

Case Plans and Transitional Independent Living Plans (TILPs) for Older Youth

Susan Zimny: Hi, this is Susan Zimny. And I'm with the Transition Age Youth Policy Unit at the California Department of Social Services.

Today I'm going to be talking about the role of the agency in case planning and Transitional Independent Living Plans for older youth. Case planning is a crucial task for social workers and probation officers working with transition age youth. The state defines transition age youth to be youth ages 14 to 24. At age 14 and older, youth or nonminor dependents, should be involved with the development of their case plan. And case plans should be updated at least every six months ahead of the next review hearing.

Youth can choose two people to be part of their case planning team. These people can't be, however, foster parents or case workers for the youth. Also, if the county agency has reason to believe that one of the people chosen by the youth would not act in their best interest, they can reject that person and ask the youth to choose somebody else. One of the individuals chosen by the youth can also act as the youth's advisor to ensure that the prudent parent standard is being met.

So pursuant to Public Law 113-183, the Preventing Sex Trafficking and Strengthening Families Act, in California is federal compliance legislation SB 794, there are specific new requirements for youth ages 14 and 15 for their case plans. The case plan must include a written description of the programs and services that will help the youth successfully transition to adulthood. The state does not view this mandate however to require counties to develop TLIPs earlier than ages 15 1/2 to 16 or for counties to provide independent living service, program services to this population. The list of programs and services must be included in the case plan, but it can take different forms or be listed in different places. The options include, but are not limited to, including in the document that describes the youth's rights in the CWS/CMS case plan or in the TILP if the county decides that they want to do TLIPs for youth ages 14 and 15.

CDSS advises that the programs and services that will assist the youth in a successful transition to adulthood for 14- to 15-year-olds can focus on preparing the youth for their eventual TILP goals, such as education or employment goals. The activities should be individualized for the youth, specific, and therefore shouldn't look the same for every youth. The programs and services should be activities that are enjoyable for the youth and in line with a reasonable and prudent parent standard, should promote normalcy for the youth. Caseworkers should solicit ideas from the youth on what types of activities they would like to participate in.

Some examples of activities that would promote normalcy for this age group would be things like participating on a sports team to learn how to work as part of a team; joining an academic club or getting tutoring to focus on educational goals; becoming involved in Boy or Girl Scouts or Boys & Girls Clubs to learn social skills, leadership skills, and community service; or

something as simple as doing age-appropriate chores in their foster care placement to earn money and learn how to save money.

So, an example of an activity that wouldn't be appropriate for the prudent parent normalcy standard would be something like having a 14- or 15 year-old attending a class to learn how to fill out an apartment lease cause that's not what a typical 14- or 15-year-old would be doing or learning. Another specific requirement for case plans for older youth is that it includes a document that describes the foster youth's right with respect to education, health, visitation, core participation, receiving copies of their credit reports on an annual basis, and staying safe and free from exploitation.

Within the case plan, there needs to be an acknowledgment signed by the youth that they received a copy of the document with their rights and that the rights were explained in an age and developmentally appropriate manner. Another requirement is that there needs to be documentation that a credit report from each of the three credit reporting agencies was requested on an annual basis and that any results from those credit reports are provided to the youth.

To move into transitional independent living plans or as we call them TLIPs, they are designed to ensure that youth receive the services needed to successfully transition to adulthood. They describe the youth's current level of functioning, their emancipation goals, their progress toward achieving those goals, and the programs and services needed to achieve those goals.

A TILP should be developed for each youth in foster care when they are between the ages of 15 ½ and 16. For a new youth who's coming into care after having turned 16, the TILP should be completed prior to the dispositional hearing. The TILP should be included in the case plan for the dispositional hearing as well as all review hearings. And TILPs should be reviewed and updated at least every six months or any time that the youth requests it.

The first step is for the social worker or probation officer to administer a living skills assessment to the youth to determine their current functioning and what areas they need to develop in order to progress toward independent living. Case workers must utilize a nationally recognized or departmentally approved assessment tool. Two of the most commonly used are the Ansel-Casey skills assessment and the Daniel Memorial Institute independent living assessment for life skills.

Youth should be actively involved in the development of their TILP. They should be asked what their goals are, what activities they think could help them accomplish those goals, and who they want to assist them with achieving their goals. Youth should be informed of their stake in this process. And because a lot of foster youth feel like they don't have any control over their lives and a lot of decisions have been made for them by case workers and the courts, it's really important for them to feel empowered in the TILP process, to make choices and decisions regarding their goals in their future. One way that you can see if this occurred is by seeing a TILP is individualized for that particular youth and not cookie cutter so it shouldn't look like all the other TILPs that you might see.

If the youth refuses to participate in the development of their TILP, the social worker or probation officer must still complete the TILP but include why the youth refused to participate and what reasonable efforts were made to gain the youth participation. The social worker/probation officer must try to engage the youth in the TILP and offer services at least once every six months.

TILP services must assist the youth with all applicable emancipation goals including educational attainment or high school and college or vocational school, if desired by the youth; Financial management and budgeting skills; preventive health activities, such as avoiding unplanned pregnancies and preventing sexually transmitted infections; development of the mentoring relationship with a supportive adult; knowledge of how to acquire, and the receipt of important documents, such as their birth certificate and social security card; mental health counseling; gainful employment through involvement in employment training programs; the establishment and maintenance of a bank account including an emancipation savings account; the receipt completion of applications for sources of post-emancipation financial support such as CalFresh; referrals to any County adult services needed by the youth; and safe and affordable housing upon their emancipation.

