

May 23, 2025

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY INFORMATION NOTICE NO. I-25-25

The purpose of this All County Information Notice (ACIN) is to inform county child welfare agencies, juvenile probation departments, and Tribes with a California Title IV-E Agreement of the rights of children, youth, and parents who have been separated due to immigration enforcement actions. This ACIN provides guidance and best practices when children and youth come to the attention of child welfare agencies due to immigration enforcement actions. This includes supporting the best interests of children and families and preventing additional vulnerabilities such as exposure to trafficking.



JENNIFER TROIA
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

May 23, 2025

ALL COUNTY INFORMATION NOTICE NO. I-25-25

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL ADOPTION REGIONAL OFFICES
ALL LICENSED ADOPTION AGENCIES
ALL FOSTER CARE MANAGERS
ALL TRIBES WITH A TITLE IV-E AGREEMENT
ALL FEDERALLY RECOGNIZED TRIBES
ALL FOSTER FAMILY AGENCIES

SUBJECT: RIGHTS OF CHILDREN, YOUTH, AND PARENTS WHO HAVE BEEN SEPARATED DUE TO IMMIGRATION ENFORCEMENT ACTIONS, AND GUIDANCE AND BEST PRACTICES FOR CHILD WELFARE AGENCIES, JUVENILE PROBATION DEPARTMENTS, AND TRIBES WITH A CALIFORNIA IV-E AGREEMENT

REFERENCE: [42 U.S.C. § 5106a](#); [42 U.S.C. § 671\(a\)\(8\)](#);
[PENAL CODE SECTION 236.1](#)
[WELFARE AND INSTITUTIONS CODE SECTIONS 300, 306, 309, 361.2, 361.3, 827, 10850, 11400, 16501.35, 16501.45, 16507.3, 16507.6](#); [ALL COUNTY LETTER \(ACL\) 14-21, ACL 16-49, ACL 16-85](#);
[CHILD WELFARE SERVICES MANUAL OF POLICIES AND PROCEDURES DIVISION 31 REGULATIONS](#)

The purpose of this All County Information Notice (ACIN) is to inform county agencies and Tribes with California Title IV-E Agreements of the rights of children, youth, and their parent(s)/guardian(s)/Indian Custodian(s) who have been separated due to immigration enforcement actions. For this ACIN, the definition of parent includes a birth parent, biological parent, or adoptive parent. Additionally, this ACIN provides counties guidance and best practices when children and youth come to the attention of child welfare agencies due to immigration enforcement actions. This includes how to support the best interests of California families and how to prevent additional vulnerabilities such as exposure to trafficking.

BACKGROUND

Federal immigration enforcement that results in the arrest, detention, or deportation of a parent impacts children and families who receive child welfare services and may bring additional children to the attention of child welfare agencies due to caregiver absence. The California Department of Social Services (CDSS) works to protect the rights of Californians and ensure that child welfare agencies and probation departments are aware of their roles and responsibilities to the children and youth they serve or who are referred to them following immigration enforcement actions.

This ACIN provides guidance about:

- Federal and state confidentiality laws that underscore the obligations of social workers and juvenile probation officers to maintain strict confidentiality when working with families who have been in contact with or served by child welfare agencies and juvenile probation departments.
- Social worker and juvenile probation officer responsibilities if they are contacted by immigration enforcement agencies.
- Screening procedures for child welfare agency hotline workers who receive information about immigration enforcement actions, including a reminder that parental detention or deportation alone is not a basis for child welfare intervention.
- Alternative caregiving arrangements for children of parents who are arrested.
- Legal provisions related to dependency and foster care placement, including provisions that authorize approval of and placement with an undocumented relative or non-related extended family member (NREFM).
- Screening tools and resources for social workers and probation officers to assess trafficking risk, which may increase when family separation suddenly occurs due to immigration enforcement actions; and
- Available CDSS and external resources.

The CDSS has issued prior guidance on eliminating barriers to reunification and kinship placement for immigrant families in the child welfare system. The [All County Letter \(ACL\) 14-21](#) summarized the provisions of Senate Bill (SB) 1046 (Chapter 845, Statutes of 2012), the Reuniting Families Immigration Act. Both the Act and ACL 14-21 remain in effect.

