

**COUNTY OF SANTA BARBARA**  
**LEGISLATIVE ANALYSIS FORM**

*This form is required for the Legislative Program Committee to consider taking an advocacy position on an issue or legislative item.*

<b>BILL NUMBER:</b> SB941	<b>AUTHOR:</b> Holly Mitchel
<b>INTRO/AMEND DATE:</b> 2/3/16 set for hearing 4/12/16	<b>AUTHOR'S POLITICAL PARTY:</b> Democrat
<b>BILL STATUS:</b> In committee process	

**1) BILL SUBJECT:**

The reason for the bill is to alleviate the burden of juvenile court debts on parents or guardians.

**2) FROM DEPARTMENT:**

Probation

**3) IS THIS ITEM SPECIFICALLY REFERENCED IN THE LEGISLATIVE PLATFORM?**

Yes, Sustaining county revenue

**4) WHICH POLICY-RELATED MATTER IS OF CONCERN WITH THIS BILL?**

(1)Existing law provides that the board of supervisors of any county may authorize the correctional administrator to offer a program under which inmates committed to a county jail or other county correctional facility or granted probation, or inmates participating in a work furlough program, may voluntarily participate or involuntarily be placed in a home detention program during their sentence in lieu of confinement in the county jail or other county correctional facility or program. Existing law authorizes the board of supervisors to prescribe a program administrative fee and an application fee for this program.

This bill would make those fees payable only by adult participants of that home detention program.

**5) HOW WOULD THIS BILL IMPACT THE COUNTY? (Current practices, responsibility, authority, pros/cons, affected programs and/or services, etc.)**

In addition to the revenue loss, it would also preclude us from sending Institution accounts to the FTB COD, so the ones we have on the books would likely be uncollectible- unless the parents voluntarily pay.

We have \$8,274,255 total in this line item, including old old accounts from the Treasurer Tax Collector. Since feb 2012, we have \$3,575,375 in more recent debt. Approximately 10% of the debt is paid because most of the parents lack collection identifiers- Drivers licenses and Social Security numbers.

The bill also repeals the \$100 per day fee for parents who refuse to pick up their minor children from the hall or camp.

It also repeals the public defender fees paid by parents for their minor child's legal representation. This is collected by the Courts for the public defenders office.

It also repeals the Foster Parent training fund which I am guessing will create an uproar.

There is no analysis on this bill, which sometimes tells the why it was proposed. No press releases by the sponsor Senator Holly Mitchell from the San Fernando Valley either.

My guess is that LA County is being difficult about getting the parents daily rate reduced causing frustration with the parents which is what the Senator is hearing about...not sure who collects for LA probation halls and camps, the Probation office or their Central Collections under the TTC.



# COUNTY OF SANTA BARBARA

## LEGISLATIVE ANALYSIS FORM

The Central Collections chief is from San Bernadino County and is a super collector, so my guess is that if they are collecting that is the bill driver, but its just a guess....

- 6) IMPACT ON COUNTY PROGRAM:**       Major                       Minor                       None  
**SANTA BARBARA COUNTY IMPACT:**       Major                       Minor                       None  
**STATEWIDE IMPACT:**                       Major                       Minor                       None

*Explanation of Impacts:*  
 reduction in revenues. C

- 7) WOULD THIS BILL IMPACT:**
- |   |   |  |
|---|---|--|
| a. Efficient service delivery and operations?   | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| b. Fiscal stability?                            | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| c. Inter-agency cooperation?                    | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| d. Local control?                               | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| e. Protection of safety net services?           | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| f. Community sustainability/economic stability? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |

*Additional Comments:*

- 8) FISCAL IMPACT ON THE COUNTY:**
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Revenue Increase         | <input checked="" type="checkbox"/> Revenue Decrease | <input checked="" type="checkbox"/> Unfunded Mandate |
| <input checked="" type="checkbox"/> Cost Increase | <input type="checkbox"/> Cost Decrease               | <input type="checkbox"/> Undetermined                |
| <input type="checkbox"/> None                     |  |  |