Well, TILP services can be provided by a variety of community agencies. Most services are offered through the county's Independent Living Program or ILP. Participation in ILP services must be documented in the TILP and the social worker/probation officer must ensure that independent living program services are offered to the youth.

John Passalacqua: My name is John Passalacqua. And, I am Executive Director of Dependency Legal Services. We represent parents and children in nine Northern California counties. And today, I am going to be talking about case planning and Transitional Independent Living Plans for older youth.

When I was first asked to talk about this subject, I contacted some parent's counsel across state and asked them about their roles at this stage of a case. And, I, I received pretty much the same response, which is that parent's counsel don't take a big role as it relates to case planning and Transitional Independent Plans with older youth. And, it occurred to me that it's a lot like educational issues. We, as parent counsel, we tend to think of educational issues as something that only relates to the child, that's the child's issue, that's the judge's issue, that's the social worker's issue, minor's counsel's issue; not our issue. However, education issues really play into the case to a large extent. There's a lot services that kids are eligible for. If those services are, are put in place, then we can see tremendous growth, improvement, we can see some really positive changes made.

And, I think Transition Independent Living Plans are the same thing. There's a lot of services that these children or young adults are eligible for, and if they're put in place, if the services are done, and they're done right, they actually can help facilitate relationships between the parents

and the child, whether it be increased visitation or actually getting return of the child at some point in time. By putting these services in place, we make the child actually easier to parent, we reduce or mitigate the risk of return, or of increased contact with the parent. So, I think it is an issue like education, it's very, very important for the parent's counsel to be aware of.

So, when do we think about TILPs? Well, TILPs is to be developed for a youth who is between the ages of 15 ½ and 16 and older, and for a child who's 14 or 15 years of age, the case plan has to include a written description of the programs and services that will help the child prepare for the transition from foster care to successful adulthood; and, that's Welfare and Institutions Code 16501.1. So, whenever we have a child who's 14 and up, we should be thinking about this transition to adulthood, and so that should trigger in our mind that this is an issue in the case.

I think first thing to think about is: where are we in the dependency case? Is the case in a reunification or not? If the case is in a reunification, the parents should be involved in the case plan formation, including the TILP. They should be making sure that the services are in place, that they're active in education issues, that they're having frequent visitation. And, the Welfare Institutions Code indicates that in forming the case plan, social workers must actively engage families and that means our clients, our parents. And so, this is integrated into the case plan to the input of the child and the child's family. So, if the case is in reunification, obviously, we should be as parent's counsel, have some input into what's going on. And there's a tendency I think to focus on the case plans as it relates to the parents. When you pick up the case plan, you look and see, okay how often do they have the drug test and you know how many anger management sessions do they need to go to? But, let's look beyond that, and look into the services that are being offered to the child because they very much will impact whether the reunification, the chances of reunification with the parent. If the case is not in reunification, then I think the question comes is the parents still relevant and involved in the case?

And, I'm going to veer off a little bit because if the case is not a reunification, may lead to a situation where parents are not involved or haven't been involved, services were terminated. So, I think it's sort of a two-step dance in order for them to be involved in the TILPs process, they have to be involved with the child and involved in the case. And so, let's start with 366.3(f) of the Welfare and Institutions Code. Unless the rights have been permanently terminated, the parent or the parents are entitled to receive notice of and participate, and I've highlighted that, in post-permanency hearings. Of course, it's presumed that continued care is in the best interest of the child *unless* the parent proves by preponderance of the evidence that further efforts at reunification are in the best, are the best alternative to the child. And so, the court can order a case back into reunification at a 366.3 hearing. And that's actually without even a need to file, we don't even need a motion in order to have that happen.

So why would we do that? Why now, at this stage of the game and when reunification services have been terminated, maybe the parent hasn't been involved, why are we now looking at the potential of bringing them back into child life? Because, as we see in our cases, it happens. People change. Parents make changes at the end of the case after services are terminated.

Psychologists will say that sometimes parents can actually age out of addiction. They mature. They get rid of the bad boyfriend. They decide that they're going to turn their life around. And so often we see that older youths, particularly with social media, are typically reaching out to their parents or locating their parents regardless of the orders that are in place and they're trying to reintegrate their parents into their life in one shape or form. So, it's, it's not unusual for cases to be put back into reunification. Certainly, if your client qualifies for that, that's something that should be considered. The other thing too is older children, if we're talking about 13, 15, 16 and up, they're less vulnerable. They don't require the same level of parenting. So again, the risk factor is somewhat less than it may have been earlier on the case. So, I think that's the questions. Where is your parent, client physically? Are they around? Where are they at mentally? What are their goals?

What is the status of visitation? We may be looking at a case where visitation it was suspended or terminated. I put here, the standard that the court has defined is in order to terminate visitation, that visitation is detrimental for the child. Is there something that, can we revisit that order, that, that was made? Also, in terms of the frequency of the visits, is that something that needs to be looked at over here? So that, again, we can reintegrate the parent into the child's life so that way they can take a part of the, the, part the TILP process.

So, back to the issue of TILPs. For a child 14 years of age and older, the services need, needed to assist the child to make the transition from foster care to successful adulthood should be reviewed by the court, including the adequacy of services provided to a child. So, at these 366.3 hearings, that's one of the obligations of the court, is to look into those services and I think a parent, again, if they're interested in being part of their child's life, they have input in at this juncture into whether or not that plan is viable, and they should voice that concern to the court.

