



# Permanency for Our Older Youth

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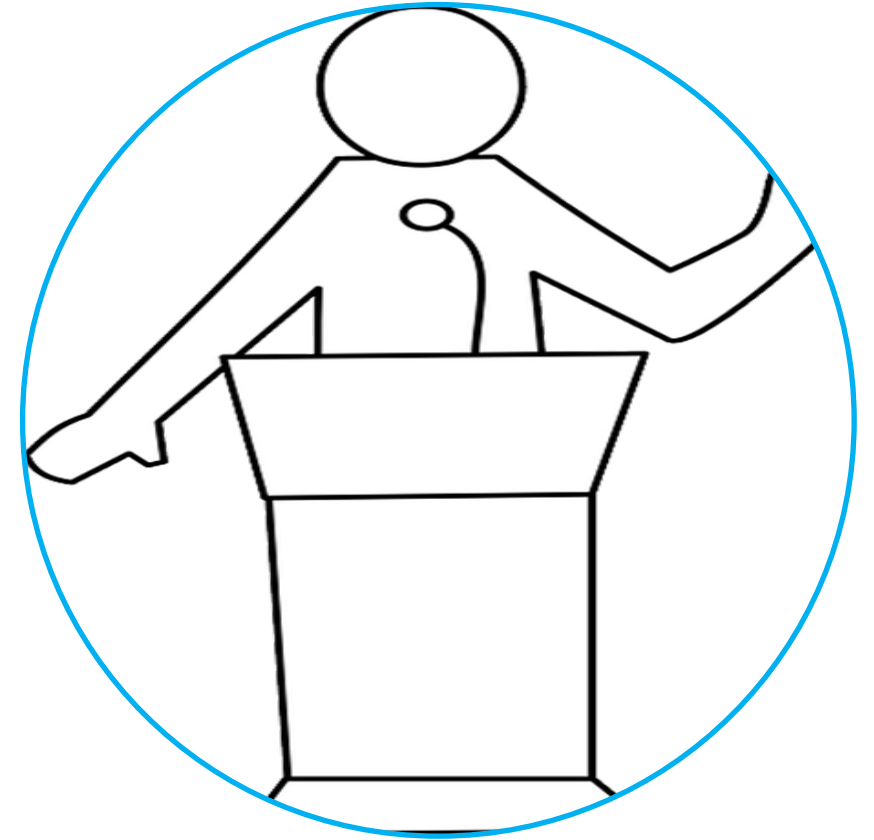
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- We will be answering your questions – please submit questions using the “chat” function on your GotoWebinar dashboard

# Today's Speakers

- Cynthia Billey, Alliance for Children's Rights
- Lisa Campbell-Motton, Los Angeles County Probation Department
- Jennifer Pokempner, Juvenile Law Center
- Gail Johnson Vaughan, Families NOW
- Angie Schwartz, Alliance for Children's Rights