*Additional Comments:*

**9) OTHER AGENCIES THAT SHOULD REVIEW THIS BILL:**

*Please list other agencies below:*  
 CEO office

- 10) CSAC POSITION ON BILL:**
- |  |                                 |   |
|--|---------------------------------|---|
| <input type="checkbox"/> Support               | <input type="checkbox"/> Oppose | <input type="checkbox"/> Support if Amended |
| <input type="checkbox"/> Oppose unless Amended | <input type="checkbox"/> Watch  | <input type="checkbox"/> No position taken  |

**11) OTHER LOCAL OR STATEWIDE ORGANIZATIONS THAT HAVE TAKEN A POSITION ON THIS BILL:**  
*(Indicate support or opposition for each)*

California Chief Probation of California (CPOC)



# COUNTY OF SANTA BARBARA

## LEGISLATIVE ANALYSIS FORM

**12) PROPOSED AMENDMENTS: (Attach separate sheet)**

**13) RECOMMENDATION:**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Active Support*               | <input type="checkbox"/> Passive Support               | <input type="checkbox"/> Support if Amended*    |
| <input type="checkbox"/> Active Opposition*            | <input type="checkbox"/> Passive Opposition            | <input type="checkbox"/> Oppose unless Amended* |
| <input checked="" type="checkbox"/> Watch              | <input type="checkbox"/> Concerns (Why? Explain in #6) | <input type="checkbox"/> No Position (Why?)     |
| <input type="checkbox"/> No Change since Last Position |  |   |

\* Indicates that the department believes that the Board of Supervisors should take a formal position on this bill

*Additional Comments:*

Additional research bering done statewide

**14) LEGISLATIVE ANALYSIS FORM PREPARED BY: G. Rabago**

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**SENATE BILL****No. 941**

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**Introduced by Senator Mitchell**February 3, 2016

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An act to amend Sections 27756 and 27757 of the Government Code, to amend Sections 1203.016, 1203.1ab, and 1208.2 of the Penal Code, to amend Section 19280 of the Revenue and Taxation Code, and to amend Sections 207.2, 332, 656, 729.9, 871, 900, and 11325.24 of, and to repeal Sections 902, 903, 903.1, 903.15, 903.2, 903.25, 903.4, 903.45, 903.47, 903.5, 903.6, 903.7, and 904 of, the Welfare and Institutions Code, relating to juveniles.

## LEGISLATIVE COUNSEL'S DIGEST

SB 941, as introduced, Mitchell. Juveniles.

(1) Existing law provides that the board of supervisors of any county may authorize the correctional administrator to offer a program under which inmates committed to a county jail or other county correctional facility or granted probation, or inmates participating in a work furlough program, may voluntarily participate or involuntarily be placed in a home detention program during their sentence in lieu of confinement in the county jail or other county correctional facility or program. Existing law authorizes the board of supervisors to prescribe a program administrative fee and an application fee for this program.

This bill would make those fees payable only by adult participants of that home detention program.

(2) Existing law provides that upon conviction of certain offenses involving controlled substances, or upon a finding that a minor is subject to the jurisdiction of the juvenile court by reason of committing one of those certain offenses, the court, when recommended by the probation officer, shall require, as a condition of probation, that the defendant or the minor not use or be under the influence of any controlled substance

and submit to drug and substance abuse testing as directed by the probation officer, unless the court makes a finding that this condition would not serve the interests of justice. Existing law requires the court to order the defendant or the minor to pay a reasonable fee, not to exceed the actual cost of the testing, if the defendant or the minor is required to submit to testing and has the financial ability to pay all or part of those costs.

This bill would authorize the court to order a defendant to pay that reasonable fee only if the defendant is an adult. The bill would also delete the authorization to charge the minor that reasonable fee. By increasing county costs associated with drug and substance abuse testing, this bill would impose a state-mandated local program.

