



CWDA
Advancing Human Services
for the Welfare of All Californians

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March 27, 2017

The Honorable Mark Stone
Chair, Assembly Judiciary Committee
State Capitol, Room 3146
Sacramento, CA 95814

Dear Assembly Member Stone:

**RE: AB 1332 (BLOOM) AS PROPOSED TO BE AMENDED
—CO-SPONSOR**

The County Welfare Directors Association of California (CWDA) is pleased to be a CO-SPONSOR of AB 1332 by Assembly Member Bloom.

AB 1332 seeks to ensure that California statute enables dependency courts to protect the well-being of a child by applying equivalent statutory provisions for removal of a child from both offending custodial and non-custodial parents.

The juvenile court can currently protect a child from a parent with whom the child does not reside by ordering that the parent's visits to be supervised. But current law only allows the court to remove that parent's right to physical custody of the child if the child lived with the parent before the petition was filed making the child a dependent of the court. Under current law, dependency courts do not have clear statutory guidance on how to remove a child from an abusive parent with whom the child does not reside at the time the dependency petition is initiated. This inconsistency in the law resulted in a recent Court of Appeals decision overturning dependency court removal orders from an abusive non-custodial parent based on the existing statutory language.

The concern is that this recent decision, which has exposed a gap in the law, will result in children being unprotected. The relevant situations are those where a court would otherwise wish to find, by clear and convincing evidence, that the parent places the child at substantial risk and to remove that parents' right to physical custody.

AB 1332 would remedy this issue by adding language in the Welfare and Institutions Code specifying that a court may remove physical custodial rights from an offending parent who is not a primary custodial caregiver of a child at the time the dependency petition is initiated.

This legislation will ensure the protection of children in circumstances where a gap in law currently exists. For these reasons, CWDA is pleased to be a CO-SPONSOR of AB 1332, along with the County of Los Angeles.

Sincerely,



Cathy Senderling-McDonald | Deputy Executive Director

cc: The Honorable Richard Bloom
Honorable Members, Assembly Judiciary Committee
Leora Gershenzon, Consultant, Assembly Judiciary Committee
Paul Dress, Assembly Republican Caucus
Gail Gronert, Office of Assembly Speaker Rendon
Donna Campbell, Office of Governor Jerry Brown
Robert Smith, California Department of Social Services
Elizabeth Marsolais, California State Association of Counties
County Caucus