

January 26, 2023

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 23-09**

This All County Letter provides child welfare workers and juvenile probation officers with instructions about how to record name changes in the Child Welfare Services/Case Management System when a child or nonminor dependent in foster care has either legally changed their birth name or has identified a name, other than their legal/birth name, which aligns with their gender identity.



KIM JOHNSON  
DIRECTOR

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**DEPARTMENT OF SOCIAL SERVICES**  
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GAVIN NEWSOM  
GOVERNOR

January 26, 2023

ALL COUNTY LETTER NO. 23-09

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS  
ALL FOSTER CARE MANAGERS  
ALL TITLE IV-E TRIBES  
ALL INDEPENDENT LIVING PROGRAM MANAGERS  
ALL INDEPENDENT LIVING PROGRAM COORDINATORS  
ALL ADOPTION REGIONAL OFFICES  
ALL COUNTY ADOPTION OFFICES

SUBJECT: **ENABLING NAME CHANGES IN THE CHILD WELFARE SERVICES/CASE MANAGEMENT SYSTEM TO SUPPORT A FOSTER CHILD'S/NON-MINOR DEPENDENT'S GENDER IDENTITY**

REFERENCE: ASSEMBLY BILL [959 \(CHAPTER 565, STATUTES OF 2015\)](#); GOVERNMENT CODE SECTION [8310.8](#); WELFARE AND INSTITUTIONS CODE SECTION [827](#), AND ALL COUNTY LETTERS [19-20](#), [19-92](#), [21-69](#), AND [21-149](#)

**PURPOSE**

The California Department of Social Services (CDSS) consulted with the Sexual Orientation, Gender Identity and Expression (SOGIE) Advisory Committee and initiated a Child Welfare Services/Case Management System (CWS/CMS) System Change Request for the purpose of adding new dropdown options for "Name Type" on the "Client ID" page and the "Names" page of the Client Notebook in the CWS/CMS. These dropdown options were created so caseworkers can document when a child/NMD has either: *1) legally changed their birth name, or 2) has identified a name, other than their legal/birth name, which aligns with their gender identity.* By allowing the functionality of the CWS/CMS to capture the identified name or legal name change of a Lesbian, Gay, Bisexual, Transgender, Queer, Questioning and + (LGBTQ+) child or non-minor dependent (NMD) in foster care, their gender identity is supported and honored.

This All County Letter (ACL) provides caseworkers with general instructions and best practice tips about how to record name changes in the CWS/CMS utilizing the new dropdown options added by the July 2022 system change and are detailed in **Attachment A**.

## **BACKGROUND**

In recent years, California has passed legislation that supports the needs and services provided to LGBTQ+ to capture the various and many sexual orientations and gender identities of LGBTQ+ children and NMDs in foster care. However, the process by which a child's/NMD's name was entered into the statewide CWS/CMS did not allow the option for caseworkers (i.e., child welfare workers and juvenile probation officers) to enter the identified name<sup>1</sup> that a child/NMD has chosen to align with their gender identity. Similarly, when a child/NMD legally changed their name, the functionality of the CWS/CMS did not allow the option for the birth name to be retained in the system.

The only alternative was to list the new legal name or the identified name as an "Also Known As" (AKA) under the "Names" page in the CWS/CMS. However, since AKA names are not alternative "legal names" and are typically used to describe a person's nickname or a name a person may be referred to by family or friend(s), it was not appropriate to be used as an "identified" name or a "legal" name. Additionally, AKAs entered on the "Names" page in the CWS/CMS do not populate into child welfare documents such as court reports and case plans. Consequently, a child's/NMD's new legal or identified name could not be fully recognized or recorded in a manner that honored a child's/NMD's gender identity.

These issues were elevated to the CDSS' attention and concern was raised because as state legislation, policy, and county practices support and affirm LGBTQ+ children/NMDs in foster care, it is equally important that the integrity of the CWS/CMS system provide the flexibility to fully support an individual's sexual orientation and gender identity; Specifically, the ability to record a LGBTQ+ child's/NMD's identified name, preserve their historical name, and have these names reflected in child welfare records and the CWS/CMS or the statewide child welfare information system according to how they identify and voluntarily disclose. Historical names are preserved because in practice, workers may need it to be able to search when a reporter/collateral uses it and only knows the historical name, or when there is an old child welfare case that used the

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<sup>1</sup>Some LGBTQ+ individuals may choose to identify themselves using a name that differs from their birth or legal name as an important self-affirming component of who they are. Being intentionally or unintentionally misnamed can be a significant source of distress to LGBTQ+ individuals.

historical name. More information about voluntary disclosure is discussed later in this letter.

