

April 28, 2025

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 25-29

The purpose of this All County Letter is to provide guidance to counties and Tribes regarding the passage of [Senate Bill 578 \(Chapter 618, Statutes of 2023\)](#). This bill amended [Welfare and Institutions Code Section 319](#) which requires the court, when making a determination on the physical removal/detention of a child, to consider the short-term and long-term harm to the child due to a removal from the home and weigh that harm against the potential risk of non-removal, using a trauma-informed analysis. This bill also requires the detention report to include documentation of the potential harm of detention and steps taken to mitigate the harm of detention, an assessment of least disruptive alternatives to returning the child to the custody of their parent, guardian, or Indian custodian, and other measures that may be taken to alleviate disruption and minimize the harms of detention.



JENNIFER TROIA
DIRECTOR

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



GAVIN NEWSOM
GOVERNOR

April 28, 2025

ALL COUNTY LETTER NO. 25-29

TO: ALL COUNTY CHILD WELFARE DIRECTORS
ALL EMERGENCY RESPONSE STAFF
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS

SUBJECT: SENATE BILL (SB) 578: REMOVALS

REFERENCE: [SENATE BILL \(SB\) 578 \(CHAPTER 618, STATUTES of 2023\)](#);
[ASSEMBLY BILL \(AB\) 2083 \(CHAPTER 815, STATUTES OF 2018\)](#); [AB 153 \(CHAPTER 86, STATUTES OF 2021\)](#);
[ALL COUNTY INFORMATION NOTICE \(ACIN\) NO. I-21-24E](#);
[WELFARE AND INSTITUTIONS CODE SECTIONS 300](#); [315](#); [319](#);
[361.3](#); [361.31](#);
[CHILD WELFARE SERVICES SYSTEM OVERVIEW](#);
[MANUAL OF POLICY AND PROCEDURES \(MPP\) DIVISION 31](#)
[REGULATIONS 31-105](#);
[MPP DIVISION 31 REGULATIONS 31-320](#);
[INTEGRATED CORE PRACTICE MODEL GUIDE](#);
[SYSTEM OF CARE FOR CHILDREN AND YOUTH](#); [TITLE 25](#),
[UNITED STATES CODE CHAPTER 21, SECTION 1901 ET SEQ](#)

The purpose of this All County Letter (ACL) is to provide guidance to counties and Tribes regarding the passage of [Senate Bill \(SB\) 578 \(Chapter 618, Statutes of 2023\)](#), effective October 2023. This bill amended [Welfare and Institutions Code \(WIC\) Section 319](#) which requires the court, when making a determination on the physical removal/detention of a child, to consider the short and long-term harm to the child due to a removal from the home and weigh that harm against the potential risk of non-removal, using a trauma-informed analysis. This bill also requires the detention report to include documentation of the potential harm of detention and steps taken to mitigate the harm of detention, an assessment of least disruptive alternatives to returning the child to the custody of their parent, guardian, or Indian custodian, and other measures that may be taken to alleviate disruption and minimize the harms of detention.

BACKGROUND

In California, Child Welfare Services programs are managed by the 58 counties and two Tribes with California Title IV-E Agreements, each of which organizes and operates its own child protection programs according to local need, while complying with state and federal regulations. In 2023, the county child welfare agencies received 433,831 allegation reports of abuse or neglect. Of these, 49,804 reports contained allegations that were substantiated, and 18,142 children were removed from their homes and placed into foster care, according to the [California Child Welfare Indicator's Project](#). The physical removal of children from their families, despite its protective intent, can have severe and lasting negative effects. Separation can have adverse impacts on attachments and may trigger harmful stress responses that permanently impair cognitive function and emotional stability. Children removed from their families may face higher risks of abuse and neglect than if they had stayed in their original environments, underscoring the complex nature of child welfare decisions.

When a referral alleging child maltreatment is received by the Child Welfare Hotline, child welfare agencies obtain detailed information from the reporting party using the Emergency Response Protocol ([Manual of Policy and Procedures \(MPP\) Division 31-105](#)). When it is determined that an in-person investigation is needed for a referral involving potential child abuse, neglect, or exploitation, counties must conduct timely investigations and ensure case workers meet the minimum contact requirements with the child as outlined in [MPP Section 31-320](#). The criteria for determining if a child needs protection through Juvenile Court intervention are outlined in [WIC § 300 \(a-j\)](#). In the case of an Indian Child, the county child welfare agency must collaborate with Tribes in making these determinations. If a county child welfare agency finds evidence of maltreatment, they may file a petition with the Juvenile Court.

