

# Extended Foster Care In California

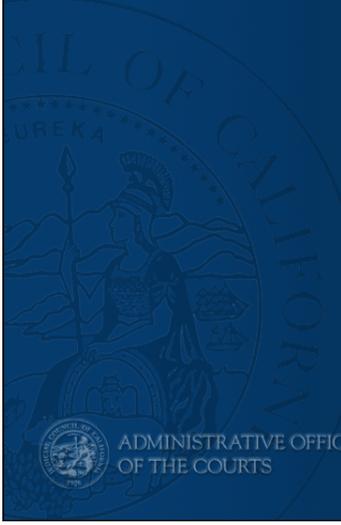
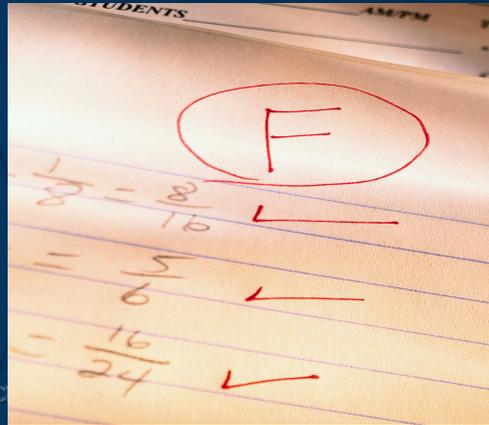


## Why Are We Here?



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# Test Your Knowledge



# How Did We Get Here?



# Fostering Connections 2008

- House Ways & Means Committee Chairman McDermott:

“...we displace [foster children] from their homes and from any meaningful financial support, and tell them, make it on your own...”

“...our failure and the inconsistent effort to help foster children stay connected to their families.”



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## Fostering Connections 2008

### Improve Oversight of Foster Children:

- Health Care Needs
- Educational Stability
- Connection to Family Members

**Establishment and Support of Intensive Family Finding**

***Re-establish Relationships and Explore Permanent Placements and Connections***



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## Fostering Connections 2008

What are other states doing to  
implement this Act?

See handout for links and  
citations

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How can we keep children  
from growing up in the  
system?

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## KIDS GROW UP IN THE "SYSTEM"

- **Some enter young and are never reunited**
- **Absent adherence to time lines and concurrent planning it is often too late for a truly permanent plan**
- **Some enter as pre-teens or teens and WILL grow up in group homes**



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## "Emancipated" Youth

- **75% work below grade level**
- **50% do not complete h.s.**
- **45% are unemployed**
- **33% are arrested**
- **30% are on welfare**
- **25% are homeless**



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[www.chapinhall.org](http://www.chapinhall.org)

# Let's Look at the Basics...



## CONCURRENT PLANNING

### FUNDAMENTAL—

Applies to every dependent or ward in out-of-home placement



### THROUGHOUT—

Important as the youth nears 18  
Even after 18



# FAMILY FINDING

- **WHAT?**
  - Search for relatives as defined in statute...
- **WHY?**
  - Information
  - Placement
  - Connections
- **WHEN?**
  - From the beginning and throughout the case



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# FAMILY FINDING

- **WHERE?**
  - No limit
- **HOW?**
  - Diligently and repeatedly
- **FOR HOW LONG?**
  - As long as it takes



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# What are the Legal Permanency Options?

**Adoption**  
**Guardianship**  
**PPLA**

Dependency (366.26) and Delinquency (727.3)

# What About Emotional Permanence?

- Lifelong connections
- For a child out of home for 6 months or more: **Review Hearing report MUST contain \_\_\_\_\_?**

W&IC § 16501.1(i)

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# Acronyms

**EFC:** Extended Foster Care

**NMD:** Non Minor Dependent

**SILP:** Supervised Independent Living Placement

**THP+FC:** Transitional Housing Program Plus Foster Care

**TILP:** Transitional Independent Living Plan

**TILCP:** Transitional Independent Living CASE Plan

**VRA:** Voluntary Reentry Agreement



## WHAT IS...

- **A NON MINOR DEPENDENT?**



## Four Types of Jurisdiction for NMDs

1. Dependency Jurisdiction
2. Transition Jurisdiction
3. Delinquency Jurisdiction
4. General Jurisdiction



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## Program Eligibility

Extended foster care applies to Non-Minor Dependents (NMDs)

A NMD is defined as a dependent or ward who meets what 3 criteria?