In July 2022, a system change was implemented in the CWS/CMS to address this issue. This system change is described below and in Attachment A.

### **County-Specific Practices for Documenting Sexual Orientation Gender Identity and Expression Name Changes**

#### **Child Welfare**

The CDSS recognizes that not all juvenile dependency courts across the state allow child welfare workers to record the identified name of a child/NMD in the court report and only recognize the legal name. Specifically, some juvenile courts do not recognize the identified name of a child/NMD in the court report unless the legal name has been changed. This likely presents a barrier for many children/NMDs who do not have the support, who are not ready, or do who do not have the awareness of how to initiate a legal change of their name. Consequently, as local rules of court vary from county-to-county, CDSS recommends that child welfare workers consult with their agency's legal counsel directly on an as-needed basis to determine whether their local juvenile court allows identified names to be documented in the court report in order to comply with county-specific instructions and how to respect the child/NMDs identified name and identity.

#### **Probation**

Regarding probation youth in foster care, CDSS is aware that probation departments may use several different data systems for monitoring youth who are wards of the court. Unfortunately, due to the number of different systems used by county juvenile probation departments, it is not feasible for CDSS to provide data entry instructions to record similar name changes for the variety of systems that document probation youth. Therefore, CDSS recommends that probation officers consult their local policies for county-specific instructions.

### **Using the New CWS/CMS Dropdown Options**

The below chart is general guidance for when a worker can use the new dropdown options available in the CWS/CMS Client Notebook on the "Client ID" page and the "Names" page. Please refer to Attachment A for additional instructions and specific scenarios. Also, please note that Attachment A and the below table focus on using these dropdown options for children/NMDs; however, these dropdown options are available for all clients in the CWS/CMS

<b>. The CWS/CMS Dropdown Options in the Client Notebook</b>	<b>When to Use</b>	<b>The CWS/CMS Functionality</b>
ID Page – “Identified” Name Type	After consulting with your agency’s legal counsel, this can be selected on the ID Page when the court allows the Identified name to be used in court documents.	This name will populate documents generated from the CWS/CMS which the field is connected to, including court report documents.
Names Page – “Identified” Name Type	This can be selected on the Names Page when the court does not allow the use of an identified name in court documents if the child/NMD has not gone through the process to make it legal. This allows for recognition and honoring of the child/NMD’s Identified name. In this case, the child/NMD’s legal name would be entered on the ID Page.	This name will not populate documents generated by the CWS/CMS. Refer to county policy and legal counsel on how to still respect the child/NMDs name in court documents.
Names Page – “Birth” Name Type	This can be selected on the Names Page when the child/NMD legally changes their name or when the court allows the Identified name to be used in court documents (after consultation with the agency’s legal counsel) to preserve clients original birth name and associated child welfare case history.	This name will not populate documents generated by the CWS/CMS because the ID page, Name Type dropdown option defaults to the “Legal” name.
Names Page – “AKA” Name Type	This can be selected on the Names Page for nicknames or names that the person also goes by, and when it is not the name a child/NMD has identified to align with their gender identity.	This name will not populate documents generated by the CWS/CMS.

### **Reminders About Voluntary Disclosure and Sharing of SOGIE Information**

Not all LGBTQ+ foster children/NMDs may want their identified name publicly shared due to personal or safety reasons; therefore, caseworkers should consult directly with the child/NMD about any family members, individuals, or circumstances with whom they may or may not want their SOGIE information shared. Having a discussion with the child/NMD about any concerns they may have about the disclosure of their name change, while demonstrating support and acceptance will help the caseworker develop rapport with the child/NMD and will help the child/NMD feel safe and affirmed. A caseworker should not document the identified name in the CWS/CMS if the child/NMD does not wish their identified name to be shared beyond the caseworker.