CONFIDENTIALITY

Child welfare social workers and juvenile probation officers are required to maintain strict confidentiality when working with families receiving child welfare services, including adoption, with exceptions as outlined in [Welfare and Institutions Code \(WIC\) section 827](#). These exceptions do not include a federal immigration official unless there is a signed judicial order. A social worker or juvenile probation officer is unable to disclose the identity of a family and/or their relationship to a child, youth, and/or family, as it relates to receiving child welfare services. This includes past or present cases. Federal immigration officials may only obtain information with a signed judicial order and therefore should be referred to the county's point of contact for processing such requests. A social worker or juvenile probation officer may not disclose any details to immigration officials and should maintain confidentiality for children, youth, and families served by the agency, unless their agency counsel indicates otherwise.

County agencies should establish internal policies and procedures for when they receive a request for records, case files, or information from an immigration enforcement agency and/or official. It is recommended that the county designate the agency director or agency legal counsel as the primary contact person for requests to be forwarded and processed.

Maintaining confidentiality for all families that interact with child welfare agencies and juvenile probation departments is of paramount importance and is mandated by state and federal law. According to federal law, state plans for foster care and adoption assistance ("state plans") are mandated to have confidentiality protections ([42 U.S.C. § 5106\(a\)](#)). State plans must also include safeguards which restrict the use of or disclosure of information concerning individuals assisted under the state plan ([42 U.S.C. § 671\(a\)\(8\)](#)).

County agencies are required to maintain the confidentiality of applications and records for those receiving public social services, including protective services ([WIC § 10850](#)). These lists or records shall only be used for purposes directly connected with the administration of public social services or to notify a public social service recipient of their potential eligibility for benefits or services not administered by the CDSS ([WIC § 10850, subd. \(b\)](#)). All applications and records concerning any individual in connection to any form of public social services shall be confidential and not open to examination for any purpose not directly related to the administration of that program ([WIC § 10850, subd. \(a\)](#)). Within the Child Welfare System (CWS), this includes confidentiality of records for children in adoptive planning, or those who have entered permanency through reunification, guardianship, adoption, or tribal customary adoption.

According to [WIC section 827](#), records and case files of dependent children may be inspected by certain individuals, including but not limited to, the minor, court personnel, the minor's parent or guardian, and the superintendent or designee of the school district where the minor is enrolled or attending school. Federal immigration officials and other

law enforcement officers acting on behalf of federal immigration officials, are not identified by WIC section 827 as authorized to obtain or inspect CWS case files, without a court order provided by a judge of the juvenile court, upon filing a petition. In instances where any portion of the juvenile case file is privileged or confidential pursuant to any other state or federal law, the other state or federal law would prevail.

Where a petition for access to records and files of a dependent child has been filed, the juvenile court may only release requested information if disclosure is not detrimental to the safety, protection, or physical or emotional well-being of a child, minor, or person who is directly or indirectly connected to the juvenile case that is the subject of the petition ([WIC § 827, subd. \(a\)\(3\)\(A\)](#)).

SOCIAL WORKER AND JUVENILE PROBATION OFFICER ROLE AND RESPONSIBILITIES

While performing their duties, social workers or juvenile probation officers may encounter or receive requests from immigration enforcement agencies about children and families receiving child welfare services. Should a federal immigration official request or demand that a social worker or juvenile probation officer perform or assist in immigration enforcement activities, the social worker or juvenile probation officer should contact their supervisor, and work with their county counsel to determine the county's response to these requests.

Counties are encouraged to develop processes for social workers and juvenile probation officers related to immigration enforcement agencies, that consider the following guidelines:

- Immediately contact a supervisor and/or designated agency official and provide location/status to ensure personal safety and receive direction around how to proceed.
 - If a parent/guardian/Indian custodian is detained during social worker contact, request immigration officials provide a method to maintain continued contact with the parent/guardian/Indian custodian after detention. Immediately contact and notify the child's Tribe, in the case of an Indian child.
 - If a social worker or juvenile probation officer receives a request for information from a federal immigration enforcement official by phone or in person, the social worker or juvenile probation officer is advised to inform the official that they cannot immediately provide information or confirm or deny the information. Instead, the social worker or juvenile probation officer should tell the immigration enforcement official that they will immediately contact their supervisor.
 - In the event of contact with any federal immigration enforcement official regarding a child in foster care, the social worker or juvenile probation officer is encouraged to connect the child with their immigration attorney to

address the issue raised by the federal immigration enforcement official.