*\*Youth must also agree to placement in a supervised placement in an eligible facility.*



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## 3 CRITERIA

- 1. 18 but not too OLD
- 2. Under FC order on 18<sup>th</sup> birthday
- 3. Participating in 1 of the 5 eligibility conditions

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## Participation Requirements

Youth must satisfy 1 of 5  
requirements as documented in  
the youth's TILCP

*WIC 11400 [Amended] & WIC  
11403 [New]*

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# Placement

What is an APPROVED facility or placement?



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## TILP Vs. TILCP

These are two separate, yet closely related documents.

The Transitional Independent Living Plan (**TILP**) is a 2 page form attached to the Transitional Independent Living Case Plan (**TILCP**)

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## TILP v. TILCP

The **TILP** identifies the NMD current level of functioning, emancipation goals and specific skills needed to prepare living independently. It describes **shared responsibilities**.

**TILP** is *forward looking* and **TILCP** is what is happening *currently*.

*WIC 11400(y), ACL 11-69 , Rule of Court 5.502*



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## Let's talk TILP or TILCP

"Goals" in some TILPs (OK?)

- **ILP Services- Youth will participate in ILP as deemed appropriate**
- **Education- Youth will attend school until graduation**
- **Remain in current placement EFC for support and Education – Agree to follow house rules. Attend school daily. Meets Criteria #1 EFC**
- **Receive ILP Services – Work with ILP coordinator**



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# TILP or TILCP

- Receive 799/SILP Monies -
- Complete SILP forms once a year
- ILP Career/Job Guidance
- ILP Education Post Secondary
- Complete ILP Classes
- Contact ILP Coordinator



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STATE OF CALIFORNIA - HEALTH AND HUMAN SERVICES AGENCY

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES  
CWS/CMS Case Management

## Transitional Independent Living Plan & Agreement

Youth: \_\_\_\_\_ DOB \_\_\_\_\_ Age \_\_\_\_\_ Ethnicity \_\_\_\_\_  
Case Worker Name: \_\_\_\_\_ Case Worker phone: \_\_\_\_\_ 917-4741

TILP 6-month timeline: 9/10/13 to 4/10/14. Date Independent Living Needs Assessment completed: \_\_\_\_\_  
 If I have not participated in the ILP program before, I agree to participate now.  
 Based on the assessment of my level of functioning, the following transitional goals and activities meet my current needs.

Goal	Activity	Responsible Parties	Planned Completion date	Progress Date
Goal #1: Attending Newbury Deerfield School	DCFS to assist paying for school supplies books etc. and all related to continue study	Youth → DCFS	next 6 months	<input type="checkbox"/> Met Goal <input type="checkbox"/> Date _____ <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #2: Obtaining drivers permit	Prepare to take test @ DMV and DCFS to provide resources.	Youth + DCFS CSW Kim	next 6 months	<input type="checkbox"/> Met Goal <input type="checkbox"/> Date _____ <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #3: Obtain Parttime Job	Job search submit applications and DCFS to assist w/ resources	Youth + CSW Kim	next 6 months	<input type="checkbox"/> Met Goal <input type="checkbox"/> Date _____ <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #4: enroll into Newbury School	Obtain minutes from DCFS enroll and give IT to school	Youth + CSW Kim	next 6 months	<input type="checkbox"/> Met Goal <input type="checkbox"/> Date _____ <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.

