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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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ARNOLD SCHWARZENEGGER
GOVERNOR

October 26, 2009

ALL COUNTY INFORMATION NOTICE NO. I-74-09

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROBATION OFFICERS
ALL COUNTY FOSTER CARE ELIGIBILITY SUPERVISORS
ALL STATE ADOPTION DISTRICT OFFICES
ALL CALIFORNIA LICENSED ADOPTION AGENCIES
THE KARUK TRIBE

SUBJECT: VOLUNTARY PLACEMENT AGREEMENTS AND WELFARE AND
INSTITUTIONS CODE SECTION 16507.6

REFERENCE: WELFARE AND INSTITUTIONS CODE (W&IC) SECTION 16507.6;
ALL COUNTY LETTER (ACL) 01-33; ALL COUNTY INFORMATION
NOTICE (ACIN) L-165-82 AND I-52-83; SOCIAL SECURITY ACT
(SSA) SECTION 472 (E); MANUAL OF POLICIES AND
PROCEDURES (MPP) SECTION 45-202.412

<p><u>REASON FOR THIS TRANSMITTAL</u></p> <p><input type="checkbox"/> State Law Change</p> <p><input type="checkbox"/> Federal Law or Regulation Change</p> <p><input checked="" type="checkbox"/> Court Order</p> <p><input type="checkbox"/> Clarification Requested by One or More Counties</p> <p><input type="checkbox"/> Initiated by CDSS</p>
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The purpose of this ACIN is to remind County Welfare Departments (CWD's) that for children placed in out-of-home care under a Voluntary Placement Agreement (VPA); the CWD shall follow requirements outlined in W&IC Section 16507.6. Additionally, this ACIN serves to clarify the court findings that must be made within the first 180 days of a voluntary placement of a child into foster care in order to ensure federal eligibility should the placement continue beyond the 180 days.

When a child is voluntarily placed into foster care by his/her parents or guardians and remains in out-of-home care in excess of 180 days, the CWD must comply with procedures described in W&IC Section 16507.6. Pursuant to this section, if the child is not going to be returned home to his/her parent within the first 180 days, the CWD must either file a petition to have the minor declared a dependent child under Section 300 of the W&IC or refer the minor to a licensed adoption agency for consideration of adoptive planning and receipt of a permanent relinquishment of care and custody rights from the parents pursuant to Section 8700 of the Family Code.

In addition, CWD's are reminded that, for children who are to be continued in out-of-home care beyond the 180 days of the VPA, the CWD must ensure a judicial

determination is made within the initial 180 days of placement, that the continued placement is in the best interests of the child. This best interest finding must be made at the initial court hearing that is held as the result of the filing of the petition under W&IC Section 300, as described above. The CWD's should note that the petition must be filed in time to allow the court hearing to occur prior to the expiration of the 180 day period. This finding is required in order for federal eligibility to continue after the initial 180 day period. (See 42 United States Code. Section 672(e) and (g)¹ and 45 Code of Federal Regulations Section 1356.22(b)).

If you have questions about requirements for voluntary placement, please contact the Child and Youth Permanency Branch at (916) 651-1858. For questions about funding and eligibility, please contact the Foster Care Audits and Rates Branch at (916) 324-4873.

Sincerely,

Original Document Signed By:

BARBARA EATON, Chief
Foster Care Audits and Rates Branch

¹ Under paragraph (g), A voluntary placement may continue despite a parent's request to revoke it if the court makes the finding that return of the child to the home would be contrary to the child's best interests.