Let's go to the law on TILPs, Welfare and Institutes Code 16501.1.

“When appropriate for child 16 and older, the case plan shall include the transitional independent living plan, the written description of the programs and services that will help the child, consistent with the child's best interests, to prepare for the transition from foster care to successful adulthood.”

And what does the law say?

It says that “[t]he case plan shall be developed with the child and individuals identified as important to the child, and shall include steps the agency is taking to insure the child achieves permanent connections to caring and committed adults.”

So obviously I highlighted it's actually in her as, “individuals identified as important to the child” because I think that a parent can be and should be, among the right circumstances, be identified as that person who is an important to the child.

Now, what can the parent do? Obviously, if the services are not in place, are, a parent can ask for a no reasonable efforts finding, a reasonable efforts to achieve the permanent plan in a case. Or if the case is in a reunification, they can ask for finding of maybe even the services. As I indicate, I think the parent should be identified, if appropriate, as an individual important to the child, important to the child. Do they have opinions and an opportunity for input on, in these services? And we're going to talk a bit more about that. Are they part of the Child and Family Team meeting? They should be if they're around. And then, is the TILP discussed in those Child and Family Team meetings? Those are all questions, I think, as parent's counsel, we need to be asking ourselves and of the department.

TILPs should entail the active participation of both the youth and supporting adults. And, I highlight that again because there's a tendency to marginalize our parent clients when we have older children. Either services have been terminated or the kids are old, older and there's a tendency to feel like *Okay, the parents are not that important*. But keep in mind, and I found this quote on the CalSWEC, CalSWEC does training for social workers, talk about the philosophy of, of child welfare, which is “[s]trength-based child welfare practices such as collaboration, youth empowerment, family, and community engagement are among the values and strategies that are being embraced by child welfare staff.” So, I think we as parents counsel may not, may want to remind the agency and social workers that while it is about the child, it's also a little bit about the parent here too, and their ability to be part of this team in, in helping the child transition to adulthood.

The other thing I wanted to call your attention to is the ILP needs assessment and the possible role of the parent here. What is the ILP needs assessment? Well, it's an independent living needs assessment, it's a, a systematic procedure to identify a youth's basic skills, emotional and social capabilities, strengths and weaknesses, match the youth with appropriate independent living services. Independent living needs assessment may address knowledge is basic living skills, job readiness, money management abilities, decision-making skills, goal setting, task completion and transitional living needs.

What is it? It's a tool. And a tool that's predominately used is the Ansel-Casey life skills assessment tool. It's a questionnaire geared towards identifying a youth's strengths and their deficits, what the, what the focus needs to be on helping them achieve independence. And this is a tool that's handed out, and its, its input is solicited from foster parents, from social workers, and I think a parent should be if they're involved in their child's life, they should be given this tool, they should be given input into what they see as their child's strengths and, and needs and deficits. Foster parents are, and again, in the right case if the parent is involved, if you brought them, if they remained involved, or you've brought them back into the child's life, and they're seeing the child and they should have a, a pretty good idea of what the child to focus on. So, when we, so, ask about this tool and ask that the parent be provided this tool and given that input.

Another thing I wanted to call your attention to is the Child Welfare Information Gateway has a publication “Helping Youth Transition to Adulthood: Guidance for Foster Parents.” And they,

they identified several domains, which they feel foster parents should be able to help transitional youth in. And, those domains are such things as building supportive relationships and connections, managing money, pursuing education and vocational opportunities, finding and maintaining employment, securing housing, maintaining health and wellness, exploring identity and culture, and developing additional life skills. So, these are things that it's recommended foster parents be able to work with their transitional age youth on.

There's also something to be aware of called "ILP Mentoring," which is essentially, it's a youth is matched with a screened and trained adult for a one-on-one relationship that involves the two meeting on a regular basis. And there's mentoring that takes place to work on these analytic skills and these people are actually paid for their work. And so, my question is when you look at those domains that the foster parents are supposed to be working with the kids on and you look at the ILP mentoring, my question is, is can the parents again be integrated into this process? I don't, I don't think that they're going to be paid, that they'll qualify as a paid mentor. But can they, still, nonetheless, take some role in addressing those domains that foster parents work with the kids on? Can they help mentor their own child the way an ILP mentor could?

And I think that sometimes that requires us to ask well, what is the parent, what is our client have to offer? And when you think about adulthood and the skills that are necessary and you try to think about what are our parents, what skills do they have? It can be very simple things, like knowledge of cooking, auto repair.

I've had clients who, they didn't do too well in reunification services, but boy, they've got a really good skill there. They can take any car and fix it, that's a good skill for, for a young adult to have. The use of public transportation, most of our clients know how to use the public transportation system and because they do it all the time.

And community college enrollment, how many of our clients again who are aging out of their addiction are going back to community college immediately and trying to get their life together?

Health care, our clients as you know, in terms of managing heredity diseases, they obviously, they, they, you know, they share those blood lines with their kids and they're living through that right now and can, can usually give their kids a lot of assistance in dealing with, advising them of their hereditary issues and, and helping them deal with it, them.

Locating housing, our clients are always looking for housing, it seems. Job applications, filling out job applications. Helping find, maybe, at this point in time they've made amends, and they, and they started to realize who the big people are in the family and the helpful ones are. That's something they can certainly assist their kids with.