# Achieving Permanency for Older Youth

Using the law and best practices to find family for every youth

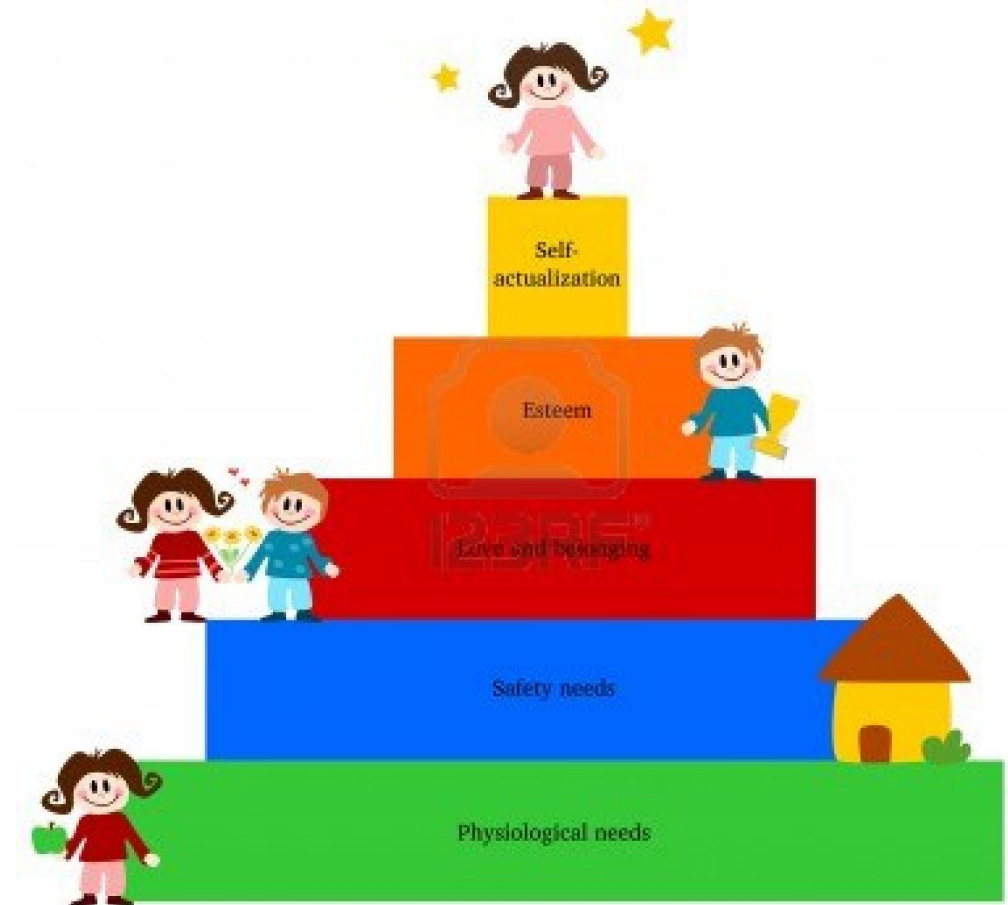
Jennifer Pokempner, Juvenile Law Center



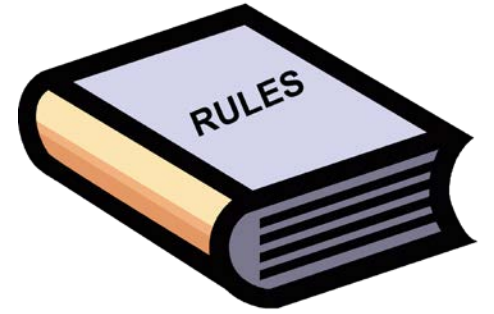
# The Federal Framework: Permanency Hierarchy

Federal Law Establishes the Hierarchy of Permanency Goals

1. Return home
- 2 Adoption
3. Guardianship
4. Placement with a fit and willing relative
5. Another planned permanent living arrangement



# The Least Restrictive Setting and Reasonable Efforts



## Federal law requires that:

- Each child has a case plan that provides the least Restrictive/Most Family Like Setting.
  - 42 U.S.C.A. § 675 (5)(A)
- The court must make findings at each permanency review hearing that reasonable efforts are being made to finalize the child's permanency plan.
  - The finding must be case and child specific.
  - A negative, late, or insufficient finding means the agency is not eligible for IV-E funds.
  - 45 CFR § 1356.21 (b)(2)(i)

\*\*\*\*\*The least restrictive and reasonable efforts requirements\*\*\*\*\*  
apply throughout the life of the case until the child achieves permanency or ages out.