In instances where it has been determined that detention is necessary to ensure a child's safety and the child is detained by Child Welfare Services, a petition must be filed within two court days, and a hearing is required by the end of the next court day after the petition is filed ([WIC 315](#)). Before the hearing, the social worker submits a report detailing reasons for the child's detention, the necessity for continued detention, services provided to the family, any available services that could prevent further detention, and the potential involvement of willing relatives for temporary custody. In the case of an Indian Child, extended family member involvement and the Counties efforts to collaborate with the child's Tribe to determine removal should also be included in the report.

Prior to the passage of [SB 578](#), the report prepared for the detention hearing was not required to include potential short-term or long-term harm to the child caused by the removal. California made changes to its Core Practice Model for child welfare services in 2019, focusing on the integration of the shared values, core components, and standards of practice expected from California's children, youth, and family serving agencies within the System of Care. This collaboration resulted in the development of the [Integrated Practice Core Model \(ICPM\)](#), which serves as the primary model for

California social worker training, practice, and engagement with families. The ICPM provides evidence-based guidance and principles for effectively engaging, assessing, planning services, delivering care, monitoring, and managing transitions. When implemented consistently and deliberately, the ICPM aims to reduce additional trauma and negative experiences for families while they navigate the child welfare system. The ICPM advocates for the use of family and youth voices, enhancing communication between social workers, families, and courts, as well as considering the biological, psychological, and emotional impact of removal on children and families.

Considering the trauma a family can incur from interaction with a child welfare agency and disruption to the family from removal and the detention hearing decision, [SB 578](#) incorporates harm reduction elements into the initial investigation and detention hearing as set forth in [WIC 319](#), and introduces practice and policy behaviors that align with the ICPM. The updated ICPM 2024 has enhanced focus on racial equity, prevention strategies, the role of neuroscience, and the inclusion of voices from those with direct experience, such as parents and youth in care, as well as alignment with the Indian Child Welfare Act (ICWA) [Title 25, Chapter 21 U.S.C. § 1902](#) and California's ICWA (CAL-ICWA) implementation for better service collaboration.

SENATE BILL 578

The amendments to [WIC 319](#), brought about by the passage of [SB 578](#), aim to minimize traumatic experiences of children and families by requiring social workers to provide judges with a trauma-informed analysis before making any decision about the continued detention of a child that has been detained from their home. This analysis of emotional and developmental impacts equips judges with the necessary insights to make more informed decisions prioritizing the child's best interests as well as promoting least disruptive alternatives to returning the child to the custody of their parent, guardian or Indian custodian. In child welfare, identifying least disruptive alternatives to returning the child to the custody of their parent, guardian, or Indian custodian includes holistic consideration of all aspects of a child's life that may be disrupted, impeded, or made more difficult to navigate due to child welfare decisions. What is seen as least disruptive is subjective, necessitating the analysis and considerations set forth in [SB 578](#). Examples of least disruptive alternatives to returning the child to the custody of their parent, guardian or Indian custodian include (but are not limited to):

- Placing a child with a family member/Non-Relative Extended Family Member/Extended Family Member in the case of an Indian child, following a Voluntary Placement Agreement or a petition being filed with the court, that the child has identified as being safe and supportive, has previously helped care for the child in some capacity, and is supportive of reunification and the child's interests.
- Supporting the parent(s) in finding transportation for visitation with their child[ren] in their community of origin, so the child feels more comfortable while spending time with their parent(s); alternatively, finding transportation for visitation with

their child[ren] outside of the agency office and in their community of origin, so that the child feels safe.

- Placing a child with a resource home in the community in which they were previously living with their parent/guardian/custodian, so that the child can continue attending the same school, engage in established extra-curricular activities, and maintain developed friendships/relationships.
- Following Tribal/ICWA placement preferences, per [ACL 24-18](#), to ensure an Indian Child's continued access to and engagement with their Tribe's culture and customs.

