



## Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 700 • Sacramento, California 95814-3393

Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

RONALD M. GEORGE  
*Chief Justice of California*  
*Chair of the Judicial Council*

WILLIAM C. VICKREY  
*Administrative Director of the Courts*

RONALD G. OVERHOLT  
*Chief Deputy Director*

CURTIS L. CHILD  
*Director, Office of Governmental Affairs*

May 12, 2009

Hon. Kevin de Leon, Chair  
Assembly Appropriations Committee  
State Capitol, Room 2114  
Sacramento, California 95814

Subject: AB 938 (Committee on Judiciary), as amended April 20, 2009 – Fiscal Impact Statement

Dear Assembly Member de Leon:

AB 938 implements recommendations made by the Judicial Council's Blue Ribbon Commission on Children in Foster Care concerning the involvement of grandparents and other relatives of a child in dependency proceedings, and the need for parties to dependency hearings to have an opportunity to review reports and meet with legal counsel in advance of those proceedings. Specifically, this measure requires: (1) a superior court to inquire at each dependency hearing whether relatives were able to review reports and confer with legal counsel; (2) the Judicial Council to develop a form to be used by a relative of the child to provide information to the court; and (3) courts to consider the information on that form at dependency hearings.

This measure imposes additional one-time administrative costs on the Judicial Council by requiring the development of a new form to be used by courts at dependency hearings. The costs to develop and adopt the form are estimated to be minor and absorbable within existing resources. The court procedures prescribed in AB 938 are consistent with existing practice and are not expected to impose any new costs on the courts.



Hon. Kevin de Leon

May 12, 2009

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Please contact me at 916-323-3121 or [henry.sepulveda@jud.ca.gov](mailto:henry.sepulveda@jud.ca.gov) if you would like further information or have any questions about the fiscal impact of this legislation on the judicial branch.

Sincerely,



Henry Sepulveda

Senior Governmental Affairs Analyst

HS/yt

cc: Hon. Mike Feuer, Chair, Assembly Judiciary Committee

Ms. Julie Salley-Gray, Principal Consultant, Assembly Appropriations Committee

Mr. Allan Cooper, Consultant, Assembly Republican Office of Policy

Ms. Teresa Calvert, Budget Analyst, Department of Finance



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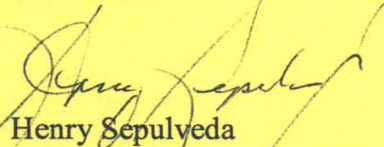
Hon. Kevin de Leon

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*Director, Office of Governmental Affairs*

April 23, 2009

Hon. Jim Beall, Jr., Chair  
Assembly Human Services Committee  
State Capitol, Room 5016  
Sacramento, California 95814

Subject: AB 938 (Committee on Judiciary), as amended April 20, 2009 - Sponsor  
Hearing: Assembly Human Services Committee – April 28, 2009

Dear Assembly Member Beall:

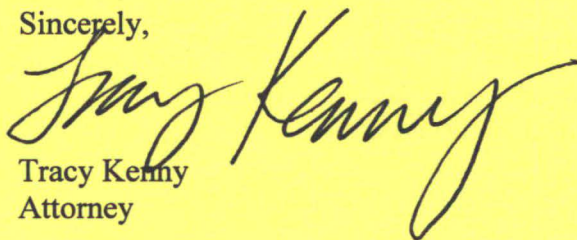
The Judicial Council is pleased to sponsor AB 938, which would require the notification of relatives when a child is removed from his or her home due to abuse or neglect, provide opportunities for relatives to provide information to the juvenile dependency court, and ensure that parties in dependency proceedings are able to confer with their attorneys in advance of court proceedings. AB 938 implements a number of the recommendations of the California Blue Ribbon Commission on Children in Foster Care. The Blue Ribbon Commission was appointed in March, 2006 by Chief Justice Ronald M. George, to make recommendations for courts and their child welfare partners to improve safety, permanency, well-being, and fairness outcomes for dependent children and their families. In its final recommendations, the Blue Ribbon Commission made numerous recommendations regarding the need to engage family members early in dependency proceedings to provide possible placements for the child and support for the family. The commission specifically addressed the need for a search for relatives to be commenced at the onset of a child welfare case. AB 938 advances those recommendations and will ensure that the court performs its oversight function in ensuring that these duties are fulfilled.



Because it was convened by the judicial branch, the commission was uniquely well situated to focus on issues of due process for parties to dependency proceedings that are not central to other discussions of foster care. As a result, many of the recommendations of the commission are intended to improve the meaningfulness of court proceedings by ensuring that all parties are well informed and able to participate in the proceedings. To advance this objective, the commission recommended that all parties be given an opportunity to consult with their attorneys in advance of hearings and have an opportunity to review reports and other important documents in the case. AB 938 will advance these recommendations by requiring court to ensure that parties have an opportunity to confer with their counsel in advance of proceedings, and clarifying the legislative intent regarding the standard for competent counsel in dependency cases. The critical decisions made by juvenile courts each day are dependent upon the information that they receive regarding the children and families that are before them. Ensuring that these parties to the case have adequate representation and can meaningfully participate in these proceedings will improve the quality of the information that court has to consider and thereby improve the quality of its decisions.

