



Agenda Date: 8/22/2006  
Agenda Placement: 6I

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Shelli Brobst for Randy Snowden - Director  
Health & Human Services  
**REPORT BY:** Shelli Brobst, Contracts Analyst, 253-4720  
**SUBJECT:** Actions regarding the Child Welfare Services Division of Health and Human Services  
(Investigation of Proposed Guardians)

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### **RECOMMENDATION**

Director of Health and Human Services requests approval of the designation of the Napa County Health and Human Services Agency, Child Welfare Services Division, as the local agency which shall perform the following actions regarding the investigation of proposed guardians by the Child Welfare Services Division:

1. Perform investigations where the proposed guardian is a non-relative pursuant to Probate Code Section 1513(a);
2. Screen the name of guardians for prior referrals of neglect or abuse of minors pursuant to Probate Code Section 1516(a); and
3. File a report with the Court with respect to a proposed guardian of the same character required to be made with regard to an applicant for foster family home licensure pursuant to Probate Code Section 1543(a).

### **EXECUTIVE SUMMARY**

Approval of the requested action will ensure compliance with the sections of the California Probate Code related to the investigation of proposed guardians. The Probate Code requires that the Board of Supervisors designate the local agency assigned the task of these investigations and state the specific components of the investigations to be undertaken.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

The California Probate Code requires that when a proposed guardian for a child is a non-relative, an investigation must be conducted by the county agency that has been "designated to investigate potential dependency." In addition, the Probate Code requires the designated agency to screen the proposed guardian's name, whether a relative or a non-relative, for prior referrals of abuse and neglect. The Probate Code also states that the designated agency must file a report with the Court with respect to the proposed guardian, whether a relative or a non-relative, similar to that required for an applicant for foster family home licensure.

The Health and Human Services Agency, Child Welfare Services Division (HHSA CWS), is the County agency responsible for investigating potential dependencies of children. However, there does not appear to have been a formal designation of HHSA CWS as the agency responsible for conducting investigations of potential guardianships as required by Probate Code sections 1513(a), 1516(a), and 1543(a). Approval of the requested action will bring the County into compliance with State law regarding the investigation of potential guardianships.

**SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Lorenzo Zialcita