

February 24, 2025

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 25-18**

The purpose of this letter is to provide information to Child Welfare Services Agencies and Juvenile Probation Departments regarding the provisions of Senate Bill 1161 (Chapter 782, Statutes of 2024).



JENNIFER TROIA  
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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GAVIN NEWSOM  
GOVERNOR

February 24, 2025

ALL COUNTY LETTER NO. 25-18

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS  
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS  
ALL FOSTER CARE MANAGERS  
ALL TITLE IV-E AGREEMENT TRIBES

SUBJECT: **CONTINUED FOSTER CARE SERVICES FOR PROBATION YOUTH  
AND OTHER JUVENILE RELATED CHANGES THAT MAY IMPACT  
FOSTER YOUTH WITHIN THE JUVENILE JUSTICE SYSTEM**

REFERENCE: [SENATE BILL \(SB\) 1161 \(CHAPTER 782, STATUTES OF 2024\),  
WELFARE AND INSTITUTIONS CODE \(WIC\) 450, WIC 601,  
WIC 602, WIC 781, WIC 782, WIC 827,  
PENAL CODE \(PC\) 236.14, PC 849, PC 851.7,  
EVIDENCE CODE 250,  
ALL COUNTY LETTER \(ACL\) 18-140](#)

The purpose of this All County Letter (ACL) is to provide information to Child Welfare Services Agencies and Juvenile Probation Departments (JPDs) regarding the provisions of [Senate Bill \(SB\) 1161 \(Chapter 782, Statutes of 2024\)](#) that may apply to foster youth placed on probation or who come in to contact with the Juvenile Justice System and pertain to the requirements on the process of sealing of records, access to juvenile case files and considerations for informal probation.

### **TRANSITION JURISDICTION**

Transition jurisdiction is designed to provide extended foster care services and supports to probation supervised foster youth once they have met the rehabilitative goals set forth in their case plan and delinquency jurisdiction is no longer required. Currently, a minor or nonminor may be eligible to be within the transition jurisdiction of the juvenile court if the minor is a ward older than 17 years and 5 months and younger than 18 years of age and in a foster care placement, or the nonminor is a ward who was subject to an order for foster care placement at the age of 18 and has not yet attained 21 years of age.

Prior to the passage of [SB 1161](#), a ward who was in a foster care placement would remain eligible for the extended foster care program even when their underlying adjudication was vacated because they were a victim of human trafficking pursuant to [Penal Code \(PC\) 236.14](#). Vacated refers to a specific order or judgment, while dismissed cases include cases in which the case is terminated for a reason other than the factual merits of the case. This amended law provides that a ward who is in a foster care placement is also eligible for transition jurisdiction of the juvenile court pursuant to [Welfare and Institutions Code \(WIC\) 450](#) even if their underlying adjudication for any violation is dismissed pursuant to [WIC 782](#). The juvenile court may then extend foster care services if the criteria for the extended foster care program are met. The social worker must assess the youth for the extended foster care program in a timely manner to prevent a lapse in services. The social worker must collaborate with the probation officer, and the child and family team to determine the services needed. In the case of an Indian child, the social worker must consult with the Tribe regarding extended foster care services, appropriate care, and Indian Child Welfare Act compliant placement.

## **JUVENILE CASE FILE**

The amended law specifically allows an attorney representing a person who is or was subject to juvenile proceedings under [WIC 601](#) or [WIC 602](#) to access their client's juvenile case file. This amendment explicitly provides that delinquency case files are subject to the confidentiality standards of [WIC 827](#). The amendment further specifies that the juvenile case file includes any records, any writing as defined by the [Evidence Code 250](#), and any electronically stored information relating to the minor. In the case of an Indian child, the Tribe may access the juvenile case file in accordance with [ACL 18-140](#).

## **SEALING OF JUVENILE COURT RECORDS**

The amended law allows a person cited or arrested for a felony or misdemeanor while a minor to petition the juvenile court for an order to seal citation or arrest records in cases that have not been filed or in cases that have been dismissed or discharged without conviction.

Previously, when a person had been subsequently convicted of a felony or of a misdemeanor involving moral turpitude (e.g., lewd acts on a minor, rape, failing to register as a sex offender, child abuse, criminal threats, etc.) a court could have been prohibited from ordering sealing. The amended law allows a juvenile court to nevertheless order sealing under these circumstances if the person's felony or misdemeanor involving moral turpitude has been dismissed, vacated, pardoned, or reduced to a misdemeanor not involving moral turpitude.

## **JUVENILE COURTS**

Upon an order sealing a person's juvenile court records, the passage of [SB 1161](#) requires juvenile courts to also order all criminal court records sealed in cases in which a criminal case is certified to a juvenile court because the charged person was under age 18 on the date that the alleged offense was committed. The amended law also provides that a juvenile

court may transfer jurisdiction to another county, terminate its jurisdiction, or seal juvenile court records while an appeal is pending without affecting the jurisdiction of the appellate court.

## **JUVENILE PROBATION DEPARTMENT**

Existing law requires the JPD to seal citations, arrest records, and other records regarding the minor's referral and participation in a diversion or supervision program upon satisfactory completion of the program. The JPD is required to notify the citing or arresting law enforcement agency to seal the corresponding citations or arrest records and the agency is required to seal those records no later than 60 days from notification. The JPD is required to seal citations, arrest records, and other associated records in its custody upon notification by the prosecutor that it will not initiate proceedings. The JPD is required to seal the citation, arrest record, and associated records when it determines that the minor is not being referred to diversion or supervision program or it takes no further action. This amended law prohibits the juvenile court from ordering the defense counsel to seal the records for the minor. In the case of an Indian child, the probation officer must notice the Tribe regarding any juvenile court proceeding and consult with the Tribe regarding formal probation.

## **INFORMAL PROBATION**

Lastly, this amended law specifies that a minor is eligible for informal probation even if the minor committed an offense outside of their county of residence.

If you have any questions or need additional guidance regarding the continued foster care services, please contact the [Transition Age Youth Policy Unit](#). For questions regarding the sealing of JPD records, please contact the please contact your [local county JPD](#). For questions regarding the sealing of juvenile court records, please contact the county juvenile court at [California Courts Superior Court Find Your Court](#). For all other questions, please contact the Family Reunification and Pathways to Permanency Unit at [Reunification-Permanency@dss.ca.gov](mailto:Reunification-Permanency@dss.ca.gov).

Sincerely,

***Original Document Signed By***

ANGIE SCHWARTZ  
Deputy Director  
Children and Family Services Division

cc: All Federally Recognized Tribes