- Due to confidentiality requirements, no information can be provided regarding the location or regular practices of the children and families receiving child welfare services.

Counties are also encouraged to develop processes for social workers and juvenile probation officers to identify resources and proactively support families in the event of immigration enforcement. For example, these processes could ensure that social workers and juvenile probation officers:

- Provide families with prepared information about their legal rights.
- Encourage families to develop a plan of care for children.
- Provide families with information about the rights, duties, services, and financial supports available under different caregiving arrangements.
- Provide contact information for legal resources for legal representation related to immigration.

MANDATED REPORTER/HOTLINE IMPLICATIONS

When child welfare agency hotlines receive calls from mandated reporters related to children who have been affected by immigration enforcement activities, the hotline social worker has a duty to screen these calls for suspected child abuse, abandonment, and/or neglect, as outlined in [Manual of Policies and Procedures Section 31-105](#). Unless abuse, abandonment, and/or neglect are suspected, these reports are not to be assigned for a social worker response but may be documented in the Child Welfare Service Case Management System (CWS/CMS).

If a mandated reporter calls the child welfare agency hotline regarding immigration officials attempting to detain a child, the hotline social worker may provide the mandated reporter with local community networks information. An updated list of these networks can be found in the Appendix of this ACIN. Hotline social workers shall encourage the mandated reporter to contact the parent or other available caregivers.

PARENTAL RIGHT TO MAKE ALTERNATIVE CARE ARRANGEMENTS FOLLOWING DETENTION OR DEPORTATION

According to the [Immigration and Customs Enforcement \(ICE\) Directive 11064.3](#):

“Absent indications of abuse or neglect, ICE personnel should accommodate a Covered Individual’s efforts to make alternative care arrangements for their minor child(ren) or incapacitated adult(s) for whom they serve as legal guardian prior to their arrest or

detention.” As defined by ICE, Covered Individuals are “alien parents or legal guardians who are:

- 1) Primary caretakers or have custody of minor child(ren) or incapacitated adults in the United States, without regard to the dependent’s citizenship or immigration status; and/or
- 2) Those who have a direct interest in family or probate court, guardianship, or child welfare proceedings involving a minor or incapacitated adult, without regard to the dependent’s citizenship or immigration status.”

Additionally, the parent/guardian/Indian custodian may inform immigration enforcement officials that they need to make a phone call to their legal representatives, family members, or social worker, to ensure that their children have a safe plan of care. Unless immigration officials are engaging in an enforcement action against a child, these officials should under no circumstances take custody of or transport the child. Immigration officials should remain on the scene with the parent until the designated third party, local child welfare agency, or law enforcement agency assumes physical custody of the child.

This directive applies whether or not the family has come to the attention of the child welfare agency. For families who have come to the attention of the child welfare system and/or are receiving child welfare services, social workers may make parents aware of this directive and are strongly encouraged to proactively create a plan for supervision and care of children or youth with the parent during investigations and family maintenance cases, to prevent unnecessary entrance to foster care and juvenile court involvement.

Alternative care plans will depend on the family’s circumstances and may include informal arrangements with trusted substitute caregivers or formal Voluntary Placement Agreements ([form SOC 155](#)) pursuant to [WIC section 11400\(p\)](#). It is best practice to remind parents that they may consult an attorney prior to entering any alternative care arrangement.

FOSTER CARE PLACEMENT

Procedures pertaining to unplanned caregiver absences, as would occur when a parent/guardian/Indian custodian is arrested, would also apply to situations where a caregiver is detained by immigration enforcement officials. According to [WIC section 300, subdivision \(g\)](#), the basis for protective custody is as follows:

“The child has been left without any provision for support; physical custody of the child has been voluntarily surrendered pursuant to Section 1255.7 of the Health and Safety Code and the child has not been reclaimed within the 14-day period specified in subdivision (g) of that section; the child’s or youth’s parent has been incarcerated or institutionalized and cannot arrange for the care of the child; or a relative or other adult custodian with whom the child or youth resides or has been

left is unwilling or unable to provide care or support for the child, the whereabouts of the parent are unknown, and reasonable efforts to locate the parent have been unsuccessful.”