# Permanency-Related Requirements & Incentives

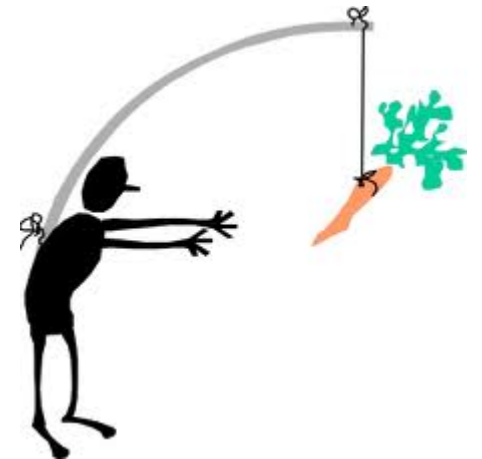
- Relative notification within 30 days of removal - 42 U.S.C.A. § 671 (a)(29)
- Preference to place children with relatives - 42 U.S.C.A. § 671 (a)(29)
- Requirement that reasonable efforts be made to place siblings together and insure visitation if joint placement cannot be done safely - 42 U.S.C.A. § 671 (a)(31)





# Permanency-Related Requirements & Incentives

- Extended adoption and kinship guardianship subsidies. - [42 U.S.C.A. 675 \(8\)\(B\)](#)
- Medicaid to 26 for youth who were adopted or entered guardianships at age 18 or older.
- Education and Training Vouchers and IL services for youth who were adopted or entered guardianships at age 16 or older - [42 U.S.C.A. 677 \(a\)\(7\) & \(i\)\(2\)](#)
- Independent student status for the purposes of the FAFSA for youth who were in foster care at age 13 or older or in a guardianship arrangement before reaching the age of majority - [20 USC 1087vv\(d\)\(1\)](#)



# Fostering Connections, Extended Foster Care & Permanency

- Extended foster care allows youth the option of support services past age 18 if they have not achieved permanency.
- The obligation to make efforts and provide services to achieve permanency continues until age 21 or the youth exits care.
- Fostering Connections required states that opted to extend foster care to also extend adoption and kinship guardianship subsidies.
- Early results from Chapin Hall's CalYouth Study show that extended care:
  - Has not negatively impacted permanency outcomes, but
  - Has reduced exits from care through running away and leaving without a discharge plan

# Permanency Planning Requirements of the Strengthening Families Act (SFA)

- Another Planned Permanent Living Arrangement (APPLA) is prohibited for youth under age 16.
- To select or maintain the plan of APPLA, the court:
  - Must determine whether the agency has documented the intensive, ongoing, unsuccessful efforts to achieve reunification, adoption, guardianship, or placement with a fit and willing relative;
  - Must find that APPLA is the best permanency plan for the child; and
  - Must find that that there is a compelling reason that it is not in the best interest of the youth to return home, be placed for adoption, enter a guardianship arrangement, or be placed with a fit and willing relative. [42 U.S.C. 675\(a\)\(2\)\(A\) & \(a\)\(3\)](#)



# The Permanency Obligation in California: the Basics

- The obligation to make reasonable efforts to finalize the permanency plan and select the most preferred plan.
- The requirement to identify permanent connections:
  - **WIC 366.22 (a)(3)**—The court must determine whether the agency has made reasonable efforts to maintain a child’s relationship with individuals other than their siblings and may make orders to ensure those relationships are maintained.
  - **WIC 366.3(e)(2)** ---The court must determine whether individuals other than the child's siblings who are important to a child have been identified and the actions taken to maintain the child's relationship with those individuals.
  - **WIC 16501.1(i)**— The case plan should identify individuals other than the child’s siblings who are important to a child.
    - The social worker is responsible for working with the child to locate those individuals and taking actions to support the relationship(s).

# A Quick Note from Pennsylvania

- PA has a broad array of permanency services for youth, including:
  - Family finding (legally required to occur at least annually)
  - Permanency roundtable
  - Family group/youth led decision making
  - Child profile
  - Child specific recruitment
  - Permanency preparation
  - Post permanency services
- Policy has made clear that all of the these services should be provided to all youth regardless of permanency plan.
- Data showed that youth with the permanency plan of APPLA received permanency services at extremely low rates despite their availability.
  - Example: Only 17% of eligible youth received child specific recruitment.



## What type of information should the court expect to determine that intensive, ongoing, unsuccessful efforts to achieve the preferred permanency plans have been made?