(3) Existing law requires specified orders providing for the care and custody of a ward, dependent child, or other minor person to direct that the whole expense of support and maintenance of the minor, up to the amount of \$20 per month, be paid from the county treasury. Existing law authorizes the board of supervisors of each county to establish a maximum amount that the court may order the county to pay for that support and maintenance and authorizes the court to direct that an amount up to that maximum amount be paid.

This bill would delete the \$20 maximum on support and maintenance payments and delete county boards of supervisors authorization to establish a maximum amount that the court may order the county to pay. By increasing county funding obligations, this bill would impose a state-mandated local program.

(4) Existing law generally imposes liability on a parent, spouse, or other person liable for the support of a minor for certain costs, including the reasonable costs of transporting the minor to a juvenile facility and for the costs of the minor's food, shelter, and care at the juvenile facility when the minor has been held in temporary custody, as specified, and certain other circumstances are applicable; the reasonable costs of supporting the minor when he or she is placed, detained in, committed to, any institution or other place pursuant to specified provisions of law or pursuant to an order of the juvenile court; the cost of the legal services rendered to the minor by an attorney pursuant to an order of the juvenile court; and the cost of probation supervision, home supervision, or electronic surveillance of the minor, pursuant to the order of the juvenile court.

This bill would repeal these provisions. The bill would make other conforming changes. By increasing county funding obligations, this bill would impose a state-mandated local program.

(5) Existing law establishes the Foster Children and Parent Training Fund in the State Treasury for purposes of supporting foster parent training programs conducted by community colleges. Existing law makes this fund inoperative after June 30, 2005, unless otherwise specified in the annual Budget Act or in another statute.

This bill would repeal those provisions.

(6) Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, known in California as the California Work Opportunity and Responsibility to Kids (CalWORKs) program. Under the CalWORKs program, each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria. Existing law requires, with certain exceptions, every individual, as a condition of eligibility for aid under the CalWORKs program, to participate in welfare-to-work activities. Existing law authorizes a recipient to participate in family stabilization if the county determines that his or her family is experiencing an identified situation or crisis that is destabilizing the family and would interfere with participation in welfare-to-work activities and services. Existing law specifies that a situation or crisis that is destabilizing the family may include, but is not limited to, homelessness or imminent risk of homelessness.

This bill would also specify that a situation or crisis that is destabilizing the family includes when a child in the family has been held in temporary custody in a law enforcement facility, as specified.

(7) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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 27756 of the Government Code is  
2 amended to read:

3 ~~27756. Notwithstanding Section 903.4 of the Welfare and~~  
4 ~~Institutions Code, in any~~ *In a county where the board of supervisors*  
5 *has designated a county financial evaluation officer, the county*  
6 *financial evaluation officer shall make financial evaluations of*  
7 *parental liability for reimbursements and other court-ordered costs*  
8 *pursuant to Sections 903, 903.1, 903.2, 903.3, and 903.45 Section*  
9 *903.3 of the Welfare and Institutions Code, as directed by the board*  
10 *of supervisors, or as established by order of the juvenile court, and*  
11 *may enforce the court order as any other civil judgment, including*  
12 *any balance remaining unpaid after jurisdiction of the minor has*  
13 *terminated.*

14 SEC. 2. Section 27757 of the Government Code is amended  
15 to read:

16 ~~27757. (a) Except as otherwise ordered by the juvenile court,~~  
17 ~~a county financial evaluation officer, upon satisfactory proof, may~~  
18 ~~reduce, cancel, or remit the costs and charges listed in Sections~~  
19 ~~903, 903.1, 903.2, 903.3, and 903.45 Section 903.3 of the Welfare~~  
20 ~~and Institutions Code, or established by order of the juvenile court.~~

21 ~~(b) The county financial evaluation officer may, following entry~~  
22 ~~of an order by the juvenile court that a minor person be represented~~  
23 ~~by the public defender or private attorney or be placed under the~~  
24 ~~probation supervision of the probation officer or be placed or~~  
25 ~~detained in, or committed to, a county institution or other place,~~  
26 ~~make an investigation to determine the moneys, the property, or~~  
27 ~~interest in property, if any, the minor person has, and whether he~~  
28 ~~or she has a duly appointed and acting guardian to protect his or~~  
29 ~~her property interests. The county financial evaluation officer may~~  
30 ~~also make an investigation to determine whether the minor person~~  
31 ~~has any relative or relatives responsible under the provisions of~~  
32 ~~this chapter, and may ascertain the financial condition of that~~  
33 ~~relative or those relatives to determine whether they are financially~~  
34 ~~able to pay such charges.~~

