

FISCAL EFFECT

- 1) Potential one-time costs in excess of \$150,000 (GF) for increased DSS staffing workload for development of specified guidelines to counties.
- 2) Annual ongoing state-mandated costs in the range of \$200,000 (GF) for specified extension of reunification services for impacted youth.

Roughly 700 foster children in California have a detained or deported parent. If the court determines that 50 % of these cases warrant an extension under this bill's provisions, and the state provides these children with an average of four additional months of reunification services, at approximately \$1,167 per four months of extra social worker expenses, the state would incur costs of approximately \$410,000 (\$205,000 GF) annually.

- 3) Annual ongoing costs in the range of \$150,000 (GF) for increased workload to the Department of Justice (DOJ) Foreign Prosecutions and Law Enforcement Unit, to assist child services agencies and district attorneys in their interactions with the Mexican government.
- 4) Minor increased cost pressure on social worker workload to include information in case plans about parents' detention or deportation.
- 5) Potentially significant future cost savings in foster care and adoption systems if this bill results in an increased number of children reunified with their parents or relatives, due to decreased need for foster care services or Adoption Assistance payments (AAP).

COMMENTS

- 1) Background and Purpose. This bill seeks to eliminate family reunification barriers in the child welfare system faced by immigrant families. This bill grants an extension in the family reunification process when parents are detained or deported. Where reunification is not immediately available, this bill seeks to ensure that children can be placed with relatives, regardless of their immigration status.

A November 2011 report prepared by the Applied Research Center estimated that 5,100 children living in foster care nationwide have parents who have been detained or deported. The report predicted that the number of children in foster care with deported or detained parents could grow by another 15,000 in the next five years. Extrapolating from the report's nationwide numbers, supporters estimate that 700 children currently in the California foster care system have detained or deported parents.

- 2) State Mandate for Local MOUs with Foreign Governments. This bill requires DSS to provide guidance to counties to establish MOUs with foreign consulates to smooth the handling of family law cases in which a parent has been deported. The MOU must include, among other things, procedures for contacting a foreign consulate at the onset of a child custody case, locating a detained parent, facilitating family reunification once a parent has been deported, aiding the safe transfer of a child to the parent's country of origin, and communicating with relevant departments and services in that country. Los Angeles, San Francisco and several

other counties have MOUs with their local Mexican consulates that define responsibilities for each entity and ensure confidentiality of information exchanged.

DSS states that when providing guidance to local governments on this issue, their implementation options vary and thus the costs resulting from this provision are difficult to predict. On the low end, costs may be minor and absorbable. On the high end, DSS may need several new staff positions to handle workload.

- 3) Support. This bill is supported by a lengthy list of civil rights groups, immigration groups, children's rights groups, religious organizations, and other entities. There is no known opposition.

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