This Agreement will be updated on: 4/10/14 Update # \_\_\_\_\_  
 Signing this agreement means we will all work to complete the steps necessary to help the youth reach his/her goals.

Youth's signature: [Signature] Date: 9-10-13  
 Caregiver's signature: [Signature] Date: 9-10-13  
 Social Worker/Supervisor/Officer signature: [Signature] Date: 9/13/13

TILP Rev. 07/08 CWS Case Management System  
 Copies to: Youth, Caregiver, Case File, ILP, Page 2 of 2

### Transitional Independent Living Plan & Agreement

Youth: John Campano Date of Birth: 11/14/92 Age 15 Ethnicity: Hispanic

Case Worker Name: Frank Richards Case Worker phone: 800 -555-1234

TILP 6-month timeline: 7/1/08 to 1/1/09 Date Independent Living Needs Assessment completed: 5/1/08

X If I have not participated in the ILP program before, I agree to participate now.

X Based on the assessment of my level of functioning, the following transitional goals and activities meet my current needs.

Goal	Activity	Responsible Parties	Planned Completion date	Progress Review Held: <u>1/1/09</u>
Goal #1: Take on more responsibility for self care.	1. With the assistance of the caregiver I will be doing my own laundry with three months.  <i>(ILP Home Management)</i>	John Campano Lisa Evergreen ( foster parent)	10/1/08	<input type="checkbox"/> Met Goal Date _____ <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #2: Improve my grade in Algebra	2. I will work with my tutor in algebra three times a week for one hour.  <i>(ILP Education).</i>	John Campano Keith Maine (tutor)	1/1/09	<input type="checkbox"/> Met Goal Date _____ <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal # 3: Work in a veterinarian's office	3. I would like to work part time in a veterinarian's office. I will find out more about how to become a veterinarian. I will meet with my school counselor about what I can do to become a veterinarian.  <i>(ILP Career/Job Guidance)</i>	John Campano Lisa Evergreen (FP) Frank Richards(SW) Della Veracruz (School Counselor)	10/15/08	<input type="checkbox"/> Met Goal Date _____ <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #4: Socialize and begin dating	4. I would like to go on a group date to the movies, and will ask G---- if she would like to come with me by 8/1/08  <i>(ILP Interpersonal/Social Skills)</i>	John Campano Lisa Evergreen G----	8/1/08	<input type="checkbox"/> Met Goal Date _____ <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.

This Agreement will be updated on: 1/1/09 Update # \_\_\_\_\_

Signing this agreement means we will all work to complete the steps necessary to help the youth reach his/her goals.

John Campano \_\_\_\_\_ 6/28/08 \_\_\_\_\_  
Youth's signature Date

Lisa Evergreen \_\_\_\_\_ 6/28/08 \_\_\_\_\_  
Caregiver's signature Date

Frank Richards \_\_\_\_\_ 6/28/08 \_\_\_\_\_  
Social Worker/Probation Officer signature Date

# Good 6 months later.....

### Transitional Independent Living Plan & Agreement

Youth: John Campano Date of Birth: 11/14/92 Age 15 Ethnicity: Hispanic

Case Worker Name: Frank Richards Case Worker phone: 800 -555-1234

TILP 6-month timeline: 7/1/08 to 1/1/09 Date Independent Living Needs Assessment completed: 5/1/08

X If I have not participated in the ILP program before, I agree to participate now.

X Based on the assessment of my level of functioning, the following transitional goals and activities meet my current needs.