35 ~~(c) In any case where a county has expended money for the~~  
36 ~~support and maintenance of any ward, dependent child or other~~  
37 ~~minor person, or has furnished support and maintenance, and the~~  
38 ~~court has not made an order of reimbursement to the county, in~~

































































1 If the county financial evaluation officer determines that the  
2 person has the ability to pay all or a portion of these costs, with or  
3 without terms, and the person concurs in this determination and  
4 agrees to the terms of payment, the county financial evaluation  
5 officer, upon his or her written evaluation and the person's written  
6 agreement, shall petition the court for an order requiring the person  
7 to pay that sum to the county or the court in a manner that is  
8 reasonable and compatible with the person's financial ability. This  
9 order may be granted without further notice to the person, provided  
10 a copy of the order is served on the person by mail.

11 However, if the county financial evaluation officer cannot reach  
12 an agreement with the person with respect to either the liability  
13 for the costs, the amount of the costs, the person's ability to pay  
14 the costs, or the terms of payment, the matter shall be deemed in  
15 dispute and referred by the county financial evaluation officer back  
16 to the court for a hearing.

17 (e) At any time prior to the satisfaction of a judgment entered  
18 pursuant to this section, a person against whom the judgment was  
19 entered may petition the rendering court to modify or vacate the  
20 judgment on the basis of a change in circumstances relating to his  
21 or her ability to pay the judgment.

22 (d) Execution may be issued on the order in the same manner  
23 as on a judgment in a civil action, including any balance remaining  
24 unpaid at the termination of the court's jurisdiction over the minor.

25 SEC. 21. Section 903.47 of the Welfare and Institutions Code  
26 is repealed.

27 903.47. (a) The Judicial Council shall establish a program to  
28 collect reimbursements from the person liable for the costs of  
29 counsel appointed to represent parents or minors pursuant to  
30 Section 903.1 in dependency proceedings.

31 (1) As part of the program, the Judicial Council shall:

32 (A) Adopt a statewide standard for determining the ability to  
33 pay reimbursements for counsel, which shall at a minimum include  
34 the family's income, their necessary obligations, the number of  
35 individuals dependent on this income, and the cost-effectiveness  
36 of the program.

37 (B) Adopt policies and procedures allowing a court to recover  
38 from the money collected the costs associated with implementing  
39 the reimbursements program. The policies and procedures shall at  
40 a minimum limit the amount of money a court may recover to a

1 reasonable proportion of the reimbursements collected and provide  
2 the terms and conditions under which a court may use a third party  
3 to collect reimbursements. For the purposes of this subparagraph,  
4 “costs associated with implementing the reimbursements program”  
5 means the court costs of assessing a parent’s ability to pay for  
6 court-appointed counsel and the costs to collect delinquent  
7 reimbursements.

8 ~~(2) The money collected shall be deposited as required by~~  
9 ~~Section 68085.1 of the Government Code. Except as otherwise~~  
10 ~~authorized by law, the money collected under this program shall~~  
11 ~~be utilized to reduce caseloads, for attorneys appointed by the~~  
12 ~~court, to the caseload standard approved by the Judicial Council.~~  
13 ~~Priority shall be given to those courts with the highest attorney~~  
14 ~~caseloads that also demonstrate the ability to immediately improve~~  
15 ~~outcomes for parents and children as a result of lower attorney~~  
16 ~~caseloads.~~

17 ~~(b) The court may do either of the following:~~

18 ~~(1) Designate a court financial evaluation officer to make~~  
19 ~~financial evaluations of liability for reimbursement pursuant to~~  
20 ~~Section 903.1.~~

