years.

20 16590.2. (a) At the conclusion of the three-year program, the
21 department shall submit a report to the Legislature evaluating the
22 effectiveness of the program.

23 (b) A report to be submitted pursuant to subdivision (a) shall
24 be submitted in compliance with Section 9795 of the Government
25 Code.