
Assembly Bill 12: Update on the California Fostering Connections to Success Act

Informational Web Seminar

May 24, 2010

1:00 to 2:30 p.m.



Webinar Technical Details

- Call in 312-878-0211
- Enter access code 588-669-520
- To submit live questions, click on the “Questions” panel on your screen, type your question, and click “Send”



Presentation Outline

- Background & Policy Rationale
- Major Provisions
 - Extension to Age 21
 - Subsidized Guardianship
- Legislative Process
- Q & A



Today's Presenters

- Amy Lemley, John Burton Foundation
- Jennifer Rodriguez, Youth Law Center
- Leslie Heimov, Children's Law Center of LA
- Kathy Watkins, San Bernardino County & CWDA
- Angie Schwartz, Alliance for Children's Rights
- Chantel Johnson, California Youth Connection
- Jackie Rutheiser, California Alliance for Child & Family Services



Policy Background & Rational

- Increasing number of youth aging out of care, nationally and in California
- Better evidence...
 - that youth aging out do not fare well as young adults
 - that supporting youth in foster care past age 18 leads to better outcomes
- Changing social norms about how long parents assist children into young adulthood
- Growing consensus in child welfare that relative care is preferable to being in care of non-relatives



Policy Background & Rational

- Fostering Connections to Success and Increasing Adoptions Act of 2008 passes.
- State option to extend to age 21
 - Available as of 10/1/10
 - Continues federal share-of-cost for eligible youth
- Creation of federal subsidized guardianship program
 - Provides federal share-of-cost for eligible youth
 - Policy change in 12/09 makes CA caseload eligible for federal share-of-cost.



AB 12: California Fostering Connections to Success Act

- **Authors: Assembly Members Beall & Bass**
 - Introduced in December 2008
 - Senator Carol Liu, Principal Co-Author
 - 44 co-authors in Assembly
 - 8 co-authors in Senate
 - Made into two-year bill last Spring
 - Passed out of Assembly unanimously in January 2010



Who Is Eligible for Support to Age 21?

- Youth who “age out” of foster care or juvenile probation systems
- Youth who exit to Kin-GAP at age 16+
- Youth who receive Adoption Assistance at age 16+
- Non-Dependent, Non-Related Legal Guardian Youth



Federal Eligibility Requirements

- (1) Completing secondary education or a program leading to an equivalent credential,
- (2) Enrolled in an institution which provides post-secondary or vocational education
- (3) Participating in a program or activity designed to promote, or remove barriers to, employment
- (4) Employed for at least 80 hours per month.
- (5) Have a disability that makes prevents youth from doing any of the above.

Forthcoming federal regulations will provide additional information about these requirements.