21 ~~(2) With the consent of the county and pursuant to the terms~~  
22 ~~and conditions agreed upon by the court and county, designate a~~  
23 ~~county financial evaluation officer to make financial evaluations~~  
24 ~~of liability for reimbursement pursuant to Section 903.1.~~

25 ~~(c) In handling reimbursement of payments pursuant to Section~~  
26 ~~903.1, the court financial evaluation officer and the county financial~~  
27 ~~evaluation officer shall follow the procedures set forth for county~~  
28 ~~financial evaluation officers in subdivisions (b), (c), and (d) of~~  
29 ~~Section 903.45.~~

30 SEC. 22. Section 903.5 of the Welfare and Institutions Code  
31 is repealed.

32 ~~903.5. In addition to the requirements of Section 903.4, and~~  
33 ~~notwithstanding any other provision of law, the parent or other~~  
34 ~~person legally liable for the support of a minor, who voluntarily~~  
35 ~~places the minor in 24-hour out-of-home care, shall be liable for~~  
36 ~~the cost of the minor’s care, support, and maintenance when the~~  
37 ~~minor receives Aid to Families with Dependent Children-Foster~~  
38 ~~Care (AFDC-FC), Supplemental Security Income-State~~  
39 ~~Supplementary Program (SSI-SSP), or county-only funds. As used~~  
40 ~~in this section, “parent” includes any person specified in Section~~

1 903. As used in this section, “parent” does not include a minor or  
 2 nonminor dependent whose minor child receives aid under Section  
 3 11401.4. Whenever the county welfare department or the placing  
 4 agency determines that a court order would be advisable and  
 5 effective, pursuant to Section 17552 of the Family Code, the  
 6 department or the agency shall notify the local child support  
 7 agency, or the financial evaluation officer designated pursuant to  
 8 Section 903.45, who shall proceed pursuant to Section 903.4 or  
 9 903.45.

10 SEC. 23. Section 903.6 of the Welfare and Institutions Code  
 11 is repealed.

12 903.6. Funds collected pursuant to Sections 903, 903.4, and  
 13 903.5 shall be distributed in the following manner:

14 (a) If the program through which the minor is placed is a  
 15 county-funded program, the county shall retain 100 percent of the  
 16 funds collected. For the purposes of this subdivision, programs  
 17 funded in whole or part with county justices system subvention  
 18 program funds shall be considered to be 100 percent county funded.

19 (b) If the program through which the minor is placed is funded  
 20 partially with state or federal funds, the amounts collected shall  
 21 be distributed by the State Department of Social Services pursuant  
 22 to Section 11457 and incentives shall be paid pursuant to Sections  
 23 15200.1, 15200.2, and 15200.3.

24 SEC. 24. Section 903.7 of the Welfare and Institutions Code  
 25 is repealed.

26 903.7. (a) There is in the State Treasury the Foster Children  
 27 and Parent Training Fund. The moneys contained in the fund shall  
 28 be used exclusively for the purposes set forth in this section.

29 (b) For each fiscal year beginning with the 1981-82 fiscal year,  
 30 except as provided in Sections 15200.1, 15200.2, 15200.3, 15200.8,  
 31 and 15200.81, and Section 17704 of the Family Code, the  
 32 Department of Child Support Services shall determine the amount  
 33 equivalent to the net state share of foster care collections  
 34 attributable to the enforcement of parental fiscal liability pursuant  
 35 to Sections 903, 903.4, and 903.5. On July 1, 1982, and every three  
 36 months thereafter, the department shall notify the Chancellor of  
 37 the Community Colleges, the Department of Finance, and the  
 38 Superintendent of Public Instruction of the above-specified amount.  
 39 The Department of Child Support Services shall authorize the  
 40 quarterly transfer of any portion of this amount for any particular

1 fiscal year exceeding three million seven hundred fifty thousand  
2 dollars (\$3,750,000) of the net state share of foster care collections  
3 to the Treasurer for deposit in the Foster Children and Parent  
4 Training Fund, except that, commencing with the 2002-03 fiscal  
5 year, a total of not more than three million dollars (\$3,000,000)  
6 may be transferred to the fund in any fiscal year.

