

Juvenile Dependency



The Hon. Ana España
The Hon. Rohanee Zapanta
May 19, 2022

Goals of Dependency Proceedings

Preserve the family
and
provide for the safety,
protection, and physical and
emotional well-being of the
child.



The Philosophy of Dependency Court

1. When the government takes a parent's kids, we're supposed to give them back
2. But only if it's safe, and there's a limited amount of time
3. So if we can't give them back, we need a good Plan B.

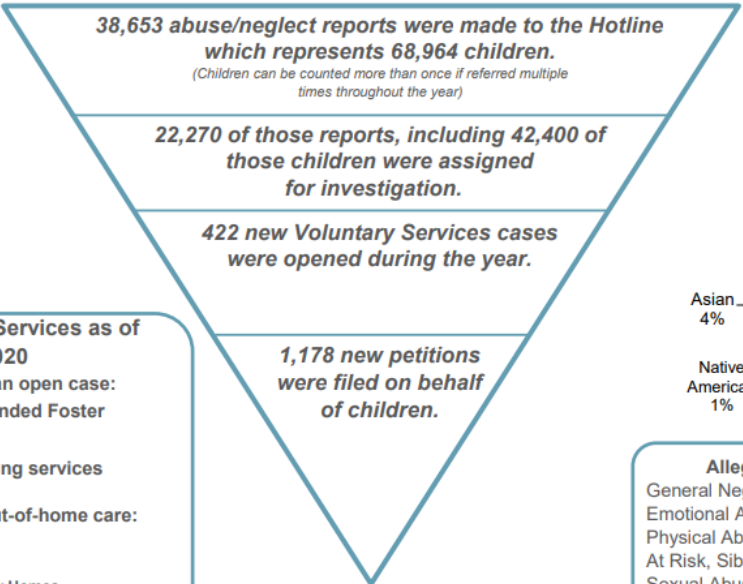
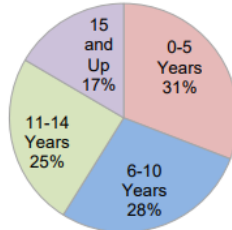
Source of the law?

- Welfare and Institutions Code sections 300 and beyond
- Case law from appeals courts, the California Supreme Court, and the United States Supreme Court
- Federal laws including the Indian Child Welfare Act

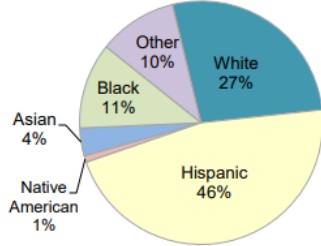
Child Welfare Services Fiscal Year 2019/20 Statistics



Age of Children
In Referrals



Ethnicity of Children
In Referrals



Children Receiving Services as of July 1, 2020

- 3,530 children and youth in an open case:
- 358 young adults in Extended Foster Care (EFC)
 - 966 children were receiving services in their home.
 - 2,206 children were in out-of-home care:
 - 31% Kinship Care
 - 63% Non-kinship care
 - 31% Resource Family Homes
 - 10% Guardian and Court Specified Homes
 - 11% Foster Family Agency Homes
 - 7% Group Home
 - 3% San Pasqual Academy
 - 2% Temporary Shelter Care Facility
 - 4% Adoptions pending/finalized
 - 2% Other (e.g. trial home visits with parents, non-foster care placements)

Allegation Types

General Neglect	43%
Emotional Abuse	33%
Physical Abuse	30%
At Risk, Sibling Abused	21%
Sexual Abuse	18%
Severe Neglect	2%
Caretaker Absence/Incapacity	1%
Exploitation	0.4%

Children may have multiple allegations, therefore the percents will not equal 100%

300 children were placed in adoptive homes during FY2019/20

For more information contact:
Margo Fudge, Deputy Director, Child Welfare Services at Margo.Fudge@sdcounty.ca.gov

Sources: CWS/CMS Data
Aug. 10, 2020

Once the Case Comes to Court....

- Both parents and children have the right to counsel
- Parents and children over 10 have the right to be present
- After most decisions, the parents and children have the right to appeal
- A CASA may be appointed for the child(ren)
- The court can make *any orders* necessary for the child's welfare

Once the Case Comes to Court....

Everything is confidential!



Once the Case Comes to Court....