Maintaining contact with their tribe, with their culture, again very, very important factor that sometimes, really, the parents are best situated to do that more so than anyone else.

And then, of course, knowledge of available services. Our clients usually know what mental health services are available, they know what substance abuse treatment programs there are and where the meetings are taking place, and where are the good meetings and where are the bad meetings. I'm talking about NA, AA meetings and recovery support. They also know a thing or two about services, you know, good services and, and barriers, and, and so forth.

And so, there are a lot of opportunities here. A lot that I think our clients have to offer a child, a transition child, to help them transition to adulthood. And, this can all occur during visitation, or it can create an opportunity for increased visitation. I think if we can, if we can convince the agency that the parent has something to offer along these lines, there could be opportunities for increased visitation with the child in order to help them, to mentor them, to help them with their TILP.

The other thing I want to point out to you is that there's something called ILP education and those are basically academic supports and services designed to help youth complete high school or obtain General Equivalency Degree, a GED. So again, be aware of, of the integration between the ILP process and, and TILPs and I think a parent should be engaged in their education. They obtain the education life that they have and stay involved in that process so that way they can have input into those educational issues which were so valuable.

The other thing I, I also wanted to bring your attention to is, is for cases in FM and for cases that are not in FM and the parents are engaging in services on their own, something to ask for our clients are parenting classes specifically geared towards parenting teens. That's a whole area onto itself. I think the area of education on brain development of teenagers would probably be very helpful to some of our clients in assisting them to understand why the-, our teenagers do things they do and say the things they say. I think that that could help again in facilitating that relationship between the parent and the transition age youth.

So, in conclusion, as I said when I started off, the TILP process presents an avenue to make the parent relevant in the young adult child's life. It's a chance, depending on where the parent is at in the process, to bring them back into their child's life. It's a chance to give them an opportunity to help their child again transition into adulthood. And it, it really helps them out tremendously too because if we can give these kids the skills they need to transition into adulthood, if we can make them more independent, if we can make them easier to parent, we, we reduce the risk. We mitigate the risk in return and in visitation and so, you know, these are cases that we can take really from a case that's in planned permanent living arrangement and there's very little contact with a parent, it could be transitioned into a case where services are put in place through the TILP, TILP process that we can help make these kids more parentable, as I said, easier to parent, and reduce, mitigate the risk. In return, visitation and help facilitate reunification, which is very often what our clients want at this stage and very often what's going happen because these, these kids do have a tendency to find their way home at some point in, in their later place in their life.

So, I hope this has been helpful to you, and thank you very much for your time.

Juan Valles:

Hello, my name is Juan Valles. And I'm a staff attorney with the Children's Law Center of California based in Los Angeles County. And my goal today is to talk about TILPs from the perspective of minor's counsel and several questions that minors counsel should ask him or herself when assessing the quality of a TILP.

The first thing to point out is that TILPs are not dispositional case plans. The two types of case plans are not synonymous, but they can be complimentary. As the slide shows, dispositional case plans are really focused on, more often than not, the needs of the parents and are usually aimed toward reunification of the family. These case plans are usually crafted by the child welfare agency looking at the parents' situation, the needs of the family, and the issues that brought the family to court in the first place. Contrasting that is TILP, the TILPs is primarily driven by the needs of the youth involved in the system. These case plans, these TILPs, rather, are usually collaborative, more organic, and stem from the needs of the client. The TILP must include the youth's specific needs, their issues, their concerns, and their goals.

As I mentioned, there can be some overlap and some complementary case planning that goes on. There is one type of case or one situation where the content of a TILP may be included in a dispositional case plan and in ongoing case planning documents. And that's for youth ages 14 and 15. The law mandates that the case plan address transitional service for these clients who are 14 or 15, but there's no clear mandate as to the form that that plan must take. The state leaves it up to each local jurisdiction as to whether that TILP-type information should be conveyed in the TILP format or in a more generic case plan for the family. Nonetheless, the ultimate goal for these services for children 14 and 15 and those who are 16 and older who require a TILP is the same. These case planning services should point toward and really move a youth toward a successful transition to adulthood.

And I may use TILP consistently throughout my portion of this talk, but know that the same principles applied for our clients who are 14 and 15 who may not have a TILP in the traditional format. Again, the goal here is the same. For minor's attorneys, there are really two ways to look at the TILP and these again are complementary and not exclusive of either, either category. First, minor's counsel should look at the form of the TILP on its face. Very often the TILP will be included with a social worker's report and based upon what's on that TILP, we can begin to assess whether or not the TILP meets statutory requirements and also addresses those things that a youth may need. Secondly, the substance. In order to assess the usefulness of a TILP for a particular client, it requires that we really have a rapport with our clients and that we fully assess whether the plan really pushes that youth toward that successful transition.

I've structured this talk through a series of questions and my goal is to equip minor's counsel to really look at the TILP and ask several questions of him or herself in determining whether or not the agency has fully complied with the statutory requirements and has addressed the needs of that specific client.

The first thing, of course, is the currency of the TILP. Is it current? Has it been crafted within the last review period or is it simply a regurgitation of what's been done before? Now, in some cases, the goal for our clients may extend beyond six months, beyond one year; but the worker with that client should be constantly assessing the currency of the TILP goals.

And again, do the goals of the TILP reasonably point toward a successful transition to adulthood? Every portion of the TILP, whether it's the larger goals or the action steps, the ultimate goal here, again, is to equip our clients to make that transition to bridge the, their status as a child into adults and to do that successfully.

