

# Assembly California Legislature



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**AB 217 – Fact Sheet**  
**Juvenile Law: Hearings**

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## **Background**

Many of California's abused and neglected children are separated from their parents, siblings, and families. Further, these vulnerable children are then thrown into the confusing tangle of government offices and legal proceedings, during which the direction of the child's future will be decided.

The dependency hearings determining the child's placement are perhaps the most important of the child's life, yet the most important actor, the child, may not understand their ability to speak out. Courts attempt to minimize harm to the child by streamlining the process and handling the case as swiftly as possible. However, this can cause a child's voice to get lost in the shuffle.

One real-life example is "Jane," a child in juvenile dependency hearings who felt discouraged from talking in court. Jane, a bright and driven child, was in the system for a second time after being reunited with her family and two siblings once before. Jane's testimony would have been highly valuable to the case, as it was later revealed that she had witnessed abuse to two of her younger siblings, leading to the death of one. If Jane had been given the chance to speak, her outcome may have been far different.

## **The Problem**

Current law, as dictated by the Welfare and Institutions Code, allows a minor to speak during dependency hearings if the minor so desires. But this is not explicitly clear to the minor, who may be overwhelmed by the weight of the hearing and formality of a court setting.

## **This Bill**

AB 217 will clarify the code to mandate the court to inform the minor that he or she has the right to address the court and participate in the hearing. This clarifying fix will allow children to speak up, instead of worrying when it is appropriate to speak during the commotion of court proceedings.

## **Contacts**

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