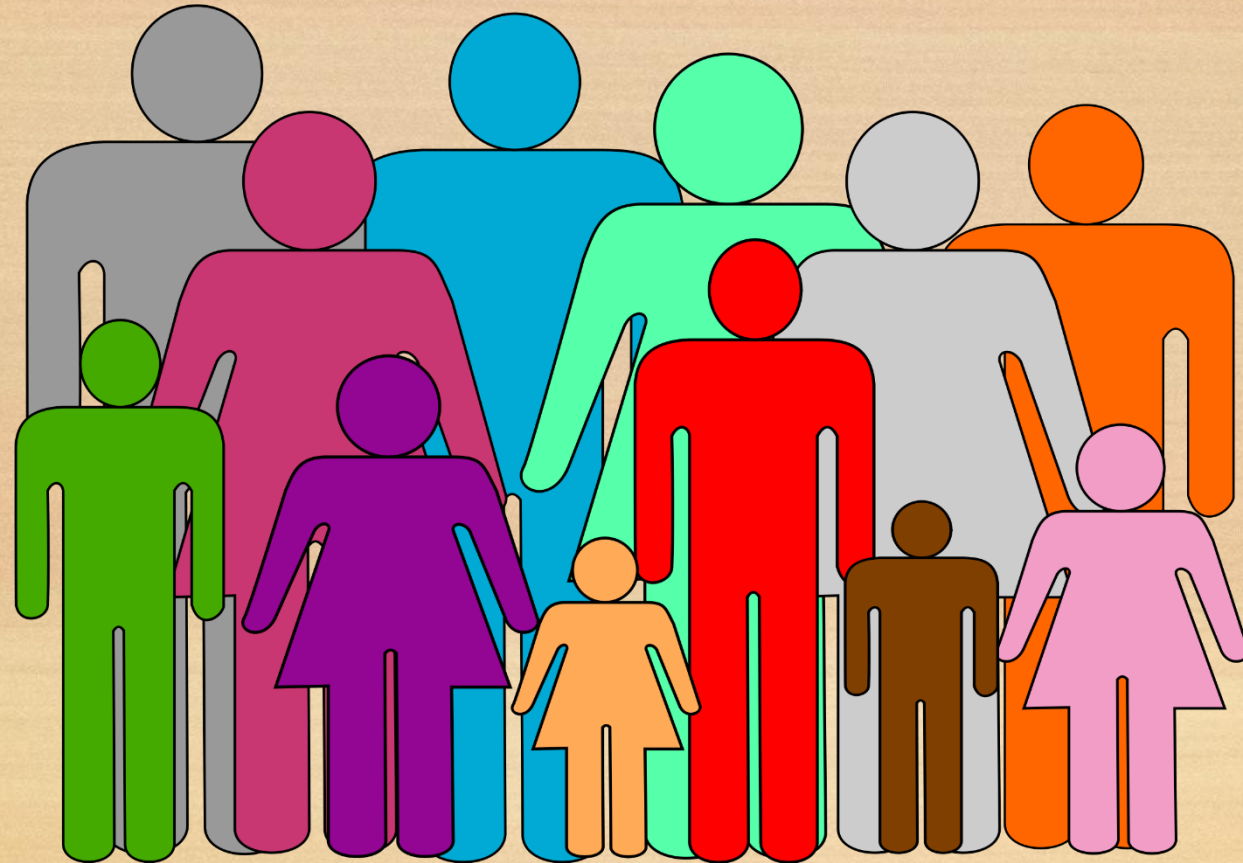
1. Are the allegations true?

Once the Case Comes to Court....

1. Are the allegations true?
2. If so, what should happen next? Where should the children go?

Once the Case Comes to Court....

The law requires us to look for family



Of 2,206 children in out-of-home care

- 31% with family
- 63% not with family
 - 31% resource family homes
 - 10% guardianship
 - 11% foster family agency homes
 - 7% group homes
 - 3% San Pasqual Academy
 - 2% temporary shelter care facility

Once the Case Comes to Court....

1. Are the allegations true?
2. If so, what should happen next? Where should the children go?
3. How are the parents doing at fixing the problem?

What are parents supposed to do?

- Drug treatment/testing
- DV counseling
- Individual counseling
- Parenting classes
- Visitation
- Services for the children?

Tight Timeframes



Once the Case Comes to Court....

1. Are the allegations true?
2. If so, what should happen next? Where should the children go?
3. How are the parents doing at fixing the problem?

Once the Case Comes to Court....

1. Are the allegations true?
2. If so, what should happen next? Where should the children go?
3. How are the parents doing at fixing the problem?
4. If the parents aren't reunified with the children, what should the permanent plan be?



Adoption

Guardianship

Placement with a fit
and willing relative

Once the Case Comes to Court....

1. Are the allegations true?
2. If so, what should happen next? Where should the children go?
3. How are the parents doing at fixing the problem?
4. If the parents aren't reunified with the children, what should the permanent plan be?
5. How is the child doing?

What is Available to Help Adults Who Are Former Foster Youth?

- Extended foster care until age 21
- Free college at UCs, California state schools, and CCs
- In San Diego, services up until age 27 through non-profit Just in Time

How can you help?