

Amendment to Georgia's IV-E Plan as Per ACYF-CB-PI-10-11

Section A: Title IV-E Definition of Child and Extending Assistance to Youth Age 18 and Older

Definition of Child for Title IV-E Foster Care, Adoption Assistance and, if applicable, Guardianship Assistance Programs

Georgia Department of Family and Children Services completed a fiscal analysis of the benefits of expanding the definition of a child in foster care to age 21. Based on the results of this analysis, Georgia has deemed there to be significant fiscal benefits for our state to exercise the option in section 475(8)(B) of the Act to adopt a definition of "child" for the title IV-E program that will allow Georgia to provide foster care, adoption and, if applicable, guardianship assistance for eligible youth up to 21 years of age if the youth meets certain criteria.

Under current state law, foster children may remain in the custody of DFCS until age 18. Although no specific authority is granted in state law, youth have been allowed to stay in foster care placements supported by DFCS beyond age 18 under a written agreement between the youth and DFCS as long as they are working toward goals specified in the written transitional living plan as provided in longstanding agency policy.

In order for our agency to exercise this option, legislation will need to authorize DFCS to provide transitional living services to youth who turn 18 in foster care up to age 21, including financial, housing, medical, employment, training, education and other appropriate services.

There will also need to be a change the jurisdictional statute for Juvenile Court, OCGA 15-11-28 to extend jurisdiction up to age 21 for those youth who request to remain in a foster care placement beyond age 18 and meet program criteria.

This change should authorize the Juvenile Court to make required findings, review the efforts of the Division of Family and Children Services (DFCS) to assist foster youth in making a successful transition to adulthood, and approve case plans as required by the federal law.

In order to remain in care beyond age 18, the youth would be required by DFCS policy to be: 1) completing secondary school (or equivalent), 2) enrolled in post-secondary or vocational school, 3) participating in a program or activity that promotes or removes barriers to employment, 4) employed at least 80 hours a month, or 5) incapable of any of these due to a documented medical condition.

In an effort to achieve these requirements, the attached proposal has been submitted to the Governor.

**DEPARTMENT OF HUMAN SERVICES
LEGISLATIVE PROPOSAL**

TITLE

Foster Youth Successful Transition to Adulthood Act

SHORT STATEMENT OF THE PROPOSAL

Authorize the Division of Family and Children Services (DFCS) to provide services to foster youth who turn 18 in foster care up to age 21.

Extend the jurisdiction of the juvenile court to age 21 in cases where foster children request to be allowed to remain in foster care

CURRENT LAW

Under current state law, foster children may remain in the custody of DFCS until age 18. Although no specific authority is granted in state law, youth have been allowed to stay in foster care placements supported by DFCS beyond age 18 under a written agreement between the youth and DFCS as long as they are working toward goals specified in the written transitional living plan as provided in longstanding agency policy.

PROPOSAL

Authorize DFCS to provide transitional living services to youth who turn 18 in foster care up to age 21, including financial, housing, medical, employment, training, education and other appropriate services.

Change the jurisdictional statute for Juvenile Court, OCGA 15-11-28 to extend jurisdiction up to age 21 for those youth who request to remain in a foster care placement beyond age 18 and meet program criteria.

Authorize the Juvenile Court to make required findings, review the efforts of the Division of Family and Children Services (DFCS) to assist foster youth in making a successful transition to adulthood, and approve case plans as required by the federal law.

In order to remain in care beyond age 18, the youth would be required by DFCS policy to be: 1) completing secondary school (or equivalent), 2) enrolled in post-secondary or vocational school, 3) participating in a program or activity that promotes or removes barriers to employment, 4) employed at least 80 hours a month, or 5) incapable of any of these due to a documented medical condition.

RATIONALE

The transition to adulthood is complex, gradual, and extended. Long after legal emancipation, many young adults rely heavily on family and other support

networks for extended periods of time for financial, emotional and other forms of support to continue school, choose a career or find their way in the world of work, secure health care, and maintain a stable residence.

The young adults who "age out" of the child welfare system are expected to be self-sufficient long before their peers, with far fewer resources, and often with many challenges unique to the experience of growing up in foster care. These youth are often ill-equipped to live independently and are especially vulnerable to unemployment, homelessness, mental and physical health-related problems, incarceration, teen pregnancy and parenting, and other obstacles to achieving sustainable self-sufficiency.

It is in the best interest of foster children who are actively working toward self-sufficiency to have a mechanism for securing the support and services needed to live independently as adults.

Enactment of these provisions is intended to improve the availability of transitional services to foster youth and allow the Georgia Division of Family and Children Services to take advantage of federal funding under an optional provision of the federal Fostering Connections to Success and Increasing Adoption Act of 2008.

Clean Up Legislation from previous year? No

IMPACT

Customers: The proposed changes described above would affect all foster youth who turn 18 while in foster care with the Georgia Division of Family and Children Services.

Advocates:

Adoptive and Foster Parent Association of Georgia (AFPAG)
Barton Child Law and Policy Clinic
Council of Juvenile Court Judges
Georgia Association of Homes and Services for Children
Georgia CASA
Georgia County Welfare Association
Georgia EmpowerMENT
JUST Georgia Coalition
Office of the Child Advocate
Supreme Court Committee on Justice for Children
VOICES for Georgia's Children

Opposition:

None known at this time.

COST/ BUDGET IMPACT

Programs	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
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Extending Care to 21						
Estimated Foster Care Maintenance and Case Management Cost		\$21,527,405	\$18,633,777	\$16,383,665	\$14,039,223	\$11,775,710
Estimated Judicial Costs		\$681,150	\$607,050	\$532,950	\$456,000	\$381,900
Estimated Annual Title IV-E Revenue		\$4,119,735	\$3,676,109	\$3,231,414	\$2,768,330	\$2,321,423
Current State Investment		\$15,360,000	\$15,360,000	\$15,360,000	\$15,360,000	\$15,360,000
Current Chafee Investment		\$47,381	\$47,381	\$47,381	\$47,381	\$47,381
TOTAL - all young people		\$2,681,439	\$157,337	-\$1,722,180	-\$3,680,488	-\$5,571,195

For a full explanation of the calculation of these cost projections, please see the attached report.

PERSONNEL REQUIREMENTS

The changes under this proposal would be accomplished with existing personnel resources.

POTENTIAL LEGISLATIVE SPONSORS

Representative Katie Dempsey
Senator Renee Unterman

EFFECTIVE DATE

July 1, 2011