Also, the TILPs must include specific youthful transition goals. In reading the TILP, the third-party reader should look at it and know reasonably what the goals are. Are they specific? Are they useful? And are they clear to the reader?

Minor's counsel should also look at the way that the goals are structured. Very often, our clients can be overwhelmed if the goal is too broad or just seems too large and too daunting. Has the worker spent time with a client in breaking down each of those goals into discrete and achievable action steps?

And very importantly, does the TILP identify those individuals that can aid our clients in achieving either these specific action steps or the larger goal? Very often, we'll see TILPs where the worker has identified our client as the sole responsible person. I've seen several bench officers in my time reject those TILPs and send them back to the worker demanding that the worker identify adults who can assist our clients. If for other reason than to have someone to encourage, mentor, and guide our clients as they move through their goals.

Also, the TILP has to have specific and reasonable guidelines for both the client him or herself, but also for those who are involved in assisting our clients in achieving those specific action steps and goal.

Finally, the law also requires that the TILP specifically address the issue of credit reporting. The TILP must include confirmation that the agency has sought and gotten a credit report for our clients. And I should also note that if there are any issues that arise from that credit report, the agency should also consider including action steps to address repairing our client's credit if it is an issue. Finally, as I've been mentioning here, the transition to adulthood is one of the goals of the TILP process. In looking at the TILP on its face, we should ask ourselves several other questions about that impending majority. Is the youth approaching 18 or is the youth already a nonminor dependent? If so, the law really requires and practice also dictates that there should be some discussion of extended foster care benefits.

First, does the TILP talk about assisting a client in achieving eligibility for NMD status and to receive AB 12 benefits? Is there discussion about maintaining academic eligibility, employment

eligibility, or working on the barriers that might have inhibited otherwise compliant behavior with the case plan and AB 12 requirements? Is there a plan A and a plan B? Here in Los Angeles County, the department's policies require that the department identify a primary AB 12 eligibility goal, for instance, work or school. But, there should also be a back-up plan if plan A does not succeed, and that Plan B should be as clear as plan A is in the TILP.

Housing should also be discussed if our clients are pursuing SILP eligibility through AB 12. And, the TILP should also talk about developing the skills necessary to achieve and maintain SILP eligibility.

Finally, is the youth ILP eligible? The reason this is important is because lots of funding and support services can come through using ILP services. So ILP is a goal in and of itself or if the ILP coordinator and his or her staff is identified as a resource in achieving those goals, that should be addressed.

Finally, the second portion of our assessment really focuses on the usefulness, the substance, of the TILP. And it probably goes about saying, but this requires that minor's counsel have developed rapport, a relationship, with the youth. Also, we should also know the case worker is involved in developing the TILP and other collaterals who could be available to assist in developing the TILP, but also assists in achieving the goals identified in the TILP.

Further, minor's counsel has to have a pretty broad and pretty strong sense of what resources are available in the community and whether our clients might be eligible to receive those benefits. So, assessing the TILP's substance, this does require a conversation with our clients. It's impossible to address the second portion of the TILP assessment without having a very frank conversation with our clients. Probably the most obvious question to ask a client is, "Are these goals really your goals?" Very often in my practice I've seen others come in and really dictate to their clients what they are supposed to do, what they should do, but not always asking what a client wants to do. And the law dictates that a client be intimately involved in crafting the TILP.

It's important to assess how much time the caseworker and others spent with the client and discussing developing the TILP because the worker and others should have really engaged in a conversation about the youth's interests, their skills, their strengths, their aptitudes. And also, addressing areas where skills may be lacking and really highlighting what can be done to really bolster those potential deficiencies. It's also important that we assess whether our client has really engaged in the process. Did that client have a chance to really express his or her goal and were people listening to that discussion? Was it, again, top-down or was it collaborative and bottom-up? Also, the youth may not know that he or she has the opportunity and that's a statutory right to self-advocate in this process. Again, this whole TILP process is premised on our clients expressing what they want, what their concerns are, and what their goals are. So, does the client know that, in fact? Was that explained to him or her at the outset?

Assuming that the youth does agree with the goals that were addressed in the TILP, does the youth understand what those goals are and how to achieve those goals? Did someone walk with him or her through the TILP? And breakdown has to be done identifying what those discrete steps are.

An ideal TILP will include several adults who are responsible for assisting the youth and achieving the TILP goals. Does the youth know who those people are? Does he or she know who the support team is that should be surrounding this youth? And does the youth know how to reach them? Does the youth have telephone numbers, email addresses, or other means of communicating with those supportive adults? Very often, clients can be somewhat shy about asking for assistance or speaking up when they're not receiving what they believe they should be receiving from the department or from other collateral sources. Does the youth feel comfortable approaching them or is this a situation where the attorney may have to step in and help guide the client through the conversation or have the conversation him or herself with others?

The law requires and allows for the youth to invite others into the TILP meeting. The per-, the child can bring in two people or more perhaps, to help assist him or her in having a conversation about transitional goals with the workers, with ILP folks and others involved in the process. Does the youth feel that all those who might lend some aid or insight or are those people available and present at the meeting? If not, who was missing and how can we bring that person on board? It may be an informal phone call from the attorney to a family friend, a mentor, teacher, coach, someone who's not traditionally involved in the TILP process, and linking that person to the ILP coordinator, to the social worker or to others involved in achieving these TILP goals.

