



SB 452 – Prevention Legal Services Pilot **Senator Akilah Weber Pierson, M.D.**

SUMMARY

Nationwide, prevention legal service programs such as the one proposed by SB 452 have shown incredible promise keeping families together.¹ California has several small prevention legal service pilots that are also proving successful, but these programs are primarily paid for by private philanthropy and only serve a small population in select areas.

SB 452 would allow for an expansion of prevention services throughout the state. Importantly, the bill aligns with California's ongoing efforts to provide upfront services to strengthen families, address racial and poverty-related inequities, and to reduce the number of children in the child welfare system.

BACKGROUND

California has established a right to counsel pursuant to Welfare & Institutions Code Section 317 for parents and children when a family has been separated, and a case is filed in the dependency court. SB 452 would create a stand-alone pilot program to strengthen existing law by providing access to counsel more upstream – prior to family separation.

The goal of pre-petition representation is to prevent the unnecessary and traumatic separation of children from their families, particularly when poverty-related issues are conflated with neglect. Far too many families lack adequate income, housing, or education because of systemic inequities that have left opportunities scarce in certain communities, particularly communities of color. Providing legal representation before a dependency petition is filed is one way to make sure families have the support and resources they need to keep their children safely with them.

SPECIFICALLY, THIS BILL

SB 452 supports California's movement towards supporting families and communities early on to prevent unnecessary involvement with the child welfare system.

The Family Advocacy Pilot Program would be administered by the California Department of Social Services (CDSS), which would distribute funds to qualified organizations providing: (1) prevention legal services, (2) direct assistance by an interdisciplinary team, and/or (3) legal training or technical assistance.

Prevention legal services are defined in SB 452 as those services designed to prevent the filing of a petition in juvenile court, or services to stabilize a family that is at risk of receiving child welfare services.

SB 452 also requires CDSS to draw down any available matching Title IV-E federal funding to supplement the appropriation.

SUPPORT

Children's Law Center of California (Sponsor)

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¹ <https://www.casey.org/pre-petition-legal-advocacy/>