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September 10, 2025

The Honorable Gavin Newsom
Governor of the State of California
State Capitol, Suite 1173
Sacramento, CA 95814

RE: AB 890 (LEE) –REQUEST FOR SIGNATURE

Dear Governor Newsom:

The Children's Advocacy Institute at the University of San Diego School of Law (CAI), which has sought to advance the well-being of California's children through legal education, advocacy, and litigation for over 30 years, is honored to co-sponsor AB 890 and CAI respectfully urges your colleagues to vote for the measure, which is meant to prevent the following kinds of preventable tragedies:

"My dependency case was in San Bernardino, but I was placed in a group home in San Diego. When I became a non-minor dependent, San Bernardino refused to transfer my case, leaving me without access to essential resources. Because I was not considered a San Diego resident, I faced significant barriers to securing housing and enrolling in programs designed to support foster youth transitioning to independence. Additionally, I struggled to obtain my education records, making it difficult to enroll in college. Had I been able to transfer my case to the county where I was actually living, I could have accessed stable housing and critical support services. Instead, I fell through the cracks and became homeless."

– Katrina W.

As illustrated by the quote above, Non-minor Dependents (NMDs) between the ages of 18 and 21 in our foster care system face unique challenges due to the state's county-by-county administered approach to child welfare services. By offering our dependency judges guided discretion to act at the request of and in the best interests of NMDs who have moved counties, AB 890 will dramatically improve the ability of judges and counties, and, by extension, all of us, to provide essential services to NMDs; services they are already legally entitled to receive.

California’s Non-Minor Dependents Residing Outside of the County with Jurisdiction over Their Case Face Challenges Accessing Needed Services and Supports.

A recent study indicated that approximately 37.1% of NMDs have experienced at least one out-of-county residence during their time in extended foster care—a rate that has increased in recent years.¹ However, changes in supervising agencies are rare. Only 3.7% of all young people in any out-of-county (OOC) residence had a documented change in their supervising county.²

When the youth is living away from their supervising county, access to critical resources and supports—including housing, education, and mental health services—can be delayed or denied. This is particularly concerning as more than 40% of NMDs residing out of county were diagnosed with a disability while in foster care³, meaning that they are likely to have continuing physical, mental, or developmental service needs at least until the age of 21.

For any NMD residing out of county, their efforts to access resources will be hampered by the county of jurisdiction’s lack of knowledge or strong connections with the resources available in the county where the youth resides. Caseworkers from the jurisdictional county will struggle to provide consistent and thorough oversight when the NMD is living far away. This geographical distance can lead to delays in identifying needed services and addressing housing instability.

Just In Time for Foster Youth, a nonprofit organization in San Diego that has served thousands of NMDs, confirms that many youth contact them after experiencing significant difficulty accessing resources and assistance—including housing—because they do not meet local residency requirements. Attorneys representing children in some of the largest counties in the state including Sacramento, San Diego, and Los Angeles, also confirm that this is a widespread issue with significant impacts on NMDs. This issue clearly illustrates a broader, systemic problem affecting NMDs across counties in California.

Former Foster Youth Experience Increased Risk of Homelessness and Barriers to Obtaining Housing in the County of Residence Can Exacerbate This Risk.

NMDs may relocate to counties where housing is scarce or more expensive. Without appropriate support or housing stipends that match the cost of living in their new location, they will likely encounter considerable obstacles securing stable housing. Former foster youth already face a significantly high risk of experiencing homelessness. Nationally, between one-quarter and one-third of young adults experiencing homelessness have a history of foster

¹ Gómez, A., Eastman, A.L. & Courtney, M. E. (2024). *Documenting Out-of-County Residences for Young Adults in Foster Care*. School of Social Welfare, University of California, Berkeley.

² Id.

³ Id.

care.⁴ Former foster youth in California fare no better; nearly one-third (30.9%) of our state's foster youth reported being homeless at least once between ages 17 and 21. These are youth who were removed from their families through no fault of their own and raised by a government system that failed to secure a permanent, supportive, and loving family for them between ages 17 and 21.⁵ These shameful statistics underscore the urgency of addressing systemic gaps in service delivery and support.

According to Beth Ploesch, Executive Director of Children's Legal Services of San Diego, "For 18-21-year-old Non-Minor Dependents, Transitional Housing Programs provide a critical safety net to avoid homelessness. Getting a bed at a THP may be especially difficult in communities impacted by housing shortages, making it essential for the youth to have an in-county social worker who has rapport with THP providers. It is not uncommon for advocates to hear that youth with local cases are prioritized over out-of-county youth. Additionally, depending on the county, housing programs for youth 21+ disqualify youth with out-of-county cases. As a result, some youth are left making desperate attempts to transfer their cases just prior to their 21st birthday."

The 12-month Residency Requirement For Transferring to a New County Creates an Additional and Unnecessary Barrier for NMDs.

The current residency requirement under Welfare and Institutions Code (WIC) §§ 375 and 17.1(f) mandates that NMDs must reside continuously in a new county for 12 months before transferring jurisdiction. This arbitrary policy causes significant delays in accessing vital services and housing. Attorneys, advocates, and former foster youth identify the following challenges:

- Supervising social workers and attorneys from the county of jurisdiction often lack knowledge of and connections to resources and services in the NMD's county of residence.
- Delays in Supervised Independent Living Program (SILP) approvals exacerbate housing instability for NMDs seeking independence.
- Housing programs in many counties prioritize local residents, leaving NMDs from other counties at a disadvantage when seeking stable housing options.
- Youth unable to secure timely services and housing face increased risks of homelessness, employment disruption, educational disruption, and other detrimental outcomes.

⁴ Dworsky, A., Gitlow, E., Horwitz, B., & Samuels, G.M. (2019). *Missed Opportunities: Pathways from Foster Care to Youth Homelessness in America*. Chapin Hall at the University of Chicago.

⁵ Feng, H., Harty, J., Okpych, N., & Courtney, M. E. (2020). Memo from CalYOUTH: Predictors of Homelessness at Age 21. Chapin Hall at the University of Chicago.

The one-size-fits-all residency requirement fails to acknowledge the many reasons why an NMD may choose to reside in a county apart from their supervising county. Like any other young adult, NMDs may find education and employment opportunities available in new locations. However, the residency requirement can make it difficult or even impossible to take advantage of these opportunities and obtain the services they need and are legally entitled to.

AB 890 (Lee).

The challenges faced by NMDs residing out of county can be eliminated by a simple amendment to WIC §§ 375 and 17.1(f) to allow guided judicial discretion in waiving the one-year residency requirement when an NMD both requests it and demonstrates a significant connection to the new county, such as:

- Employment
- Enrollment in education or vocational programs
- Securing stable housing, or
- Family or community ties.

This change would:

- Enable timely case transfers to better serve the needs of NMDs.
- Streamline access to local services, housing, and support networks.
- Reduce bureaucratic delays and improve service coordination between counties.
- Mitigate the risk of homelessness and promote positive outcomes for NMDs.

Conclusion.

CAI respectfully urges your signature on this compassionate, common-sense measure enjoying bi-partisan support.

Sincerely,



Edward Howard
Senior Counsel, Children's Advocacy Institute