Very often, youth don't know that if their life circumstances change, they can request a brand new TILP. That a brand new meeting be held and that new goals be assessed and addressed. Or these same goals may remain intact but because of a change in circumstance, the means to achieve those goals can be reevaluated. A client can always ask for that reassessment upon a change in circumstances.

Also important for the TILP is funding, transportation and funding. A lot of third parties beyond the court system and beyond the child welfare agency may receive a copy of this TILP. If funding or transportation are required to achieve the goals of the TILP, that should be specifically included in the TILP so that others will know to unlock funds, to apply for funds, to ensure that bus passes are requested and so on. Very often, the TILP will go out without much of a conversation behind it. The TILP should, again, be specific and address those needs. And of course, the need for transportation and funding may not become apparent to minor's counsel until a client really walks the attorney through what those goals and programs are.

And with that, I hope you've gotten a few questions under your belt that you can ask in looking at TILPs. One thing that I will say is that the courts are very inclined to work with minor's

counsel and the agency to ensure that a TILP is up to par and will hold workers and hold counsel accountable for ensuring that the TILP is relevant, useful, and practical. Thank you.

Judge Shawna Schwarz:

Hi there. My name is Shawna Shawarz and I'm a judge, a supervising judge. Well, I'll tell you that in a second. I'm going to talk about TILPs, a judicial perspective.

So just by way of background, I am the Supervising Judge from Santa Clara County and, in juvenile dependency. I've been in dependency for, gosh, over 14 years now. Of that 14 years, over 8, I've had a focus solely on older youth, basically 10 and up.

Santa Clara County, we have 1,500 kids+ under our court jurisdiction, the number has decreased lately, but basically, a little over 1,500 youths. And I have done all of the nonminor dependent cases in Santa Clara County since 2012, basically since the law started. So, what's that? You know, a number of years now, I've looked at over some 600 nonminor dependents. And right now, we have about 205 nonminor dependents. So, I want to talk to you about TILPs as they, kind of, relate to our NMD.

So, when kids, youth are going to participate in extended foster care, I have sort of the same little talk with them every time. What I say to them is, "Now that you're 18, you're going to sign a contract, the mutual agreement. And the mutual agreement is a contract that you'll sign with the county, with the social work department. They will agree to support you financially, to provide you case management services, and basically, you agree that you're going to earn it. But it's more than that. Generally, there are three things that we expect of you when you're doing extended foster care."

"First of all, you have to be in an approved placement. Your social worker will work with you on, kind of, where you're living and, and approving that. The second thing that you agree to, or that you, that you promise to do as a part of your contract, is that you will stay in touch with your social worker whether you want to or not. You have to meet with your social worker at least once a month, but you also have to keep the social worker apprised of what's going on in your life, you know, what's happening with your housing, if you need resources. You have a responsibility to reach out to your social worker. And the third thing, kind of the crux of the issue really, is you have to engage in a qualifying activity so, you know, nobody's going to support you financially for sitting at home doing nothing. But extended foster care provides you additional support, but you have to be taking steps to become independent. And, there are five ways that you can do that."

"One, is to be in high school or in a GED program. Secondly, you could be in college or in a vocational program. You could actually work at least 80 hours a month. There's a minimum of 80 hours a month. You could be engaging in activities to remove barriers. The barriers to working, so basically for whatever reason you can't get a job, but you have to, you're doing

something so that you can eventually get a job. And then finally the last qualifying activity is if you have a medical condition that renders you unable to, to work. And that has to be verified by a doctor, basically saying that you actually can't not only work but you can't do anything else, you can't be in school for whatever reason. So those are sort of the three things that you have to do in order to qualify for extended foster care.”

“Then there's this other issue, which is a TILP. You have to participate in your TILP. Well, what does that mean to participate in this TILP, the transitional independent living plan?”

And this is kind of what I'm telling kids when I'm working with them and getting them ready for extended foster care.

So, the TILP basically, it's going to really spell out the steps that are necessary for the kid to comply with the eligibility criteria. So, it's this document that lays out the future and how to get there. So, the TILP, and I, and I know this is a review from what the child's attorney told you, the TILP is going to include the youth's goals, activities, how they reach those goals, who it is that can be helpful, and then also the progress. And I know that, as you heard from minor's counsel as a part of this webinar, he mentioned how the TILP should basically lay out those steps for you to comply with the criteria. So, whether they're going to be working or going to school, the TILP is the document that spells out how, how the kid's going to reach those goals. So, it's aiming youth toward adulthood, pointing them in that direction, getting them ready to make plans for their future.

So, when I think of a TILP, you know, one of the things I'm thinking of, is it really it should be like a roadmap. How did a youth get from where they are now to where they want to be? So, roadmap or a blueprint, however you want to think about it, but what it should be doing is teaching them how to reach their goals. So, let me give you a typical or a couple of typical scenarios that I see. And as I said I work with older youth and you know a lot of nonminor dependents. But let me talk to you about some of the teenagers that I've seen in my court.

And here's an example. Here's Jessica, you know, a true story obviously. She's 17. She's in the 12th grade. But because of her history and because of, you know, changing placements and, kind of, not being successful in school and not liking school, and all these different things, as a 17-year-old, she has 14 high school credits. But when I asked her, you know, what is it you want to do as an adult, you know, what field do you want to go into, what do you want to do for a living? She tells me she wants to be a pediatrician.