- That a full array of permanency services have been provided.
- That an array of permanency services have been tried multiple times throughout the case.
- That the barriers to permanency have been identified and that there is a strategy for addressing them.
- That the youth has been engaged in permanency planning.
- That the youth fully understands permanency options.



# Documenting Compelling Reasons

- Compelling reasons are forceful and convincing facts that are case-specific.
- Evidence that is not current or reflects generalizations should not be accepted.



# What Should the Court Expect to See If APPLA is the Proposed Plan?

- APPLA is not the permanency plan of the child, it is a type of plan that must be described.
- A description of the living arrangement, services, and relationships that the youth has that will provide an element of permanency must be presented.
- An appropriate APPLA should show that the youth has:
  - A stable living arrangement,
  - All basic and special needs are being met,
  - Connections and relationships with supportive adults that will exist beyond his or her transition from the child welfare system.
    - As part of CA's case planning requirements:
      - Identify individuals important to the child and locate them. **WIC 16501.1(i)**.





# Pre and Post-SFA Comparison for Court Oversight

Pre-SFA	Post-SFA
No age restrictions for APPLA	APPLA prohibited for youth under age 16
The court makes a judicial determination that there is a compelling reason that it is not in the child's best interest to be assigned one of the 4 preferred permanency goals.	The court makes a judicial determination that there is a compelling reason that it is not in the child's best interest to be assigned one of the 4 preferred permanency goals.
	Agency must document the intensive, ongoing, unsuccessful efforts to achieve the preferred permanency plans.
	The court makes a judicial determination as to why APPLA is the best permanency plan for the child
The court must consult youth about their permanency plan.	The court must ask the youth about his/her desired permanency plan.
	The agency documents the steps the state is taking to ensure that the reasonable and prudent parent standard is followed.
	The agency documents the steps it is taking to ensure the youth has ongoing opportunities to engage in age or developmentally appropriate activities.
The court must find that the APPLA presented is appropriate.	The court must find that the APPLA presented is appropriate.

# What Should Make Outcomes Improve After the SFA?

- The evidentiary and procedural bar should be higher to get to APPLA, which should result in better case planning and delivery of permanency services as well as a greater investment and availability of innovative permanency service.
- Requiring that the court directly speak with the youth about permanency should result in the youth's team fully engaging and explaining what permanency is and how it can be achieved for the youth.
- Focusing on normalcy in the case plan and in court should provide youth more opportunities to establish supportive connections that could lead to permanency.



# What Actions Should We Be Taking?

- Make sure normalcy and youths' connections to the community are prioritized in case planning and court.
- Making sure the system has sufficient capacity to provide innovative and diverse permanency services, including:
  - Targeted placement prevention for adolescents
  - Trauma informed permanency services and sufficient treatment to address trauma, grief, and loss
  - Reunification and family engagement services for older youth who have been in the system for extended periods of time
  - Enhanced post-permanency services

# What Actions Should We Be Taking?

- Ensure the fulfillment of the simultaneous obligations to provide permanency and prepare a youth for adulthood.
  - Ensuring that reasonable efforts findings are meaningful.
  - Ensuring that transition to adulthood planning begins at 14 and is monitored over time.
- Ensure that appropriate evidence is presented to support compelling reasons and ongoing and intensive efforts requirements.
  - Ask that the exact compelling reasons and ongoing and intensive efforts be placed on the record.
  - Challenge inadequate evidence or findings not based on sufficient evidence.

# What Actions Should We Be Taking?

- Ensure specific barriers to permanency are identified and that there is plan and strategy to address each one. Barriers could be in the areas of:
  - Readiness of youth
  - Identification of permanency resources
  - Capacity/need for support of resource to support youth
    - ✓ Financial support
    - ✓ Service support
    - ✓ Training
    - ✓ Advocacy



# What Actions Should We Be Taking?

- Ensure that youth are being meaningfully engaged in permanency planning. Engagement includes:
  - Making sure youth understand what permanency is and how it can be provided.
  - Addressing their fears, concerns and attitudes about building relationships and permanency.
  - Being involved in the work that is being done to identify and connect with permanency resources, including family and individuals identified by the youth as important.