As discussed above, social workers are strongly encouraged to assist parents in proactively creating a plan for supervision and care of their children. However, there may be circumstances where a child or youth is left without provision for care during the process of parental detention and sufficient grounds exist under [WIC section 306](#) and [WIC section 309](#) to temporarily take the child into protective custody. In those instances, if detention continues to be necessary, filing a petition under WIC section 300, subdivision (g) may be warranted.

If the child welfare agency files a petition and recommends foster care placement due to caregiver absence, kin-first principles apply. Social workers should prioritize the placement of children and youth with relatives, trusted caregivers, extended family, or NREFMs. WIC sections 309, subdivision (a), 361.2, subdivision (e)(1)-(2), and 361.3, subdivision (a) specifically authorize placement with a noncustodial parent or the home of a relative or extended family member regardless of immigration status. Any relative, extended family member, or NREFM may obtain approval as a Resource Family, regardless of citizenship or immigration status, if they are otherwise eligible.

Counties are encouraged to discuss all placement options with potential caregivers, as well as the responsibilities and financial supports available for each option, to determine what is the best placement for the child. Social workers and juvenile probation officers are encouraged to discuss and share the information about responsibilities and financial supports described in [Judicial Council form JV-352-INFO](#).

As part of the (Resource Family Approval) RFA process, applicants are required to submit their fingerprints for Live Scan background checks. These results are confidential and are not shared with any other entity. When submitting fingerprints for a Live Scan, prospective caregivers are not required to complete this activity through a law enforcement agency, and counties may offer several options including the CWS office or mobile Live Scan. While there is a requirement to present a valid ID for a Live Scan, there are multiple acceptable forms of ID, which can be found on pages 5 and 6 of the [Fingerprint Rolling Certification Program handbook](#), posted on the [Department of Justice Fingerprint Rolling Certification webpage](#).

CHILD TRAFFICKING RISKS

Children and youth who have been separated from their parent/guardian/Indian custodian because of immigration enforcement actions are at higher risk of commercial sexual exploitation and/or labor trafficking. These children are also at an increased risk of suffering from mental health issues, problems in school, material and economic hardship, residential instability, family dissolution, and in extreme cases, abuse and

neglect.^{1,2} Family disruption can destabilize the child's household and cause psychological impacts on the child such as distress, anxiety, and depression. Children with detained or deported immigrant parents also may exhibit a loss of interest in daily activities and academics, as well as struggle to maintain positive social relationships with their non-detained parent or new guardian and their peers.² Traffickers prey on an individual's vulnerabilities, and as such, parental deportation can put children at risk for additional harm of exposure to trafficking. Social workers and probation officers should familiarize themselves with the risk factors, screening tools, and resources available to children at risk of, or experiencing, exploitation.

COMMERCIAL SEXUAL EXPLOITATION (CSE)

Risk Factors

Per [All County Letter \(ACL\) 16-49](#), a child/youth shall be considered "at risk" of CSE if they have:

- **Minimum of one of the following indicators:**
 - (A) Child/youth exhibit behaviors or otherwise indicates that they are being controlled or groomed by another person.
 - (B) Child/youth spend time with people known to be involved in commercial sex.
 - (C) Child/youth's use of internet, cell phone, or social media involves social or sexual behavior that is atypical for their age.

- **OR minimum of two of the following indicators D-H:**
 - (D) Child/youth have a history of running away, unstable housing, including multiple foster care placements, or periods of homelessness including couch surfing.
 - (E) Child/youth has had prior involvement with law enforcement or the juvenile justice system.
 - (F) Child/youth is frequently truant.
 - (G) Child/youth's relationships are concerning, placing them at risk or in danger of exploitation.
 - (H) Child/youth have a history of substance abuse, specifically narcotics, opiates, crack/cocaine and amphetamines.

The [Preventing and Addressing Child Trafficking \(PACT\) Project](#) has compiled the [Commercial Exploitation of Children Red Flags Indicator Chart](#), which lists red flags that can indicate child sex trafficking, exploiting a child's labor, or involving a child in criminal activity.

¹ [Implications of Immigration Enforcement Activities for the Well-Being of Children in Immigrant Families](#)

² [Health and Social Service Needs of U.S.-Citizen Children with Detained or Deported Immigrant Parents](#)

Screening

WIC sections [16501.35, subdivision \(a\)](#) and [16501.45, subdivision \(a\)](#) require all county child welfare agencies to identify, document and determine appropriate services for youth who are at risk for or victims of CSE, as described in [ACL 16-85](#). PACT also offers a list of [Comprehensive Screening Tools](#) that can be utilized by individuals and providers serving children/youth.

