



CDSS

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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

February 22, 2018

ALL COUNTY LETTER NO.18-13

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL INDEPENDENT LIVING PROGRAM MANAGERS
ALL INDEPENDENT LIVING PROGRAM COORDINATORS
ALL FOSTER CARE MANAGERS
ALL TITLE IV-E AGREEMENT TRIBES
ALL TRANSITIONAL HOUSING COORDINATORS

SUBJECT: CHANGES TO JUVENILE COURT DELINQUENCY FEES

REFERENCE: [SENATE BILL 190 \(MITCHELL\) JUVENILES CHAPTER 678
STATUTES OF 2017](#)

PURPOSE

The purpose of this All County Letter (ACL) is to inform county child welfare and probation agencies of the changes mandated by Senate Bill (SB) 190, effective January 1, 2018. This legislation repealed specific juvenile court administrative fees for the care and supervision of youth, and limited the recovery of fees charged to families and guardians of children in the juvenile justice system.

CHANGES UNDER SB 190
CARE AND SUPERVISION FEES

This legislation eliminated the liability of minors and their parents for specific juvenile administrative fees associated with the filing of a juvenile delinquency petition:

- Costs of probation supervision, home supervision, and electronic monitoring,
- Legal services rendered directly to the juvenile,
- Costs associated with any service program that the minor is required to participate in,
- Costs of support for a minor detained in a juvenile facility,
- Reasonable costs for transporting a minor to a juvenile facility, food, shelter and care costs,

REASON FOR THIS TRANSMITTAL

- ☒ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

- Costs of support for minors placed in out-of-home placements other than county institutions, and
- Costs related to care, support, and maintenance of a minor, when voluntarily placed in out-of-home care.

NON-MINOR DEPENDENTS AND DUAL STATUS YOUTH

In addition, this legislation eliminated the juvenile court administrative fees to young adults, ages 18-20, for supervised drug testing and home detention programs that are alternatives to incarceration. This legislation requires that the specified fees be applied only for the purposes of the dependency jurisdiction if the youth is considered “dual status” (involved in both the dependency and juvenile justice systems).

RECOVERY OF FEES

This legislation limits the recovery of fees for the following services rendered to the families or guardians of the youth:

- Services provided directly to the family during diversion, and
- Appointed legal representation services.

OTHER PROVISIONS

- Expenses related to the support and maintenance of a juvenile delinquency ward shall be paid in its entirety by the county treasury.
- A minor who is ordered to pay restitution for damaging or losing an electronic monitor is entitled to an “ability to pay” hearing without formally requesting such a hearing.
- Allows a county financial evaluation officer to evaluate and amend specified costs so that it does not apply to a minor subject to a delinquency petition or who is on probation.

If you have any questions or need additional guidance regarding the information in this letter, contact the Permanency Policy Bureau at (916) 657-1858 or at ConcurrentPlanningPolicyUnit@dss.ca.gov.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division