For these reasons the Judicial Council supports AB 938.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracy Kenny", is written over the typed name and title.

Tracy Kenny  
Attorney

TK/yt

cc: Members, Assembly Human Services Committee

Hon. Mike Feuer, Chair, Assembly Judiciary Committee

Mr. Eric Gelber, Chief Consultant, Assembly Human Services Committee

Mr. Michael Prosio, Legislative Affairs Secretary, Office of the Governor

Ms. Kirsten Kolpitcke, Deputy Director of Legislation, Governor's Office of Planning and Research

Ms. Mary Bellamy, Consultant, Assembly Republican Office of Policy





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*Director, Office of Governmental Affairs*

April 1, 2009

Hon. Mike Feuer, Chair  
Assembly Judiciary Committee  
State Capitol, Room 3146  
Sacramento, California 95814

Subject: AB 938 (Committee on Judiciary), as amended March 27, 2009 - Sponsor  
Hearing: Assembly Judiciary Committee – April 14, 2009

Dear Assembly Member Feuer:

The Judicial Council is pleased to sponsor AB 938, which would require the notification of relatives when a child is removed from his or her home due to abuse or neglect, provide opportunities for relatives to provide information to the juvenile dependency court, and ensure that parties in dependency proceedings are able to confer with their attorneys in advance of court proceedings. AB 938 implements a number of the recommendations of the California Blue Ribbon Commission on Children in Foster Care. The Blue Ribbon Commission was appointed in March, 2006 by Chief Justice Ronald M. George, to make recommendations for courts and their child welfare partners to improve safety, permanency, well-being, and fairness outcomes for dependent children and their families. In its final recommendations, the Blue Ribbon Commission made numerous recommendations regarding the need to engage family members early in dependency proceedings to provide possible placements for the child and support for the family. The commission specifically addressed the need for a search for relatives to be commenced at the onset of a child welfare case. AB 938 advances those recommendations and



Hon. Mike Feuer

April 1, 2009

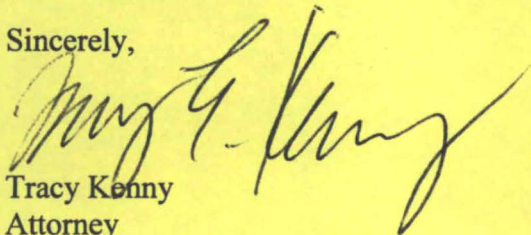
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For these reasons the Judicial Council supports AB 938.

Sincerely,



Tracy Kenny  
Attorney

TK/yt

cc: Members, Assembly Judiciary Committee

Ms. Leora Gershenzon, Counsel, Assembly Judiciary Committee

Mr. Mark Redmond, Consultant, Assembly Republican Office of Policy

Mr. Michael Prosio, Legislative Affairs Secretary, Office of the Governor

Ms. Kirsten Kolpitcke, Deputy Director of Legislation, Governor's Office of Planning and Research





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June 29, 2009

Hon. Christine Kehoe, Chair  
Senate Appropriations Committee  
State Capitol, Room 5050  
Sacramento, California 95814

Subject: AB 938 (Committee on Judiciary), as amended June 18, 2009 – Fiscal Impact Statement

Dear Senator Kehoe:

AB 938 implements recommendations made by the Judicial Council's Blue Ribbon Commission on Children in Foster Care concerning the involvement of grandparents and other relatives of a child in dependency proceedings, and the need for parties to dependency hearings to have an opportunity to review reports and meet with legal counsel in advance of those proceedings. Specifically, this measure requires the Judicial Council, in consultation with the State Department of Social Services and the County Welfare Directors Association, to develop a form to be used by a relative of the child to provide information to the court.

This measure imposes additional one-time administrative costs on the Judicial Council by requiring the development of a new form to be used by courts at dependency hearings. The costs to develop and adopt the form are estimated to be minor and absorbable within existing resources.



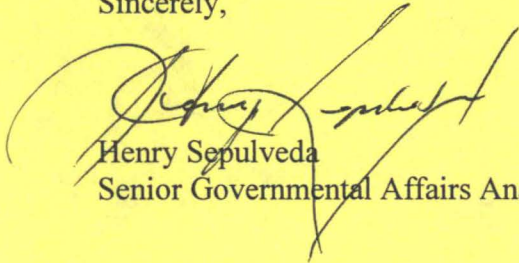
Hon. Christine Kehoe

June 29, 2009

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Sincerely,

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Henry Sepulveda  
Senior Governmental Affairs Analyst

HS/yt

cc: Hon. Mike Feuer, Chair, Assembly Judiciary Committee  
Ms. Jacqueline Wong-Hernandez, Consultant, Senate Appropriations Committee  
Mr. Matt Osterli, Consultant, Senate Republican Office of Policy  
Ms. Teresa Calvert, Budget Analyst, Department of Finance