Goal	Activity	Responsible Parties	Planned Completion date	Progress Review Held: <u>12/29/08</u>
Goal #1: Take on more responsibility for self care.	1. With the assistance of the caregiver I will be doing my own laundry with three months.  <i>(ILP Home Management)</i>	John Campano Lisa Evergreen ( foster parent)	10/1/08	X Met Goal Date <u>12/3/08</u> <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #2: Improve my grade in Algebra	2. I will work with my tutor in algebra three times a week for one hour.  <i>(ILP Education).</i>	John Campano Keith Maine (tutor)	1/1/09	<input type="checkbox"/> Met Goal Date _____ X Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal # 3: Work in a veterinarian's office	3. I would like to work part time in a veterinarian's office. I will find out more about how to become a veterinarian. I will meet with my school counselor about what I can do to become a veterinarian.  <i>(ILP Career/Job Guidance)</i>	John Campano Lisa Evergreen (FP) Frank Richards(SW) Della Veracruz (School Counselor)	10/15/08	<input type="checkbox"/> Met Goal Date _____ <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. X Goal needs modification.
Goal #4: Socialize and begin dating	4. I would like to go on a group date to the movies, and will ask G---- if she would like to come with me by 8/1/08  <i>(ILP Interpersonal/Social Skills)</i>	John Campano Lisa Evergreen G----	8/1/08	X Met Goal Date <u>7/16/09</u> <input type="checkbox"/> Satisfactory Progress <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.

This Agreement will be updated on: 1/1/09 Update # \_\_\_\_\_

Signing this agreement means we will all work to complete the steps necessary to help the youth reach his/her goals.

John Campano \_\_\_\_\_ 6/28/08 \_\_\_\_\_  
Youth's signature Date

Lisa Evergreen \_\_\_\_\_ 6/28/08 \_\_\_\_\_  
Caregiver's signature Date

Frank Richards \_\_\_\_\_ 6/28/08 \_\_\_\_\_  
Social Worker/Probation Officer signature Date

State of California  
Department of Social Services  
CWS Case Management System  
CS-ILPLAN REV (04-08)

This document is based on sample found at [http://calswec.berkeley.edu/CalSWEC/OtherTraining\\_1.html](http://calswec.berkeley.edu/CalSWEC/OtherTraining_1.html) Page 2 of 2

Copies to: Youth  
Caregiver  
Case File  
ILP

**Mutual Agreement  
(SOC 162)  
WIC 303(d), 11400(u)**



Agreement between the youth and the county welfare agency...

What does the NMD agree to?

What does the agency agree to?



**Important to Remember...**

Participation in extended foster care is voluntary

If they do not opt out, do NMD's have the same rights as any other adult?

Does Child Welfare/Probation "have custody" of a NMD? *WIC 303(d)*



# Planning For Extended Foster Care in the Juvenile Court



## Last Status Review Hearing Before a Youth Turns 18

Court Report Must Include:

Transitional Independent Living Case Plan  
(TILCP)

Transitional Independent Living Plan (TILP) as  
an attachment.

OR

90 Day Transition Plan



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# Last Status Review Hearing Before a Youth Turns 18

## Rules of Court

Rule 5.707 (Chart)

Planning for transition to independence,  
benefits, rights

Form JV-460

Findings and Orders-Child Approaching Majority



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# Last Status Review Hearing Before a Youth Turns 18

## Rules of Court

Rule 5.812 (Chart)

Availability of Dependency or Transition  
Jurisdiction

Form JV-680

Findings and Orders-Child Approaching  
Majority



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## Minor Ward: Modification to Dependency or Transition Jurisdiction

Rule 5.812(a) **Minor Ward**-Hearing regarding Termination of Jurisdiction

3 Categories:

1. Any status review hearing for under 18 ward
2. Any hearing for under 18 ward in FC
3. Any hearing for under 18 ward w/FC order when declared a ward



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## RULE 5.812(a)

- **Hearing on Termination cont'd**
  - Court **MUST** consider modifying to dependency or transition jurisdiction



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## Options After Hearing Rule 5.812 (WARDS)

1. Dual Status: Go to DEPENDENCY if:
  - Rehab goals met
  - Return home detrimental
2. Non-Dual Status: Go to TRANSITION JURIS IF:
  - Rehab goals met
  - Detrimental to return