As a reminder, child welfare and juvenile probation workers should explain confidentiality and the limits of confidentiality in a way that is age and developmentally appropriate. Caseworkers should explain to children/NMDs in foster care that they have the right to keep their SOGIE information private and can authorize or deny to whom their SOGIE information is disclosed. It is important to remember to also clarify for the child/NMD that there are some circumstances in which their SOGIE information will be required to be shared due to safety or placement reasons. Specific guidance about voluntary disclosure and sharing of SOGIE information for children/NMDs is outlined in [All County Letter \(ACL\) 21-149 Required Documentation Of Sexual Orientation, Gender Identity And Expression \(SOGIE\) Information In The Child Welfare Services/Case Management System \(CWS/CMS\)](#).

If you have any questions regarding this ACL or its attachment, please contact the Permanency Services and Support Unit SOGIE mailbox at [SOGIE@dss.ca.gov](mailto:SOGIE@dss.ca.gov).

Sincerely,

***Original Document Signed By***

ANGIE SCHWARTZ  
Deputy Director  
Children and Family Services Division

## Enabling Name Changes to Support a Foster Child's Sexual Orientation and Gender Identity

**\*\*Please Note:** Client names referenced in the scenarios and snapshots were created for this document and are not actual clients.

### NEW "NAME TYPE" VALUES AND SCREENSHOT

#### 1. CLIENT NOTEBOOK, ID PAGE

The Name Type drop-down menu now includes the value ***"Identified."***

The screenshot displays the 'Client ID Page' in a software application. The 'Name and Identification' section is the primary focus. It contains a 'Name Type' dropdown menu that is currently open, showing a list of options: 'Legal', 'Identified', 'AKA', 'Maiden', 'Doe', 'Active', 'Veteran', 'No Involvement', and 'Unknown'. A red arrow points to the 'Identified' option, indicating it is the new value being highlighted. Other fields in this section include 'Prefix' (set to 'Baby'), 'First' (set to 'B'), 'Middle' (set to 'B'), 'Last' (set to 'B'), 'Suffix' (set to 'Legal'), 'Client Index Number (CIN)', 'Sex at Birth' (set to 'Male'), 'Marital Status' (set to 'Never Married'), 'SSN' (set to '1211-6016-1367-8001439'), 'Date of Birth' (set to '04/20/2003'), 'Age and Age Unit' (set to '19 Years'), 'Alien Registration #', 'Client Number', and checkboxes for 'Client is a Minor/NMD Parent' and 'Outstanding Warrant Exists'. Below this section, there are fields for 'SOGIE Data' (Sexual Orientation: 'Unable to Determine', Reason: 'Did Not Ask', Gender Identity: 'Did Not Ask'), 'Language' (Primary Language: 'English', Secondary Language: 'Literate'), 'Race/Ethnicity' (Specify Race if known: 'White - European', Primary Ethnicity: 'Unable to Determine - Reason', Other Ethnicity: '1 Hispanic'), and 'Hispanic or Latino Origin' (set to 'No').

#### **PRACTICE TIP**

Caseworkers can use the ***"Identified"*** name value when a child/nonminor dependent (NMD) identifies a name that differs from their birth name and affirms their gender identity.

Consult with your agency's legal counsel as to whether an "Identified" name can be used on court documents when the child/NMD has not gone through the legal process for the Identified name. If the court and legal counsel confirm it is okay to use an "Identified" name, then this can be selected. If not, refer to the next screenshots.

Note: The name entered on the Client ID Page will populate documents generated in CWS/CMS to which the field is connected.

## 2. CLIENT NOTEBOOK, NAMES PAGE

“**Birth**” and “**Identified**” have been added to the Name Type dropdown.

The screenshot shows the 'Names' page in the Client Notebook. At the top, there is a navigation bar with tabs: Summary, ID, Demographics, Address, Names, Related Clients, ID Nym, Juv Cr, Search Log, AFDC/FC, Attorneys, Service Providers, LCWA, Contributing Factors, Spec Pl, Adoption Info, and AAP Eligibility. Below the navigation bar, there is a table titled 'Other Names' with columns: Type, First Name, Middle Name, and Last Name. The first row in the table is labeled '1 Legal'. Below the table, there is a 'Name Type' dropdown menu. The dropdown menu is open, showing a list of options: Legal, Birth, Identified, AKA, Maiden, and Doe. The 'Birth' and 'Identified' options are highlighted in yellow. A red arrow points to the 'Identified' option. To the right of the dropdown menu, there are input fields for 'First', 'Middle', 'Last', and 'Suffix'.