7 (e) (1) If sufficient moneys are available in the Foster Children  
8 and Parent Training Fund, up to three million dollars (\$3,000,000)  
9 shall be allocated for the support of foster parent training programs  
10 conducted in community colleges. The maximum amount  
11 authorized to be allocated pursuant to this subdivision shall be  
12 adjusted annually by a cost-of-living increase each year based on  
13 the percentage given to discretionary education programs. Funds  
14 for the training program shall be provided in a separate budget  
15 item in that portion of the Budget Act pertaining to the Chancellor  
16 of the California Community Colleges, to be deposited in a separate  
17 bank account by the Chancellor of the California Community  
18 Colleges.

19 (2) The chancellor shall use these funds exclusively for foster  
20 parent training, as specified by the chancellor in consultation with  
21 the California State Foster Parents Association and the State  
22 Department of Social Services.

23 (3) The plans for each foster parent training program shall  
24 include the provision of training to facilitate the development of  
25 foster family homes and small family homes to care for no more  
26 than six children who have special mental, emotional,  
27 developmental, or physical needs.

28 (4) The State Department of Social Services shall facilitate the  
29 participation of county welfare departments in the foster parent  
30 training program. The California State Foster Parents Association,  
31 or the local chapters thereof, and the State Department of Social  
32 Services shall identify training participants and shall advise the  
33 chancellor on the form, content, and methodology of the training  
34 program. Funds shall be paid monthly to the foster parent training  
35 program until the maximum amount of funds authorized to be  
36 expended for that program is expended. No more than 10 percent  
37 or seventy-five thousand dollars (\$75,000) of these moneys,  
38 whichever is greater, shall be used for administrative purposes; of  
39 the 10 percent or seventy-five thousand dollars (\$75,000), no more  
40 than ten thousand dollars (\$10,000) shall be expended to reimburse

1 the State Department of Social Services for its services pursuant  
2 to this paragraph.

3 ~~(d) Beginning with the 1983-84 fiscal year, and each fiscal year~~  
4 ~~thereafter, after all allocations for foster parent training in~~  
5 ~~community colleges have been made, any moneys remaining in~~  
6 ~~the Foster Children and Parent Training Fund may be allocated~~  
7 ~~for foster children services programs pursuant to Chapter 11.3~~  
8 ~~(commencing with Section 42920) of Part 24 of the Education~~  
9 ~~Code.~~

10 ~~(e) (1) The Controller shall transfer moneys from the Foster~~  
11 ~~Children and Parent Training Fund to the Chancellor of the~~  
12 ~~California Community Colleges and the Superintendent of Public~~  
13 ~~Instruction as necessary to fulfill the requirements of subdivisions~~  
14 ~~(c) and (d).~~

15 ~~(2) After the maximum amount authorized in any fiscal year~~  
16 ~~has been transferred to the Chancellor of the California Community~~  
17 ~~Colleges and the Superintendent of Public Instruction, the~~  
18 ~~Controller shall transfer any remaining funds to the General Fund~~  
19 ~~for expenditure for any public purpose.~~

20 ~~(f) This section shall be operative until June 30, 2005, and~~  
21 ~~thereafter is operative only if specified in the annual Budget Act~~  
22 ~~or in another statute.~~

23 SEC. 25. Section 904 of the Welfare and Institutions Code is  
24 repealed.

25 904. ~~The monthly or daily charge, not to exceed cost, for care,~~  
26 ~~support, and maintenance of minor persons placed or detained in~~  
27 ~~or committed to any institution by order of a juvenile court, the~~  
28 ~~cost of delinquency-related legal services referred to by Section~~  
29 ~~903.1, the cost of probation supervision referred to by Section~~  
30 ~~903.2, and the cost of sealing records in county or local agency~~  
31 ~~custody referred to by Section 903.3 shall be determined by the~~  
32 ~~board of supervisors. The cost of dependency-related legal services~~  
33 ~~referred to by Section 903.1 and the cost of sealing records in court~~  
34 ~~custody referred to by Section 903.3 shall be determined by the~~  
35 ~~court. Any determination made by a court under this section shall~~  
36 ~~be valid only if either (1) made under procedures adopted by the~~  
37 ~~Judicial Council or (2) approved by the Judicial Council.~~

