

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



May 23, 2005

ALL COUNTY LETTER No. 05-07

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHILD WELFARE SERVICES
PROGRAM MANAGERS
CHIEF PROBATION OFFICERS

REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation Change
 Court Order
 Clarification Requested by one or more Counties
 Initiated by CDSS

SUBJECT: ASSEMBLY BILL 2795: EXTENSION OF FAMILY MAINTENANCE SERVICES; CHANGE IN TIME PERIOD FOR COMPLETION OF A CASE PLAN

REFERENCE: ASSEMBLY BILL 2795, CHAPTER 332, STATUTES OF 2004; ALL COUNTY INFORMATION NOTICE 1-64-03 (FAMILY ENGAGEMENT IN CASE PLANNING); CALIFORNIA DEPARTMENT OF SOCIAL SERVICES MANUAL OF POLICIES AND PROCEDURES, DIVISION 31-210, 31-215, 31-235; AND WELFARE AND INSTITUTIONS CODE (W& I C) 16501.1(d), and 16506

The purpose of this All County Letter is to inform county child welfare agencies and probation departments of two pertinent changes created by the passage of Assembly Bill (AB) 2795. The bill extends the time frame for the provision of family maintenance services and the development of a case plan. Further, this letter is to inform county child welfare agencies and probation departments of the status of related policy and regulatory changes necessitated by AB 2795.

Family Maintenance

AB 2795 changes the time limit on family maintenance services; this portion of the new legislation took effect January 1, 2005. Any necessary changes to the Manual of Policies and Procedures (MPP) Division 31 Regulations related to this issue will be incorporated into the regulation changes needed for the case plan extension.

The bill allows family maintenance services to be continued beyond the 12 month period and is extended by six month intervals if it can be shown by courts that the objectives of the service plan can be achieved within the extended time periods and if the extended services can be provided within the county's child welfare services allocation.

Case Plan

AB 2795 changes the time period for completing a written case plan from 30 days to up to 60 days. However, the bill also provides that this change is not to be effective until 90 days after the counties have received written notification from the California Department of Social Services (CDSS) that appropriate changes have been made to the Child Welfare Services Case Management System (CWS/CMS). Therefore, based on statute, **the current requirement that the case plan must be completed within 30 days is still in effect**, and shall remain in effect until 90 days after notification from the CDSS of the effective date of the change to the CWS/CMS. Although counties will need to continue to operate under the 30 day requirement provided for under W&I Code 16501 and MPP Division 31-210 until that time, it is expected that counties will continue to increase the extent to which families as well as relatives and other interested parties, are engaged and the voices of children, youth and their families are heard and considered in the case planning process.

The County Welfare Director's Association has raised several fiscal allocation and CWS/CMS issues regarding the implementation of the extension of the case plan time frame that must be resolved before appropriate changes can be made to the CWS/CMS and to MPP Division 31 and potentially MPP Division 45 Regulations. When those issues are resolved, you will be informed of any changes and the scheduled implementation date.

If you have any questions, please contact me at (916) 657-2614 or Teresa Contreras, Chief, Child Welfare Policy and Program Development Bureau at (916) 651-6160.

Sincerely,

Original Document Signed by Barbara Eaton

BARBARA EATON
Acting Deputy Director
Children and Family Services Division