### PRACTICE TIP

Often, in current practice, the birth name is entered in the CWS/CMS on the **ID Page** in the *Client Notebook* for a child/NMD. The ID page, Name Type dropdown option defaults to the “**Legal**” name.

These two new dropdown options in the CWS/CMS on the **Names Page** allows caseworkers the ability to document both the current “**Legal**” or “**Identified**” name and the historical name. The “**Legal**” name can be documented on the **ID Page** when a child/NMD **has legally changed their name (e.g. to align with their gender identity, adoption, marriage, etc.), or have identified a name that aligns with their gender identity.**

At the same time, the caseworker can now preserve the original birth name by:

- selecting “**Birth**” from the Name Type dropdown in the *Client Notebook*, on the **Names Page**, and
- updating the client’s new or identified name in the *Client Notebook*, on the **ID Page** by selecting the appropriate Name Type (e.g. “**Identified**” or “**Legal**”) from the dropdown and adding the new name in the names fields.

Note: If the agency’s legal counsel or the Court does not allow for the “**Identified**” name to be on court documents, then the worker also has the option to leave the “**legal**” name on the ID Page and then add the “**Identified**” name to the “**Names Page**” in the *Client Notebook* by selecting “**Identified**” for the Name Type dropdown.

### SCENARIO #1

*John Doe is the child’s biological name and the child now identifies as Jane Doe and identifies as transgender/gender-expansive. Jane feels safe and emotionally and mentally prepared to be open with family and friends about how they identify themselves. As part of her social*

transition,<sup>1</sup> Jane has asked her county caseworker to call her “Jane Doe” and use she/her pronouns. The county caseworker understands using Jane’s identified name is important to Jane and it is vital to be responsive to Jane’s needs as a transgender/gender-expansive person. The caseworker knows that their county’s juvenile court allows caseworkers to refer to a foster child by their identified name in court documents, so the caseworker confirms with Jane that she would like her identified name of “Jane Doe” to be reflected in her court documents moving forward. Jane verbally consents to this. The county caseworker enters “Jane Doe” in the **Client Notebook on the ID Page** by selecting “Identified” from the Name Type dropdown and records the historical name, “John Doe,” on the Names Page as the “**Birth Name**.”

### SCENARIO #2

In the **Client Notebook on the ID Page**, “John Doe” was originally recorded as the child’s “Legal” name. The child’s name was legally changed from John Doe to Jane Doe to align with their gender identity. The child welfare caseworker will update the new legal name of Jane Doe on the **ID Page** by selecting “Legal” from the dropdown menu, however, in order to preserve Jane’s original birth name as John Doe and associated child welfare case history, the caseworker will record John Doe and select the name value “**Birth**” in the **Client Notebook, Client Names Page**.

### 3. OTHER NAMES GRID

Sorts in the following order:

- Legal
- Identified
- Maiden
- Birth
- AKA
- Doe

	Type	First Name	Middle Name	Last Name
1	Legal	Child Two		T
2	Birth	JChild		J
3	Identified	GChild		G
4	AKA	MChild		M

Name Type: Legal

Prefix: First: Child Two Middle: Last: T Suffix:

<sup>1</sup> Social transition may include changing one’s name, hairstyle, clothing, identity documents, and the pronouns used to describe oneself in order to live in alignment with one’s gender identity.

**PRACTICE TIP**

When to use the name value “**Identified**” versus “**AKA**”:

**Identified:**

- Specifically, when a child/NMD identifies a name that affirms their gender identity.

**AKA:**

- When recording a nickname for a child/NMD.
- When a child/NMD is not ready or comfortable to openly use their identified name to align with their gender identity. Check with the child/NMD first if they’d like their identified name in the system as an AKA.
- When family members or friends refer to the child/NMD by a different name.