38 SEC. 26. Section 11325.24 of the Welfare and Institutions  
39 Code is amended to read:



1 11325.24. (a) If, in the course of appraisal pursuant to Section  
2 11325.2 or at any point during an individual's participation in  
3 welfare-to-work activities in accordance with paragraph (1) of  
4 subdivision (a) of Section 11322.85, it is determined that a recipient  
5 meets the criteria described in subdivision (b), the recipient is  
6 eligible to participate in family stabilization.

7 (b) (1) A recipient is eligible to participate in family  
8 stabilization if the county determines that his or her family is  
9 experiencing an identified situation or crisis that is destabilizing  
10 the family and would interfere with participation in welfare-to-work  
11 activities and services.

12 (2) A situation or a crisis that is destabilizing the family in  
13 accordance with paragraph (1) may include, but shall not be limited  
14 to:

15 (A) Homelessness or imminent risk of homelessness.

16 (B) A lack of safety due to domestic violence.

17 (C) Untreated or undertreated behavioral needs, including mental  
18 health or substance abuse-related needs.

19 (D) *A child in the family has been held in temporary custody in*  
20 *a law enforcement facility pursuant to subdivision (d) of Section*  
21 *207.1.*

22 (c) Family stabilization shall include intensive case management  
23 and services designed to support the family in overcoming the  
24 situation or crisis, which may include, but are not limited to,  
25 welfare-to-work activities.

26 (d) Funds allocated for family stabilization in accordance with  
27 this section shall be in addition to, and independent of, the county  
28 allocations made pursuant to Section 15204.2.

29 (e) Funds allocated for family stabilization in accordance with  
30 this section, or the county allocations made pursuant to Section  
31 15204.2, may be used to provide housing and other needed services  
32 to a family during any month that a family is participating in family  
33 stabilization.

34 (f) Each county shall submit to the department a plan, as defined  
35 by the department, regarding how it intends to implement the  
36 provisions of this section and shall report information to the  
37 department, including, but not limited to, the number of recipients  
38 served pursuant to this section, information regarding the services  
39 provided, outcomes for the families served, and any lack of  
40 availability of services. The department shall provide an update

1 regarding this information to the Legislature during the 2014–15  
2 budget process.

3 (g) It is the intent of the Legislature that family stabilization be  
4 a voluntary component intended to provide needed services and  
5 constructive interventions for parents and to assist in barrier  
6 removal for families facing very difficult needs. Participants in  
7 family stabilization are encouraged to participate, but the  
8 Legislature does not intend that parents be sanctioned as part of  
9 their experience in this program component. The Legislature further  
10 intends that recipients refusing or unable to follow their family  
11 stabilization plans without good cause be returned to the traditional  
12 welfare-to-work program.

13 SEC. 27. With regard to certain costs, to the extent that this  
14 act has an overall effect of increasing the costs already borne by  
15 a local agency for programs or levels of service mandated by the  
16 2011 Realignment Legislation within the meaning of Section 36  
17 of Article XIII of the California Constitution, it shall apply to local  
18 agencies only to the extent that the state provides annual funding  
19 for the cost increase. Any new program or higher level of service  
20 provided by a local agency pursuant to this act above the level for  
21 which funding has been provided shall not require a subvention  
22 of funds by the state nor otherwise be subject to Section 6 of Article  
23 XIII B of the California Constitution.

24 However, if the Commission on State Mandates determines that  
25 this act contains other costs mandated by the state, reimbursement  
26 to local agencies and school districts for those costs shall be made  
27 pursuant to Part 7 (commencing with Section 17500) of Division  
28 4 of Title 2 of the Government Code.

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