Factors that Exclude Youth from Eligibility

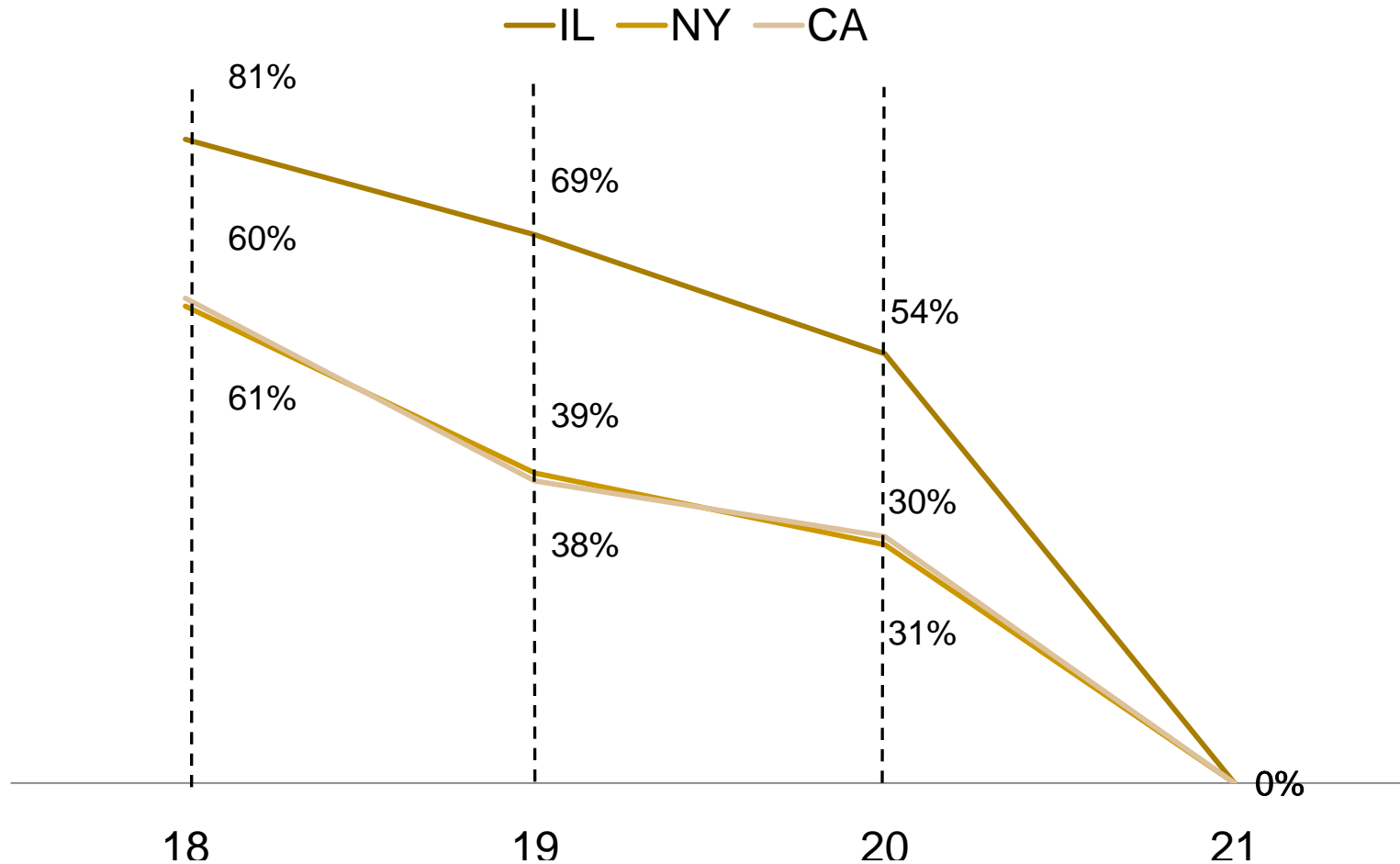
■ Youth who:

- Do not meet 1 of 5 federal eligibility criteria ~ 24%**
- Are on runaway status ~ 12%
- Elect to receive TANF (CalWORKS)~ 5%
- Elect to receive Supplemental Security Income ~ 15%
- Are incarcerated ~ 7%
- Get married ~ 2%
- Join the military ~ 2%
- Die ~ 1%

** California estimate calculated by December 2009 analysis by the Urban Institute;
Visit www.cafosteringconnections.org to download paper.



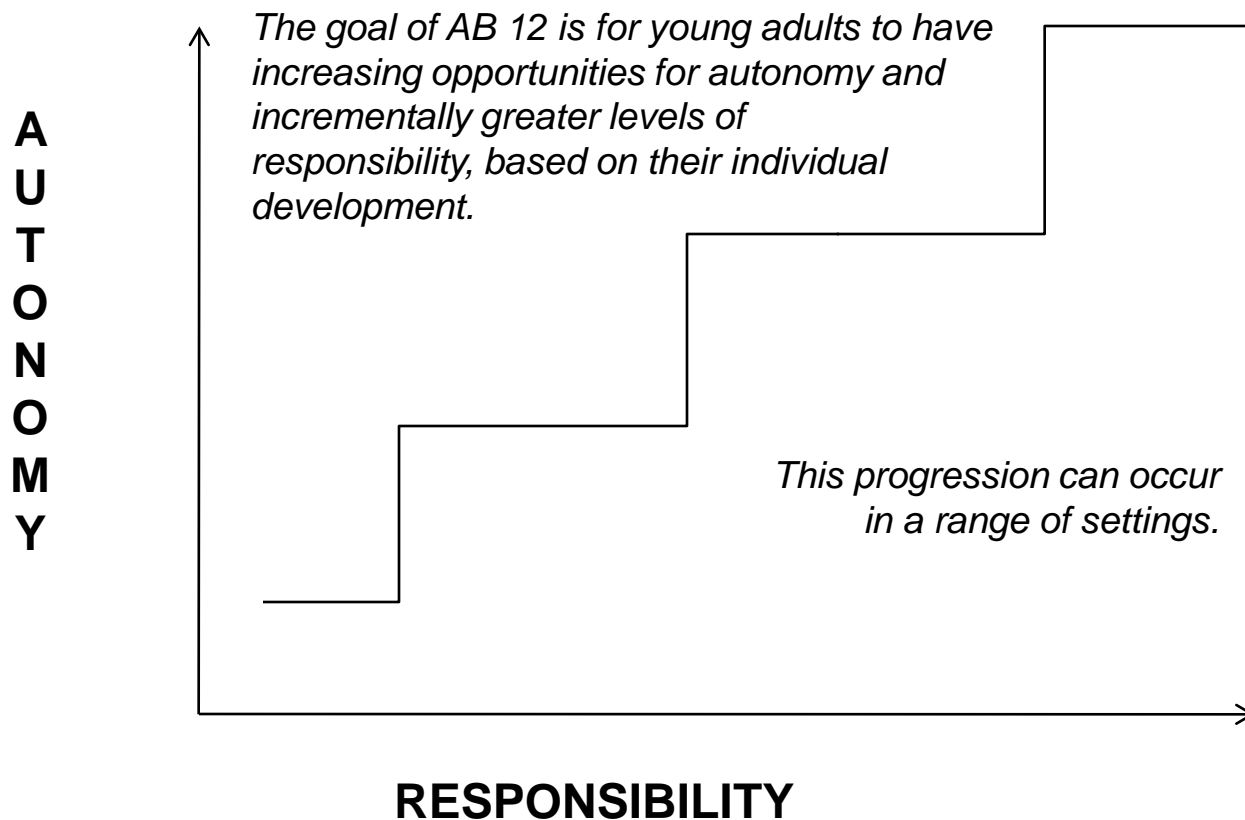
What is the Estimated Uptake Rate?