And then I have a young man, Seth, who is 16-years-old. And he is in probably his 10th group home at this point, has been, kind of, making the rounds and very often gets 7-day notices. Not very stable in his, kind of, in his housing. Doesn't particularly like group homes and so he goes AWOL a lot. He is often gone overnight and many times he's gone for a few days at a time. When it comes to school, he's not really attending. He never goes, he's way behind on credits, so he just doesn't even identify with school. And while he's out away from the group home, he's

using drugs including marijuana, alcohol, methamphetamines, and Xanax. I asked Seth, what is it that you want to do when you become an adult? And he tells me he wants to go into the Marine Corps.

So, these are typical of what I see with many teenagers where they, they have some goals, but what they're doing right now to reach those goals is kind of questionable. So, I almost feel like we're at this point where, we're really good these days at getting kids to, to dream, to think about their futures, which I think, you know, is half the battle, is to think about it. I mean, I have kids that come in and say you know, "I want to go to a four-year university," or "I want to be a marine biologist," "I want to be a cosmetologist." Some kids just come in and say, "I want to be rich," "I want to be a photographer," you know, "I want to open my own auto repair shop." So, I think we're not doing a bad job of getting kids to really dream about their futures. But, I think what we are not particularly good at is helping them think about what steps you have to take to actually get there. So, if you want to attend a four-year university, what should you be doing today? What steps do you need today, to take today to make it happen?

And so, you know, I feel like one of the things I see, the common problem is this inability of our youth to, to draw a line from where they are now and their current behaviors to where they want to be, you know, their goals and their dreams. So, this, it's a skill and it's a skill I think we have not really taught them, now, how do you get from here to there? And what do you have to do? What resources do you need? Who do you need help from in order sort of attain your goals and your dreams? I just think we're not, we're not doing a great job of teaching that and we're not teaching them to make that connection, but that's where I feel like TILPs can be incredibly useful and a really great teaching tool. So, you know, I mentioned that I have all the nonminor dependents in Santa Clara County.

So, last year I decided to do a little survey of the TILPs because, you know, I'd see them on the back of the court reports and look through them briefly. So, over the course of six months, I had my clerk pull every single TILP off of the, and these are just from the nonminor dependents, so not the, the TILPs from the, the minors, but of the nonminor dependents. And over the course of six months, we had 337 TILPs, and I pulled those out, put them all on a pile, and at the end of the six months, I looked at them and rated them. I basically divided them into five piles from 1 to 5, and then, I looked at them and kind of compared to see what are the, what do the good TILPs have in common? What are the ones that aren't good, what do those look like? And just to be clear, this was not, you know, by any stretch, this was not a scientific study. Only one set of eyes kind of looked at these and, and rated these and, you know, I guess if I wanted to do it right we would have a couple of other people go through that same exercise to get a better sense. But, you know, I figure this was not a bad way to, to really just get an overview of concepts.

So, let me tell you what it looked like. What I did, as I, as I said, I put them in five piles and I rated them from number 1, from 1 which was just really bad, terrible TILPs, to 5, really incredibly awesome, awesome TILPs. And as I said I had 337 of them that I looked at and here's how it broke down. About 11% of them were just terrible; 28% were substandard, not good at

all; about 24% were okay, I'd say middle of the road; 18% were pretty darn good; and 11% were awesome. So, basically of all these TILPs, just under 30%, I think, were decent documents that could be useful to our youth.

So, comparing them, you know, what's the difference between the bad ones and the awesome ones? It seemed to me that the bad ones, I mean, they look like they were totally rushed jobs, that time was not spent with them, it was an afterthought, somebody just hurried up and, you know, put these things together. It also appeared to me, the bad ones, it looks like the kids totally did these alone, like they did not have any help whatsoever. It's almost as if somebody just gave them a piece of paper and said, "Fill this out," without a whole lot of guidance. And because, you know, they were rushed and I think the youth didn't have a lot of guidance, there was not a lot of detail in the TILPs.

The awesome TILPs, and you could probably guess based on, you know, comparing to the bad ones, you could tell that time was spent, like, it actually looks they sat down with this document and put some, some real thought into. It looks like somebody helped them; they had some adults, they had some professionals, whether it's a social worker or support people help them think through kind of this idea of what their goals are and what the activities are to reach those goals. And they were detailed, and they were thoughtful.

So, let me give you some examples, actual examples from TILPs that I've seen.

These are the best. So, I'm going to show the goal compared to the activity that was provided. The goal was to "Buy a car," the activity was "Obtain a license," which, you know, all of us obviously can see that you're not going to get very close to buying a car just by getting a license.

Another example, the goal was just stated "Education." The activity was "Returned to school." Now, education is a great goal, but the activity itself that, that's not going to help the youth, kind of crack that nut there.

The goal, the goal was "Smoking," the activity was "Quit smoking." So, clearly this youth did not have a whole lot of input about what, what a goal actually is and what the activity is.

Another goal "School," the activity "Do better in school" and "Stop," sorry, typo, should say, "Stop getting in trouble." Again, both really great activities but not a lot of guidance there for the youth to actually reach his or her goal.

Here's another one "Graduate high school" and then there was just no activity listed whatsoever. Again, graduating high school is a really great goal, but if we expect our youth to, to be able to actually do that, it's helpful to help them, you know, list what are the activities, what is it you have to do every day if you want to graduate from high school?

