

January 15, 2023

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 23-04

The purpose of this letter is to inform county child welfare services agencies and probation departments of Assembly Bill 1735 (Chapter 405, Statutes of 2022), which amended Welfare and Institutions Code sections 16001.9 and 16501.1 to require that, when a youth is entitled to receive a copy of their court report, case plan, transition to independent living plan, or Foster Youth Bill of Rights, the social worker or probation officer shall ensure those items are translated in the youth's primary language, if English is not their primary language.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

January 15, 2023

ALL COUNTY LETTER NO. 23-04

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL FEDERALLY RECOGNIZED TRIBES
ALL FOSTER CARE MANAGERS
ALL FOSTER FAMILY AGENCIES
ALL TRANSITIONAL HOUSING COORDINATORS
ALL COURT APPOINTED SPECIAL ADVOCATE PROGRAMS

SUBJECT: **TRANSLATED COURT REPORT, CASE PLAN, TRANSITION TO
INDEPENDENT LIVING PLAN, AND FOSTER YOUTH BILL OF
RIGHTS**

REFERENCE: [ASSEMBLY BILL 1735 \(CHAPTER 405, STATUTES OF 2022\);
WELFARE AND INSTITUTIONS CODE \(WIC\) SECTIONS
16001.9, AND WIC 16501.1; GOVERNMENT CODE 7293](#)

PURPOSE

The purpose of this All County Letter is to inform county child welfare services agencies and probation departments of [Assembly Bill \(AB\) 1735 \(Chapter 405, Statutes of 2022\)](#), which amended [Welfare and Institutions Code \(WIC\) sections 16001.9 and WIC 16501.1](#) to require that, when a youth is entitled to receive a copy of their court report, case plan, transition to independent living plan (TILP), or Foster Youth Bill of Rights, the social worker (SW) or probation officer (PO) shall ensure those documents are translated in the youth's primary language, if English is not their primary language.

CURRENT LAW AND THE REQUIREMENTS OF AB 1735

The [WIC 16501.1](#) requires the SW or PO to develop a case plan in consultation with the youth, as age and developmentally appropriate. Youth who are at least 12 years old, and in a permanent placement, must be given an opportunity to review, sign, and receive a copy of their case plan. Further, [WIC 16001.9\(a\)\(37\)](#) requires all youth to be involved in the development of their case plan, and [WIC 16001.9\(a\)\(38\)](#) requires all youth to review their case plan, and youth over 10 years old to participate in permanent placement planning. The SWs and POs must provide the youth with a copy of their Foster Youth Bill of Rights in an age-appropriate manner and document they have done so in the case plan. AB 1735 amended [WIC 16001.9](#) and [WIC 16501.1](#) to require that a youth at least 12 years of age is entitled to receive a copy of their court report, case plan, TILP, and Foster Youth Bill of Rights, and the SW or PO shall ensure those items are translated in the youth's primary language, if English is not their primary language.

RECOMMENDATIONS IN ALIGNMENT WITH INTEGRATED CORE PRACTICE MODEL

The SW or PO must engage with the youth to determine if the youth's primary language is not English, identify if language services are needed, and document the youth's primary language in the client management section of the Child Welfare Services/Case Management System. As the SW or PO engages with youth whose primary language is not English, it is critical the SW or PO utilize practice components from the [Integrated Core Practice Model](#). A youth may have different levels of oral, written, receptive, and expressive language. For example, a youth may be able to converse in English, but still needs written documents provided in their primary language. The youth's primary language is one other than English should be based on engagement with the youth. The monthly in-person visit is a great opportunity for the SW or PO to engage with the youth to determine their language preferences. The determination of the primary language should be that which is expressed by the youth regarding receipt of important documents, including court reports, case plans, TILPs, and Foster Youth Bill of Rights, in their preferred language. Currently, SWs or POs translate court reports when requested. Effective January 1, 2023, translated court reports are required to be provided, along with translated case plans, TILPs, and Foster Youth Bill of Rights for those youth entitled to receive a written copy. If written translations are not available, the agency or department is still responsible to provide interpretations of the written materials until the written documents are available in accordance with [Government Code 7293](#).

The SW or PO may need to work with their county language services, contracted agency, or California Department of Social Services (CDSS) Office of the Foster Care Ombudsperson (OFCO) to ensure the court report, case plan, TILP, and Foster Care Bill of Rights are translated and provided to the youth in a timely manner. Whenever there is a change to the preferred language by the youth, the SW or PO should document this change both electronically and onto the identified county language

preference form if available. The SW or PO is encouraged to actively support the youth by planning language services, preparing, and mailing out the court report, case plan, and TILP prior to any court hearing so that the youth has sufficient time to review such documents prior to the court hearing. This may include checking in with the translator or language services to ensure that the documents will be prepared in a timely manner. If the written reports are not available in a timely manner, the SW or PO may need to collaborate with the interpreter to ensure that language services (example: oral or sign language) are provided to the youth.

The SW or PO should support the youth by providing the assistance needed to understand their case plans in their primary language (e.g., multilingual brochures, multilingual websites, and other handout information), and follow up with the youth to ensure they understand the documents if translations in their primary language are unavailable. Additionally, the case plan should be written in family friendly language that the youth and family can reference and understand (meaning no county/complex legalese/acronyms/psychology terms, etc.). Ultimately, the SW or PO is required to provide the youth with all the information pertinent to their case plan in their primary language.

FOSTER YOUTH BILL OF RIGHTS MATERIAL

The [WIC 16001.9\(40\)\(B\)](#) requires that when a SW or PO informs a youth of their rights in an age-appropriate manner, they include written information in the youth's primary language. Also, when a SW or PO provides a youth with copies of their rights at the time of placement, and every six months thereafter, the written materials must be provided in the youth's primary language, when the youth's primary language is one other than English. CDSS' OFCO creates and distributes the Foster Youth Bill of Rights materials. These materials are currently available in English and Spanish. Forms are available at no cost on CDSS' OFCO [Publication Request website](#), or via the OFCO's toll free phone number (877) 846-1602. The SW or PO should contact the OFCO by email or the toll-free phone number to request translated Foster Youth Bill of Rights information in languages other than English or Spanish. Currently OFCO is translating the Foster Youth Bill of Rights in selected languages based on statewide Child Welfare Services/Case Management System data and are subject to change based on CDSS' language access plan. Additional languages will be made available as needed. The CDSS' OFCO does not anticipate that the translated Bill of Rights will be available by January 1, 2023, but when they are available they will be downloadable PDF files on [CDSS' OFCO webpage](#).

TRANSITIONAL INDEPENDENT LIVING PLAN & AGREEMENT FORM

In addition, CDSS' Transition Age Youth (TAY) Policy Unit is translating the Transitional Independent Living Plan & Agreement (TILP 1 Form). The SW or PO should contact the TAY Policy Unit by email at TAYPolicy@dss.ca.gov for more information about the TILP 1 Form in languages other than English or Spanish.

If you have any questions or need additional guidance regarding the information in this letter, contact the Family Reunification and Pathways to Permanency Unit at Reunification-Permanency@dss.ca.gov.

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division