

EXTENDED FOSTER CARE (AB 12) AND HOUSING OPTIONS FOR TRANSITION AGE YOUTH

California's Fostering Connections to Success Act

1

Extended Foster Care (AB 12)

- First enacted statewide in 2010
- Extended foster care eligibility from age 18 to age 21
- Youth who participate in extended foster care are eligible for:
 - Monthly benefits
 - Housing
 - Transitional support
- Youth still meet regularly with their social worker and attend court hearings

2

Goals for Extended Foster Care

- Help youth establish lifelong connections to caring adults before transitioning to full independence
- Promotes self-sufficiency for foster youth
- Work proactively with youth in developing and reaching their independent living goals
- Allow youth to gain real life experience with independence and allow them to learn from their mistakes
- Provide a safety net for the most vulnerable youth so they can be successful as independent adults



3

Eligibility Requirements for EFC (AB 12)

- Extended benefits available to foster/probation youth who
 - Have an open court case at age 18 (i.e. order for FC placement)
 - OR – be eligible under AB2454 – disrupted adoption/guardianship after age 18
 - Satisfy one participation requirement
 - Sign a mutual agreement
 - Agree to meet with Social Worker/Probation Officer
 - Agree to work on transitional independent living skills
 - Live in a licensed or approved setting
 - Have 6 month court review hearings

4

Placement at age 18

- A youth’s placement when s/he turns 18 is critical to eligibility for extended foster care
- Eligible placements include: foster family home, group home, transitional housing program, or any other placement that is the result of a suitable placement order (including family members)
- Ineligible placements include: home of biological parent, juvenile detention (assuming there is no suitable placement order in effect), or closed case

5

Am I eligible for extended foster care?

- If I was in a group home on my 18th birthday?
- If I was living with my grandmother under suitable placement order from the court on my 18th birthday?
- If I was living with my mom on my 18th birthday?

6

Participation Requirements: What must a NMD do to receive financial benefits?

One of the following:

- 1. Be enrolled in high school or equivalent program
- 2. Be enrolled in college/vocational school
- 3. Work at least 80 hours/month
- 4. Participate in a program/activity that helps you find a job or removes barriers to employment
- 5. Be unable to do one of the above because of a medical or mental health condition

7

Important Term - NMD

- NMD = Non Minor Dependent
- Youth who meets eligibility requirements for extended foster care (AB 12)
- “Dependent” because they still have open dependency or probation cases
- Over 18 – so they are not minors



8

Non-Minor Dependent Court

- April 2016: Specialized court created in LA County for all non-minor dependents (youth in extended foster care)
- One law firm (with attorneys and case managers) represent all youth
- One judge hears all cases
- Next Step/TAY Program regularly receives referrals from NMD Court

9

Youth Involved in the Delinquency System

Youth involved in the delinquency system can participate in extended foster care under 3 circumstances:

1. Probation youth (wards) over 18 who are under the jurisdiction of the delinquency court with an order for foster care placement on his/her 18th birthday – OR
2. Probation youth (wards) over 17 years, 5 months who transferred to “transition jurisdiction” and is under transition jurisdiction on his/her 18th birthday – OR
3. Probation youth who was transferred to dependency system prior to age 18 and has order for foster care placement on his/her 18th birthday

10

Placement options under Extended Foster Care

• **Traditional placement options still available to NMDs:**

- Foster Home:
 - Approved home of relative or NREFM
 - Home of a Nonrelated Legal Guardian
- Foster Family Home
- Certified home of an FFA (includes ITFC)
- Group Home (with limitations)
- Small Family Home/Dual Agency Regional Center Homes

• **2 Placement Options just for NMDs:**

- THP+ Foster Care (THP+NMD)
- Supervised Independent Living Placement (SILP)

11

2 Specific Placements for NMD's ONLY

• **THP+ FC**

- More supportive – transitional housing model
- Payment by county directly to the provider, but NMD will get a stipend
- 9 providers currently, programs are new and growing.

• **Supervised Independent Living Placement (SILP):**

- Youth must pass a readiness assessment
- Location must be inspected (unless it is a dorm)
- Youth receives \$1000 per month
- Youth can choose to live in an apartment, rent a room in a house, live in a dorm, with or without a roommate



12

OTHER TYPES OF PERMANENCY OPTIONS FOR NON-MINORS

13

How did EFC affect permanency paths and benefits?

- Non-Related Legal Guardian can continue to receive AFDC-FC benefits until the youth is 21 -- it does not matter when guardianship was established
- Relative Legal Guardian receiving KinGAP benefits can continue to receive until youth is 21 if:
 - Kin-GAP payments commenced when youth was age 16 or older
 - OR**
 - Youth has verified disability
- Adoptive parents can continue to receive AAP benefits until the youth is 21 if:
 - AAP payments commenced when youth was age 16 or older **OR**
 - Youth has verified disability

14

AB 2454

- Beginning on January 1, 2015, AB 2454 went into effect. **Welfare and Institutions Code Section 388.1 was amended to provide that youth are eligible to re-enter foster care if:**
 - He or she is a nonminor former dependent, as defined in subdivision (aa) of Section 11400, who **received aid after attaining 18 years of age** under Kin-GAP pursuant to Article 4.5 (commencing with Section 11360) or Article 4.7 (commencing with Section 11385) of Chapter 2 of Part 3 of Division 9, or pursuant to subdivision (e) of Section 11405, and
 - **whose former guardian or guardians no longer provide ongoing support to, and no longer receive aid** on behalf of, the nonminor after the nonminor attained 18 years of age, but before age 21...
 - (4) He or she is a nonminor who **received adoption assistance payments after attaining 18 years of age** pursuant to Chapter 2.1 (commencing with Section 16115) of Part 4 of Division 9 and his or her **adoptive parent or parents no longer provide ongoing support to, and no longer receive benefits** on behalf of, the nonminor after the nonminor attained 18 years of age, but before he or she attains 21 years of age. (emphasis added)

15

Am I eligible for extended funding after 18?

- If I was placed in a legal guardianship with my aunt after I turned 17 and the case is now closed?
- If I was placed in a legal guardianship with my neighbor when I was 8 and the case is now closed?
- If I was adopted after I turned 16 (and my AAP payments didn't start until I turned 16), and when I turn 18, I'm attending school or working 80 hours per month?

16

Am I eligible for re-entry to foster care after 18?

- If my adoptive parent was receiving extended AAP payments for me until I turned 19, at which point my adoptive parent died and payments stopped?
- If I was placed in a legal guardianship by the dependency court after I turned 16, my legal guardian was receiving extended KinGAP payments for me after I turned 18, and then when I was about 18.5, my legal guardian kicked me out of the house?
- If the dependency court returned me home to my mom's care and closed my case when I was 17?

17

TAY Resources

- Sign up for ACR's newsletter: <https://kids-alliance.org/resources/#>
- ACR's COVID-19 Resources: <https://kids-alliance.org/covid-19/>
- LA Opportunity Youth Collaborative's Instagram Page: [Follow us on Instagram!](#)
- Sign up for LA Opportunity Youth Collaborative's Weekly Updates: [Join Our Mailing List](#)
- Learn about ILP resources at www.ilponline.org
- Access prior ACR trainings: <https://kids-alliance.org/resources/>
- ifoster free phone application: <https://www.tfaforms.com/4811639>

18

QUESTIONS?

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