# Focus on California: Permanency Options for our Older Youth

Cynthia Billey, Esq., Director, Foster Care Adoption Program, Alliance for Children's Rights

# Myths/Facts about Permanency for Older Youth

- Myth: Better not to leave foster care to permanency so you can continue to have access to benefits.
- Myth: Focus on Independent Living Skills instead of permanency (rather than in addition to permanency).
- Myth: It's too late to work on permanency for older youth.
- Myth: Respecting youth voice means accepting their "no" to permanency without further inquiry or work.





## **Myth: Better not to leave foster care to permanency so you can continue to have access to benefits**

- Fact: Youth adopted at age 16 or older do not lose benefits through adoption.
- At least 15 states including California (AB12) provide for an extension of adoption assistance program benefits (AAP) to age 21 if the youth is adopted at age 16 or older.
- In addition, youth adopted at age 16 or older qualify for the Independent Living Program (ILP) so they do not lose any of those benefits by being adopted, either.

## Myth: Better not to leave foster care to permanency so you can continue to have access to benefits, continued...

- Facts: Youth in guardianship with relatives qualify for *KinGap* to age 21 if the guardianship was established at age 16 or older. Youth in guardianship with non-relatives qualify for *State Foster Care benefits* to age 21, regardless of the age the guardianship was established.
- Facts: Youth in guardianship with relatives qualify for ILP benefits if the guardianship was established at age 16 or older. Youth in guardianship with non-relatives qualify for ILP if the guardianship was established at age 8 or older.



## Myth: Child welfare work with older youth can focus exclusively on independent living skills, not permanency planning

- Fact: Social workers must focus on *both* developing youth's independent living skills and finding a permanent connection, even an adoptive family.
- Example: California AB 12 and AB 1712 – Social workers *are required* to continue to provide permanency planning for youth in the Extended Foster Care program after age 18.
- Fact: Independent living skills are important but permanency should also be a goal for older youth/young adults. Family or other permanent connections are important at every age and stage of life.

## Myth: It's too late to focus on finding an adoptive family for an older youth

- Fact: It's *never* too late to find a permanent legal family for a youth/young adult. Adoption is a permanency option that is worth considering for youth that are transitioning out of care or who are remaining in extended foster care at/after age 18.
- Youth still express a desire to be adopted well into their teens and even after turning age 18.
- Many youth express that no one ever asked them if they wanted to be adopted, and they didn't believe it was possible.
- California Law (AB1712) makes it possible for youth ages 18-20 to be adopted, maintain benefits and ILP services.



## **Myth: Respecting youth voice means accepting their “no” to permanency without further inquiry or work**

- Fact: Most youth and young adults express the view that connections to family and a support system is important and something that they want even if they do not identify that as permanency.
- Little effort is put into understanding what youth are saying “no” to. Many “nos” are based on misunderstandings while others are based on barriers we must address:
  - “I do not deserve family.”
  - “I do not have time for family. I have to get ready for discharge.”
  - I cannot trust anyone and don’t trust the system to find me family.
- We must respect youth voice, but we also have an independent obligation to make continuous efforts to help youth understand what permanency can look for them and achieve that outcome.

