



# LETICIA CASTILLO

## 58TH ASSEMBLY DISTRICT

### AB 579: Yaeli's Law

#### Bill Summary:

This bill, known as "Yaeli's Law," clarifies that certain parental decisions regarding gender identity do not constitute child abuse, neglect, or endangerment. It amends various sections of California's legal codes to affirm that actions like using a child's legal name, referring to them by pronouns consistent with their sex at birth, treating them according to their biological sex, or refusing gender-affirming care do not justify state intervention in child custody or welfare.

#### Problem:

- **Parental Rights vs. State Intervention:** Current laws and practices might be interpreted to impinge on parental rights when it comes to decisions about their child's gender identity, particularly in cases where parents do not affirm a transgender identity.
- **Child Welfare Interpretation:** There is a lack of clear legal protection for parents who choose not to follow gender-affirming treatments or identity affirmations, potentially leading to misinterpretations of child welfare and abuse. The Departments of Child and Family Services are increasingly investigating parents who affirm their child's immutable sex. Family courts, in custody disputes, are evidencing preferential treatment towards the parent willing to subject his or her child to medical interventions that contradict the mounting scientific evidence regarding the efficacy of social and/or medical transition. The United States, and particularly California, is significantly behind its counterparts that have restricted or banned gender interventions performed on minors; such as, the United Kingdom, Scotland, Northern

Ireland, Sweden, Finland, Denmark, Italy, Chile, Argentina and Queensland, Australia.

- **Legal Ambiguities:** Without specific protection, parents have been, and could continue to face investigations or loss of custody for promoting their child's natural bodies and not aligning with their child's transgender identity, even when their actions are not abusive or neglectful in other respects.

#### Solution:

- **Clarification of Parental Rights:** Defines what does not constitute abuse, neglect, or endangerment in the context of gender identity, providing legal clarity for parents and guardians.
- **Legal Protections:** Amends Family, Penal, Probate, and Welfare and Institutions Codes to ensure that the specified actions are not used to remove children from their homes or adjudicate them as dependents of the court.
- **Private Right of Action:** Offers legal recourse for parents or guardians investigated or penalized for these actions, including the possibility of damages, equitable relief, and attorney's fees if they prevail in court.
- **Child Custody and Guardianship:** Ensures that such parental choices as to what is in the best interest of their child, are not grounds for altering custody arrangements, removing guardians, or terminating parental rights. Parents should not have to choose between transitioning their child and retaining custody of their child.
- **Advocacy for Parental Rights:** Likely to receive support from organizations and individuals advocating for stronger parental

rights in decisions related to child upbringing, especially in matters of gender and identity.

- **Legal and Ethical Considerations:** Reflects broader debates on the balance between state intervention, child welfare, and parental autonomy, potentially drawing support from those concerned about overreach in child services.

## For More Information

- **Contact for Bill Information:**

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## Supporters:

LGBT Courage Coalition

LGB Alliance USA

Gays Against Groomers

Women's Liberation Front (WoLF)

Green Alliance for Sex-Based Rights

Chloe Cole

WomenAreReal

Democrats for an Informed-Approach to

Gender

Our Duty - USA

Our Duty - International

Genspect

Genspect USA

Do No Harm

Freedom Angels

California Family Council

Moms for Liberty Contra Costa

Moms for Liberty Los Angeles

Moms for Liberty Santa Barbara

Moms for Liberty San Luis Obispo

Moms for Liberty Yolo County

Moms for Liberty Placer County

Informed Parents

Mom Army

Dad Army

Colorado Principled Physicians

Partners for Ethical Care

Advocates Protecting Children

(Additional supporters will be added.)