## Options After Hearing

3. Not dependent when adjudged ward w/
  - Current FC order
  - Not w/in Transition Juris
  - Looks like a dependent....Follow §329 procedure per rule 5.812(e)(4)



## Options After Hearing

4. Ward not within transition jurisdiction who under foster care order when adjudged ward: Dependency Juris if rehab done and home detrimental
5. Under FC order and older than 17 yrs 5 mo. and less than 18 OR under FC order and less than 17yrs 5 mo.: Delinquency jurisdiction not modified to transition or dependency

## Additional Planning for Wards



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## Ways for Wards to be Eligible for EFC

- 1. Delinquency Juris and FC order
- 2. Transition Juris
- 3. Youth not eligible for Transition Juris



## #1: Youth Under Delinquency Jurisdiction

To continue AFDC-FC eligibility, at the last review hearing before an eligible ward's 18<sup>th</sup> birthday:

- The **Court** must be sure TILP shows meeting 1 of the 5 conditions.
- The **Ward** must indicate intent to sign agreement.

*WIC 727.2(i)&(j)*

\*NOTE: Once the ward meets his/her rehabilitative goals, the court may assume transition jurisdiction over eligible youth.

## # 2: Youth Under Transition Jurisdiction

**New** jurisdiction (WIC 450) for youth no longer on probation.

Designed to encourage youth to take advantage of extended benefits without forcing them to remain under “delinquency” supervision.



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## Eligible Youth Under Transition Jurisdiction

- **Rehab goals met AND**
  - **Between 18 and 21 w/FC order on 18<sup>th</sup> birthday OR**
  - **Between 18 yrs 5 mo and no reunification services or permanent plan + return detrimental AND**
    - **Former dependent w/FC order OR**
    - **Current FC order**



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## When to Consider Transition Jurisdiction

WIC §727.2 (i)

At the status review hearing held closest to the ward's 18<sup>th</sup> b-day. Hearing must occur at least 90 days before the b-day:

The Court **MUST** consider W&IC § 450.

The Probation Department **MUST** address issue and make recommendation.



## Assuming Transition Jurisdiction

For eligible youth age 17 years, 5 months, or older, the court can modify youth's status to transition jurisdiction *when* \_\_\_\_\_.

The court may *also* assume transition jurisdiction at re-entry for eligible former wards who \_\_\_\_\_.



# Supervision of Youth in Transition Jurisdiction

Does Probation or Child Welfare Supervise Youth?

Develop County Protocols

*WIC 241.1 (b) (3), 300.3, 450*



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## #3: What About Youth Not Eligible For Transition Jurisdiction?

The delinquency judge decides if jurisdiction should be modified to dependency jurisdiction.

*WIC 607.2(b) & 727.2 (i)*

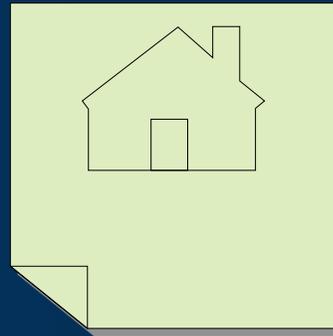
What is procedural mechanism for modification?

241.1 process; *WIC 607.2(b); 727.2 (i) (2)*



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# What Does Extended Foster Care Look Like?



## Meetings With Social Workers/ Probation Officers

- Monthly, face-to-face meetings
- Collaborative case planning
- The Transitional Independent Living Case Plan and the TILP will be updated every 6 months.

*WIC 11400 (y), 16501.1 (f) (16)*

## Review Hearings for Non Minor Dependents



## Review Hearings for Non Minor Dependents

- 1) NMD Review Hearings in PPLA
- 2) NMD Participating in Family Reunification Services
- 3) NMD/Adult Adoption
- 4) Modification to Transition Jurisdiction after 18

# NMD Review Hearings CRC 5.9000

Anyone under FC placement at  
the age of 18 under every  
jurisdiction type

How are these hearings different?