# How is California fulfilling the goals of promoting permanency for older youth?

- The permanency obligation in California – Jennifer Pokempner
- Spotlighting Effective Practices and Proposed Reforms to Improve permanency outcomes
  - Non-minor Dependent Adoptions (AB 1712) – How it works and case examples (Cynthia Billey)
  - Permanency Work for Probation Youth in Los Angeles County – Best practices including the probation permanency committee collaboration and overview of P3 (Lisa Campbell-Moton)
  - Child-Center Permanency – Overview of proposed AB 1879 and how it would support older youth (Gail Johnson Vaughn)

# California law makes it legally possible for a youth to be adopted at age 18 and older

- California Welfare & Institutions Code 366.31(f) – AB 1712 – Effective January 1, 2013
  - Allows young adults ages 18-20 that remain in Extended Foster Care and under the jurisdiction of the juvenile court (“non-minor dependents”) to be adopted in the juvenile court while retaining their extension of benefits under the EFC program, i.e., AAP benefits and medical coverage.
  - Legally, non-minor dependent adoption is similar to traditional adult adoption under California and many states’ family code laws, *e.g.*, mutual consent between adults; creates parental relationship; changes legal relationship and rights of the parties and the biological parents, including inheritance rights. Difference: no AAP benefits available with traditional adult adoption.



## AB 1712: Non-Minor Dependent Adoption, continued

- AB 1712 primary goals are to support youth who are in care to achieve permanency, including adoption, as well as to assist them in preparing for successful adulthood.
  - Explicit recognition of agency's responsibility to work on finding permanent connections for non-minor dependents.
  - Explicit requirement to implement plan of adoption for non-minor dependents.
- AAP benefits are available to families who complete a non-minor dependent adoption through the juvenile court provided all other EFC eligibility criteria are met (i.e., the AB12 five participation criteria).



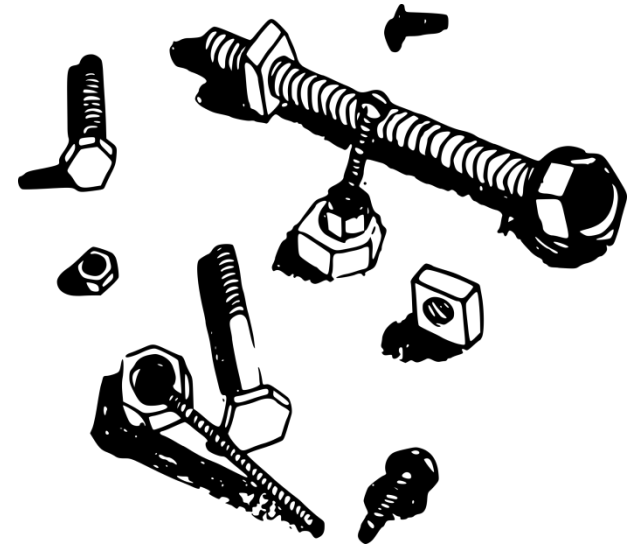
# NMD Adoption: Statutory Framework

- At six-month review hearing, at the request of a NMD who has an established relationship with an adult determined to be the NMD's permanent connection, the juvenile court may order NMD adoption as the permanent plan.
  - Sets hearing for finalization of the adoption within 60 days
  - Agency must prepare and submit court report (describing the assessment) within 10 days before adoption finalization
    - ✓ Length and nature of the relationship
    - ✓ Criminal background clearances completed
    - ✓ AAP agreement signed
    - ✓ Best interests of the non-minor dependent
    - ✓ Mutual consent of the non-minor dependent and the prospective adoptive parent(s)
- Court shall make findings and orders to approve the adoption agreement and declare:
  - Legal relationship of parent and child, with all the rights and responsibilities of that relationship.
  - Birth parents relieved of all parental duties and responsibility for NMD and have no rights over the adopted NMD



# NMD Adoptions: Nuts and Bolts

- Case planning :
  - *Assisting the NMD in identifying permanent connections, including facilitating contact with a relative;*
  - *Documenting the NMD's desire to be adopted*
- Assessment:
  - Youth-focused
  - Evaluate length and nature of the relationship, including the motivation to adopt
  - Criminal background clearances
  - Face to face interviews
  - Recommendation re: whether adoption is in the best interests of the NMD and the prospective adoptive parents
- Disclosure of NMD's medical, psychosocial and historical background information as determined by NMD
  - Social worker or probation officer responsible for providing specific advisement and instructions to NMD
  - NMD has sole authority to disclose or permit disclosure of the information to the prospective adoptive parent.