** California estimate calculated by December 2009 analysis by the Urban Institute;
Visit www.cafosteringconnections.org to download paper.



AB 12 Framework for Foster Care Placements



Placement Options Under AB 12

Placement Type:	At age 18: FY 08-09 Actual	Age 18 to 21: FY 14-15 Estimated
Kinship/Relative Caregiver	27%	22%
THP-Plus Foster Care**	0%	20%
NDNRLG	16%	15%
Supervised Independent Living Placement**	0%	15%
Foster Family Agency	29%	15%
Foster Family Home	8%	8%
Group Home	18%	5%

****These new placements would be county-approved to comply with IV-E health and safety standards, not subject to community care licensing.**



Juvenile Court Supervision for Non-Minor Dependents

- How it is different than court supervision for minors?
 - ❑ Youth have full legal rights as adults
 - ❑ Attorney acts “on behalf” of the young adult, rather “in the best interests” of the minor.
 - ❑ Parents are not noticed, nor parties to the hearing
 - ❑ Reunification, guardianship or TPR are not a case plan goals
 - ❑ Incremental responsibility and least-restrictive placement are goals



Juvenile Court Supervision for Non-Minor Dependents

- How is it the same as court supervision for minors?
 - Youth is a dependent of the juvenile court
 - Court hearing or administrative review occurs every 6 mos.
 - 391 “Emancipation Hearing” still conducted



Child Welfare Supervision for Non-Minor Dependents

■ How it is different?

- ❑ Foster care rate may be paid directly, in whole or part, to youths capable of signing mutual agreements.
- ❑ Two new placement options (SIL & THP-Plus FC)
- ❑ Youth signs case plan
- ❑ Case plan focused on transitional skills and permanent connections; development of incremental responsibility.



Child Welfare Supervision for Non-Minor Dependents

■ How it is the same?

- Non-minor dependent eligible for specialized care increment rates
- Social workers contact occurs monthly on average
- TILP updated every six months



Extended Support for Youth Exiting Juvenile Probation

- To be eligible, a youth must:
 - Have completed terms of juvenile probation
 - Have process initiated on their behalf while a minor
 - Have a court finding that returning the child to parent would be detrimental
 - Meet one of five federal eligibility criteria.

Supervision remains with probation department



Re-Entry Provision of AB 12

- Youth who opt out remain under dependency jurisdiction until age 21
- Youth may petition to re-enter foster care system until age 21
- No limit on number of times
- Evidence shows this is rare ~4% in NY
- Important to make process accessible



Phased-In Implementation

- Extended to age 19, effective 1/1/12
- Extended to age 20, effective 1/1/13
- Extended to age 21, effective 1/1/14

Example: Johnny turns 19 on March 11, 2012



Federal Subsidized Guardianship Program

■ How is it different than current Kin-GAP?

- ❑ Only 6 months of placement with approved relative required
- ❑ Negotiated agreement that can include SCI, adjustable based in needs, updated at least every two years
- ❑ New entry option: Voluntary Placement Agreement and exit at Dispositional hearing
- ❑ Federal government to pay share-of-cost for IV-E eligible cases
- ❑ Available to families who move out of state

■ How is it the same as current Kin-GAP?