**SCENARIO #3**

*John Jeremy Doe is the child’s full “Legal” name and was entered as such in the CWS/CMS in the Client Notebook on the ID Page.*

*In speaking with the child, the caseworker learned that the child goes by the nickname of JJ and this nickname is used by his entire family. The caseworker records “JJ Doe” in the Names Page and identifies this as an AKA for the child. JJ has been exploring their gender and shares with their caseworker that they use the pronouns “they/them” and identifies with the name Jane Doe instead of JJ. The court that maintains jurisdiction of Jane’s child welfare case does not allow court documents to include a name other than the legal name, so the caseworker records the child’s name as “Jane Doe” on the Names Page and selects “Identified Name” from the dropdown menu. The caseworker consults with their legal counsel and their supervisor on how to still respect Jane’s name in court and legal documents.*

#### 4. ZIPPY REFERRAL, CLIENTS PAGE

*“Identified”* has been added to the Name Type dropdown.

Client Services - [Zippy Referral [0044-1170-2591-4001439]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

D Reporter Clients Related Clients Allegations Assignment Contributing Factors

**Name and Identification**

Client Name

1

**Client Information**

First Middle Last Suffix

Unknown Client Name Type Sex at Birth Marital Status

Legal Legal Legal Unknown

SSN Date Age and Age Unit Client Index Number(CIN)

Self Reporter Client MD Parent Client Number

0440-5961-9442-6001439

**SOGIE Data**

Sexual Orientation Race/Ethnicity

Hispanic or Latino Origin

Grid Refresh

Language

Primary Language

Secondary Language

#### PRACTICE TIP

During a child protective referral, if hotline staff are provided with information from a third-party about a child/NMD who is being referred by a different name than what was previously entered in CWS/CMS, counties should consult their policies and procedures for county-specific instructions. The CDSS recommends that when an *identified name* is provided by a third-party and not the youth directly, it should be entered on the Names Page as “AKA” and the worker should check with the child/NMD and not rely on third-party information regarding a child’s/NMD’s identified name or Sexual Orientation, Gender Identity and Expression (SOGIE). As a reminder, any SOGIE information provided during an intake call should be verified with the child/NMD directly. If the youth confirms the *identified name* and the name is their Legal name or legal counsel or the court allows an identified name which is not yet been made legal, the “Name Type” label can be changed from “AKA” to “Identified” at that time in the referral. If legal counsel or the court only allows legal names, enter the legal name on the Client ID Page and enter the Identified name on the Names Page. For more detailed guidance about SOGIE awareness during child welfare intakes see [ACL 19-92](#).

#### SCENARIO #4

*While gathering referral information, a hotline worker is told that the child’s name is John Doe, but he and his friends call him Jane. The hotline worker enters the relevant information pertaining to the child’s SOGIE into the narrative section of the referral and indicates “Unable to Determine” for sexual orientation and “Did not Ask” for “Reason Unable to Determine” in*

the SOGIE data fields in the CWS/CMS. These fields will be completed by the social worker once the social worker has an opportunity to speak directly with the child and verify the reported information before recording it in the CWS/CMS. After having a discussion with the child, the child shares with their caseworker that although they prefer to go by “Jane” in their peer group, they are not ready to share that with their family members so they would prefer to continue being referred to as “John,” in the system.

## 5. CLIENT NOTEBOOK, CLIENT ICWA TAB

“Birth” and “Identified” have been added to the Name Type dropdown in the **Tribal Ancestor Other Names** dialog.

### PRACTICE TIP:

The sort order also applies to the Client ICWA Other Names grid, and the grid retains its existing secondary sort.

### SCENARIO #5

The county caseworker has an Indian youth assigned to her caseload who identifies with having a fourth gender and is ready to come out to family and friends. The caseworker understands that in order to best serve the youth, she must first work with the Tribe to gain information about how the Tribe views the coming out process and whether the Tribe has any resources to assist the youth and caseworker with the historical trauma, and some of the Tribe’s standards and viewpoints to help accept and affirm the youth with her coming-out process. The county caseworker has asked the youth if they are ready to publicly use their identified name in child welfare documents, and the youth confirms they are ready. The county caseworker updates the CWS/CMS name fields following county counsel guidance.