## At Each Review Hearing:

### Court must address:

Participation conditions;

Reasonable efforts;

Permanent connections;

Right to have jurisdiction terminated



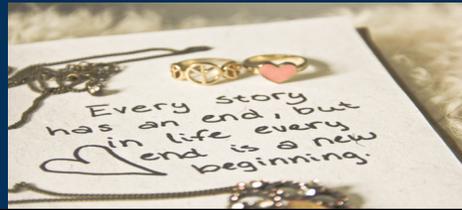
Note: if FR efforts continuing, additional findings required

# ADULT ADOPTION

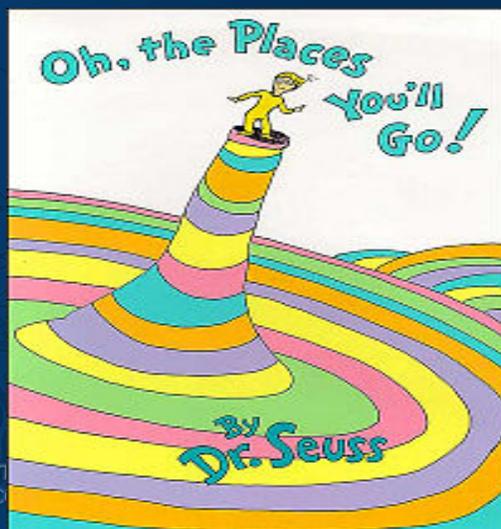
- Great Permanency Option!
- Can live separately
- Report required
- Adoption Agreement Signed
- W&IC 366.31(f)



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# Termination of Jurisdiction



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## Hearing to Terminate Jurisdiction For Nonminor

\* Social worker must provide a 391 report to a NMD case being dismissed. The court cannot terminate jurisdiction with a report and making the proper 391 findings and orders

*In re Nadia G., 216 Cal.App.4th 1110*

\* WIC 391 applies to all nonminors regardless of their placement or status.

*In re Shannon M., 221 Cal. App. 4th 482*



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## Termination Hearing Requirements

Court shall continue jurisdiction, unless \_\_\_\_\_

Prior to the Court terminating jurisdiction, the court must find that youth was informed of \_\_\_\_\_



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## Necessary Documentation At Termination

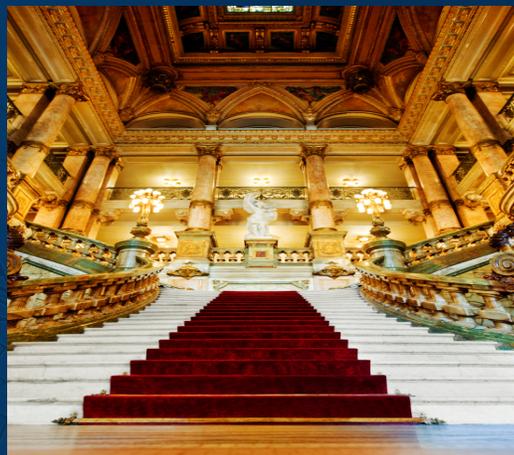
- TILCP - *WIC 11400 (y)*;
- TILP;
- Completed 90-day Exit Transition Plan. *WIC 16501.1(f)(16)*;
- 391 (e) Documents;
- Lifelong connections!