This is by no means an exhaustive list, and care should be taken to engage families and Tribes in discussions around how best to limit disruptions to each child's unique circumstances (schedule, relationships, interests, etc.). By considering all aspects of the child's circumstances, judges will be better positioned to determine the safest and healthiest outcome for the child. Additionally, this analysis must consider the removal requirements for Indian Children. Please see [ACL 23-64](#) for more information.

Through the passage of [SB 578](#), [WIC 319](#) now mandates that the courts consider several factors when making the determination on whether continuance in the parent's or guardian's home is contrary to the child's welfare. This amendment requires the social worker's detention report to address potential short-term and long-term harms to the child from further detention, including the child's perspective on removal, the impact on their relationships with household members, and disruptions to education, social connections, and physical or emotional health. For Indian Children, the report must also consider the child's connection to their Tribe and extended family members, as defined by the Tribe and Tribal community.

The assessment should include factors related to the potential or realized impact of removal on the child, such as:

- The child's response to the removal and their perspective on the existing relationship with their parents, guardians, or Indian custodians, where developmentally appropriate.
- The relationship between the child and other household members, such as siblings.
- The potential impact on the child's schooling, social relationships, and physical and/or emotional health due to being placed outside the home.
- Strategies identified and undertaken to lessen the disruption and reduce the harm of removal.
- Active efforts made to engage with the Tribe, along with the results of this engagement, in the case of an Indian Child.
- The bill would require the social worker's report to identify the most suitable placement option, focusing on the least disruptive alternatives to returning the child to the custody of their parent, guardian, or Indian custodian. The court is

tasked with assessing whether less disruptive options than removing a child from their home were considered, focusing on the impact of a removal.

If it is known or there is reason to believe the child is an Indian Child, the detention report must also include the following:

- A statement detailing the risk of imminent physical harm to the Indian Child, along with evidence supporting the need for emergency detention or placement to prevent such harm.
- The actions taken to notify the child's parents, custodians, and Tribe about the hearing including both successful and attempted contacts with designated and Tribal representatives. This should also be documented in the case record.
- If the child's parents or Indian custodians are unknown, a detailed explanation of efforts made to locate and contact them, including outreach to the appropriate Bureau of Indian Affairs regional director.
- The residence and domicile of the Indian Child.
- If the child's residence or domicile is believed to be on a reservation or in an Alaska Native village, the name of the Tribe associated with that location.
- The Tribal affiliation of the child and the parents or Indian custodians.
- A detailed account of the circumstances that led to the Indian Child being taken into temporary custody.
- If the child is believed to reside or be domiciled on a reservation where the Tribe has exclusive jurisdiction over child custody matters, a statement outlining the efforts made to contact the Tribe and transfer the child to the Tribe's jurisdiction must be included.
- A statement of the active and reasonable efforts made to help the parents or Indian custodians so that the Indian Child can be safely returned to their custody.
- The steps taken to consult and collaborate with the Tribe, and the results of that collaboration.

If the court determines that detention is necessary, a written order must be issued, or the court must state on record the following:

- The reason or basis for the decision and evidence considered.
- The decision on the child's placement, and whether it's aligned with placement preferences set forth in [WIC 361.3](#) and less disruptive placement alternatives and [WIC 361.31](#) in reference to Indian Children.
- Any orders needed to minimize disruption or harm the removal may have on the child.

Recognizing the significant impact and potential harm that continued detention can have on a child, their family and community, as well as recognizing the historical trauma caused by the removal of Indian Children, the passage of [SB 578](#) seeks to ensure that potential harm is carefully weighed against the risk of leaving the child in their current

environment. Having social workers assess the potential short-term and long-term impacts of removal and including that information in detention reports will allow courts to make a more in-depth trauma informed analysis before their decision on removal.

This amendment to [WIC 319](#) strengthens collaboration through its alignment with the Integrated Core Practice Model, including family and youth perspectives as well as measures that are in compliance with the ICWA, and supports a more holistic evaluation of the effects of a detention while emphasizing child wellbeing and stability.

If you have any questions or need additional guidance regarding the information in this letter, contact the Safety and Early Intervention Bureau at (916) 651-6160 or by sending an email to childprotection@dss.ca.gov.

Sincerely,

Original Document Signed By:

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division

cc: All Federally Recognized Tribes
County Welfare Directors Association of California
Chief Probation Officers of California