- ❑ No regular juvenile court oversight or social work case management services

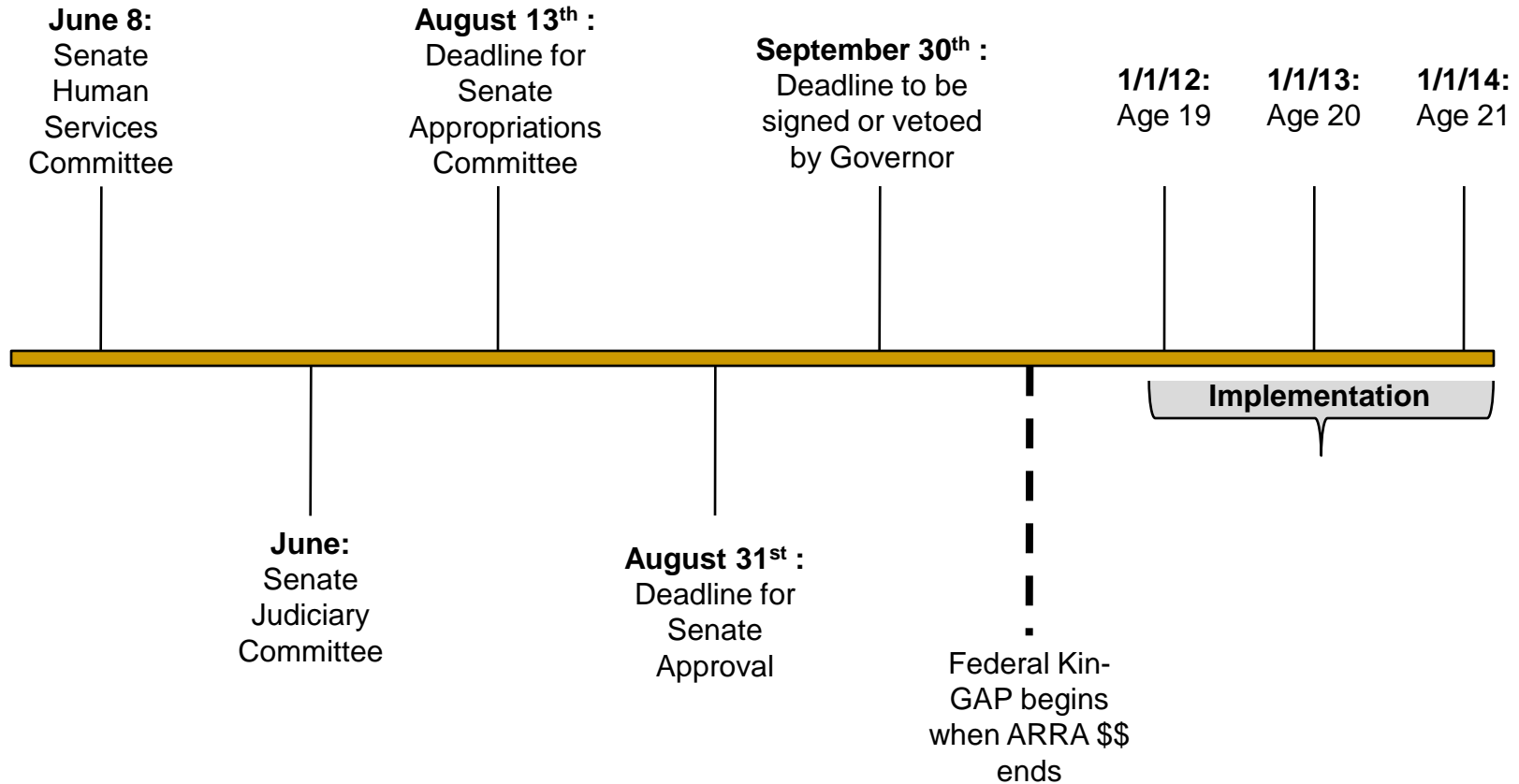


Additional Information RE AB 12's Treatment of Subsidized Guardianship

- Parallel State Kin-GAP program will remain for non-federally eligible youth
- California would begin converting to federal program after enhanced ARRA rate discontinues
- Program would be phased in over 12 month, as regular Kin-GAP redeterminations occur



AB 12 in the Legislative Process



How You Can Help

- Send in letter of support *TODAY*
 - Sample letter at www.cafosteringconnections.org
- Ask your Senator to sign-on as co-author
 - Send a letter, visit in the district
- Encourage the Governor's support
- Inform your community
 - Write an op-ed, include in a newsletter, email your colleagues



Questions or Comments?

Enter questions on your screen now by clicking the “Questions” panel, typing your question, and clicking “Send.”

Or direct later questions or comments to:

Michelle Cabrera
Assembly Human Services Committee
916-319-2089
Michelle.Cabrera@asm.ca.gov

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Get more information, including the full text of the bill at:

www.cafosteringconnections.org