There's another one "Keep working," which is a great goal, and the activity was "Attend work every day," which is not bad, but probably a little more detail would be better, like, you know, "Get a good night's sleep, set the alarm, or set three alarms because I know that I'm not good at one alarm," you know, "Make sure that my laundry is done every week so I have clean clothes," you know, that kind of detail's missing here. And then, here's one "Get a degree in child development," great goal. The activity was "Talk to a school counselor," that's a start, but our kid's not going to get very far if that's the only thing he or she does in order to get their degree.

So, let's compare and contrast that to what I thought were pretty awesome TILPs and you'll see why. The goal here "Open a bank account by the end of the summer," which is great because it's, it's detailed and it's, it's discrete, it's doable. And the activity "Research the requirements for Bank of America and Wells Fargo" and then "Ask Julie and Sammy for help." I think both of that, those activities are going assist this youth in getting a bank account open by the end of the summer. Now obviously, there are other steps that they could take, but these are two really good ones to start with.

Here's another one I thought was particularly good. "Get into the mechanic program after high school," and the activity the youth listed "Google mechanic programs in San Jose." Secondly, "Ask high school counselor and teachers about mechanic programs," and then the third one, "Find out if San Jose City College has mechanic programs." Again, you know, great start for this youth.

There's another one. "Attend summer school at DeAnza," and the youth has it broken down "Register at DeAnza," "Sign up for classes," "Ensure financial aid is complete," "Connect with the foster youth liaison." So, I think this youth really has a list of things to do, you know, he or she's got this to-do list so that they can get into summer school.

This next one, which again, I thought was really well thought out, was actually a youth who was fairly developmentally delayed and is working on just some basic life skills. Her goal is to complete her laundry independently. And now, I guarantee she had a lot of how-, help putting this together, because she doesn't know how to do this. But it was broken down, she needs to sort her dark, her light, and her white clothes. She needs to learn to set washing machine settings, to measure the correct amount of soap, and to transfer the clean clothes to the dryer, and then to fold and put away her clean clothes.

So clearly, you can see a difference between, you know, a TILP that is just pretty bad and one that is actually going to be helpful. So, for me, a good TILP is going to teach our youth a number of things. It's going to teach them, first of all, to think about their future goals. It's going to teach them how to reach those goals, like, you can have this great goal, but what are the steps you take? I think if we teach them that, they're going to learn that, you know, this success doesn't happen magically. Saying you want to be rich is great, but what are the steps you are going to take to actually get there? It's not going to happen magically. It teaches them they need to actually do the work. Now, this is, this is your life. You're the one who's going to make it or

break it and you need to take these steps. And then it also teaches them, what is the work they have to do to reach their goals?

Now, clearly the TILPs, I think, need some help. And so, I put some thought into how do we even improve the usefulness of TILPs? First of all, and I don't know, I mean, perhaps this is already happening, but I think we need to train social workers to do TILPs better. Are there seminars out there? Is there, I don't know, a booklet? Is, is there some written document that gives examples to social workers about what are useful, what are useful and helpful TILPs?

Clearly, I think we need to spend, you know, the folks who are helping youth with TILPs, need to spend more time on them because many of them now appear to be an afterthought. It's like, "Here I did this home visit, and oh yeah, take this document fill it out getting get it back to me." So, it does not appear that there's not a lot of thought put into many of them, which is unfortunate.

I think that all of us, not only the social workers, should be discussing with our youth, the difference between goals and activities. You know, those of us who are lucky enough to grow up in functional families, you know, we grow up with our parents, kind of, guiding us along the way here. But I think it makes sense for all of us, not just in the conversation about a TILP but in, in conversations in court, in conversations during home visits. You know, what are your goals? And what do you have to do to, to get there? What do you, what do you think are the steps so that our youth start thinking about that? And it doesn't have to just be TILP goals, you know, it's when a kid says like, "I really want to go to this party on Friday," and, you know, the social worker says, "Okay. Well let's talk about that," you know, "Where is the party? Who can you give the information to?" and breaks down the steps with them. Maybe going to a party is probably not the best example.

And then finally, I think the court has a role in this. I think the judge needs to pay more attention to the TILPs and be willing to complain about them and say, "This is not good enough." Let me give you an example, in my courtroom, you know, every Thursday is nonminor dependent day and these social workers know I will not go forward on a case if the TILP is expired and, because I started paying attention to it, the social workers do. And now they bend over backwards to get those TILPs updated by the time of the hearing *because* I am focusing on it. So, I feel like if we judges do not gloss over the TILPs, then other people won't also. If we start bringing up, "Hey this is not particularly good. Let's put some work into this." I think if the court shines a light on it, you're going to find that the practice of getting the TILPs will improve.

And then just some final thoughts, I really think that if we do it right, if TILPs are done right, if they're done well, if we give youth the guidance about how to do them because they don't know how to do these things, so if we give them guidance and if we, meaning, you know, the people helping them with these, are actually trained to do them well, that, that, and they get the input not only from the social worker but from those, kind of, adults that they trust, I think TILPs can be a really useful goals that will help the youth reach, I'm sorry TILPs can be really useful tools, that

can help the, the youth reach their goals because it is kind of spells out in black and white, not only what the goal is, but what the steps are that the youth has to take. So, instead of having some lofty goal out there that they, you know, have no idea how they're going to reach, we look at this six-month increment, which is the length of a TILP. Now, what are the actual steps you can be doing, either every day or, you know, between now and then, what concrete discrete steps do you have to take so that you can reach your goals?

So, that is the judicial perspective on TILPs, and thank you very much for your participation in this webinar. Thank you very much.