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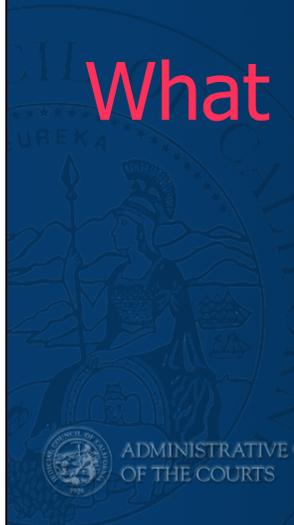
## Reentry



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# Resume Jurisdiction

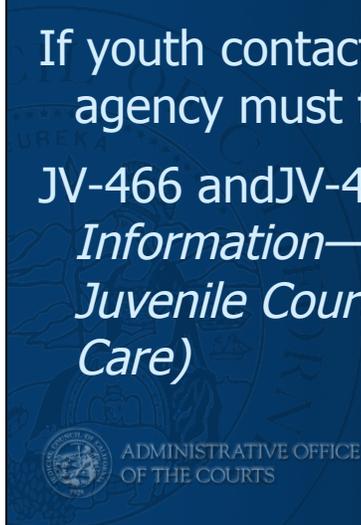
What are the 3 Musts?



# Filing The Request

If youth contacts agency, VRA signed, agency must file §388(e)-JV-466.

JV-466 and JV-468 (*Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care*)



## Prima Facie Showing

Court to review JV-466 w/in 3 court days of filing to determine prima facie showing of \_\_\_\_\_



## Findings and Orders re Prima Facie Showing

If court finds prima facie:

**What must court do?**

If prima facie not made:

**What must court do?**



# Findings and Orders re Prima Facie Showing

If request denied:

- Can attorneys consult with nonminors?
- Can Nonminor file new request?

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# Attorneys



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# Appointment

Does court appoint same attorney?

What if no request for attorney?

Timeline?

Is there a cost to nonminor?

Same standards as Rule 5.660(b.)



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# Notice Requirements Re-Entry Hearing

No later than **5** court days before  
hearing

Date, time, place and purpose  
PLUS the JV-466 **to whom?**



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## Findings At Hearing

- Notice
- Nonminor had FC order at 18
- Court retained general jurisdiction (automatic)
- Not yet 19 in 2012, or 20 in 2013 or 21 in 2014



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## Findings at Hearing

- Nonminor INTENDS to satisfy 1 or more conditions
- Specify conditions
- Reentry agreement between nonminor and agency

### **BEST INTERESTS OF NMD (JV-472)**

ICWA (NMD choice.)



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## Orders Served By Clerk On All Noticed

If eligible and all requirements  
met:

now what?



## Orders Served By Clerk On All Noticed

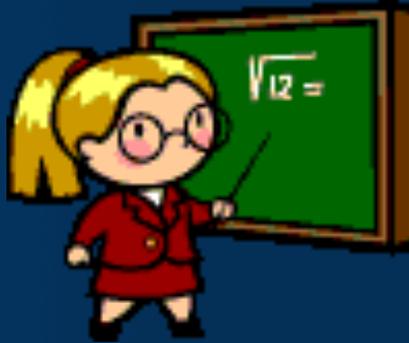
If eligible but does not intend  
to satisfy at least one of the  
conditions or no VRA:

now what?



# S0000.....

Back to square one...



## The goals of the legislation?

- ❑ BETTER PREPARE YOUTH FOR INDEPENDENCE
- ❑ SUPPORT YOUTH DURING TRANSITION TO ADULTHOOD
- ❑ ESTABLISH LIFELONG CONNECTIONS
- ❑ PERMANENCE

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## Studies of 23 & 24 Year Olds

- 79% of women and 75% of men had a GED or diploma
- BUT only 7% of women and 5% of men had even an AA degree
- At the time of the Midwest study, only 17% were still enrolled in school
- Fewer than half had a job, and most did not earn a living wage
- Almost 30% faced food insecurity
- Rates of incarceration and single motherhood still high

## How Are We Doing?

- Are we missing anything?
- Are youth electing to opt in?
- Are youth receiving benefits?
- Are youth receiving services?
- Are youth completing their education?
- Are youth finding employment?
- Are youth prepared to live independently?
- Are youth forming lifelong connections?
- Are youth finding permanence?

## SO THE QUESTION IS...

How do we best implement  
Extended Foster Care to  
achieve the goals?

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SUCCESS