CHILD LABOR TRAFFICKING

Child labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person under the age of 18 for forced labor or services. According to [Penal Code section 236.1, subdivision \(h\)\(5\)](#), “forced labor or services” is defined as “labor or services that are performed or provided by a person and are obtained or maintained through force, fraud, duress or coercion, or equivalent conduct that would reasonably overbear the will of the person.”

Risk Factors

Child labor trafficking victims can be of any gender, and nationality, including U.S. citizens. Individuals who traffic children are typically able to gain trust, while exploiting a young person's existing vulnerabilities. Traffickers may be a family member, intimate partner, landlord, formal employer, a gang member, or a criminal organization. Work can be performed in a formal setting (i.e., a restaurant, retail business, construction), an informal setting (i.e., caregiving, domestic work in a home) and/or can involve criminal or illicit activities. Not all child labor constitutes labor exploitation or trafficking. The California Department of Labor Relations Division of Labor Standards Enforcement has published [California Labor Laws \(2013\)](#), which provides additional information about the State’s child labor protections and what can constitute legal work for a minor under the age of 18.

In the document, [Identifying and Responding to Child Labor Trafficking](#), PACT outlines red flags that could indicate a child is experiencing labor trafficking or is vulnerable to labor trafficking or exploitation. This document also includes a short screening tool.

Screening

Screening and documentation are not currently mandated for child labor trafficking in California and are optional for counties. PACT’s document, [Identifying and Responding to Child Labor Trafficking](#), includes a two-question tool that is intended for the screener, social worker/juvenile probation officer, or supervisor to review information known about a child who shows signs of labor trafficking prior to conducting an actual interview and/or completing a more in-depth screening. In the document, PACT refers to a list of available comprehensive [screening tools/assessments](#), including the validated [Human Trafficking Interview and Assessment Measure \(HTIAM-14\)](#), which assists in

assessing and identifying if a youth has experienced force, fraud and/or coercion, related to their work history.

NETWORKS OF SUPPORT FOR CHILDREN, YOUTH, AND IMMIGRANT FAMILIES

The CDSS encourages counties to keep informed of organizations with expertise in serving immigrant populations and local resources available to immigrant families. The CDSS administers the [Immigration Services Funding](#) program, [Removal Defense](#) services, and [Youth Legal Services](#) to provide pro bono, quality immigration legal services for individuals who cannot otherwise afford an attorney or legal representation

Additionally, the CDSS recommends county child welfare and juvenile probation agencies stay connected to their local educational agencies, including the [Education Liaisons](#) in their respective regions, for insight into school- based services and resources.

CDSS PROGRAM AND POLICY CONTACT INFORMATION

If you have any questions or need additional guidance regarding:

- Confidentiality, Social Worker Role and Responsibilities, and Mandated Reporter/Hotline Implications, please contact the Family Intake and Engagement Unit at cfschildprotection@dss.ca.gov.
- RFA, please contact the Family Permanency and Support Services Branch at (916) 651-1101 or at RFA@dss.ca.gov.
- Documentation of information within the CWS/CMS, please contact the Governance Support Unit at governancesupportunit@otsi.ca.gov.
- Commercial sexual exploitation and/or child labor trafficking, please contact the Child Trafficking Response Team within the Family Centered Safety and Support Bureau at (916) 651-6160 or at CSECPprogram@dss.ca.gov.
- Immigration Services Funding, please contact the Immigrant Integration Branch at (916) 651-8017 or at ImmigrationServices@dss.ca.gov.

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division

Attachment

Appendix

Disclaimer: The information and organizations provided here, and any commercial products, services, or activities listed, organized, or supported by these organizations, are not sponsored or endorsed by the California Department of Social Services.

1. [Find your local California Rapid Response hotline | California Collaborative For Immigrant Justice](#)
2. [Know Your Constitutional Rights | Immigrant Legal Resource Center](#)
3. [Step-By-Step Family Preparedness Plan | Immigration Legal Resource Center](#)
4. [National Immigration Legal Services Directory | Immigration Advocates Network](#)
5. [Office of the Attorney General Resources for California's Immigrant Communities](#)