## Non-Minor Dependent Adoption, continued

- Judicial Council of California developed legal forms for non-minor dependent adoption – Agreement of Adoption (JV-475), Order of Adoption (JV-479), Consent of Spouse (JV-477)
  - Non-minor dependent's status as an adult requires the non-minor dependent to consent to the adoption.
  - Non-minor dependent adoption is based on the mutual consent of two adults. Termination of parental rights is therefore not required.
- Los Angeles Juvenile Court developed additional legal form – Petition of Adoption (local form)
  - Adoption Unit (clerk) requiring for opening adoption case with BT#

## Athena (NMD) & Jodi

Adopted at age 20 by her foster parent, Jodi;  
Has found in her adoptive home the stability  
and peace of mind she long desired.

Abused in an early foster home placement, she  
then lived in a number of group homes over  
the years.

Always wanted to be adopted, but was never  
asked by any of her social workers. Because  
she was never asked and she never mentioned  
it, it was assumed that she did not want to be  
adopted.



## Michelle (NMD) & Dana

- Adopted at age 20 by her foster parent, Dana; L.A. County's first-ever non-minor dependent adoption.
- Severe developmental disabilities and medically fragile; Guardian Ad Litem was appointed to provide Michelle's consent.
- Her adoptive mother was her teacher at her special education school and developed a close bond. She approached DCFS social worker shortly before Michelle's 18<sup>th</sup> birthday stating her desire to adopt Michelle.
- Pictured with Judge Amy Pellman





## Stephen (Probation) & Cheri

- Adopted at age 16 by his foster parent, Cheri; L.A. County's fourth-ever probation adoption.
- His first adoptive parent (grandmother) died, and Stephen re-entered foster care. He was arrested at age 12 for vandalism/burglary. He was placed in three group homes including a few months in Juvenile Hall, before meeting his adoptive mother, Cheri.
- Cheri said that when she met Stephen, she knew he didn't belong in a group home because he wanted a family. His Probation Officer said that for three years while she looked for an adoptive family for him, Stephen never gave up on his dream to be adopted.
- Pictured with his probation officer and adoption attorney



# Yulemi (NMD) & the Pacheco Family

Adopted at age 20 by her older sister, Manette and her husband; L.A. County's eighth-ever NMD adoption.



# Ezykel (Probation) & Godfrey

- Adopted at age 18 by his foster parent, Godwin; L.A. County's fifth-ever probation adoption.
- Ezykel has suffered a lot of loss; his birth mother died when he was young, then his legal guardian died. Godwin and his wife, non-related extended family members of his prior legal guardian, fostered him but then Godwin's wife died. Godwin continued on and remained committed to Ezykel through several challenges with Ezykel's behavior and juvenile crimes, probation and group homes.





# Ezykel's Entire Permanency Team!



*"The greatest disease  
is to be nobody to anybody"*



Mother Teresa, Humanitarian

# Facts About Crossover Youth

- In recent years, we have come to understand the undeniable link between child maltreatment and juvenile delinquency.
- Approximately 57% of youth in the Probation child welfare system were once served in the child welfare system due to abuse and neglect. The statistic is much higher if cases with numerous unfounded allegations are included. (Peer Review case with 27)
- Many older youth have had numerous replacements experiencing profound loss of connections (siblings, foster parents, caring staff, teachers, family, pets). (Moises)
- In a seminal study of maltreatment and delinquency, Widom (1989) utilized matched cohorts and estimated that early child abuse and neglect increased the risk of any arrest as a juvenile by 55% and increased the risk of a violent crime arrest as a juvenile by 96%.

# Understanding Behavior: The Link Between Loss & Behavioral Issues

Strikingly high rates of loss among young people in juvenile justice systems suggest that there is an important connection between loss and chronic poor behavior. More emphasis on trauma informed care and practice.



# Implications of Preparing Youth for Adoptions

- The hurtful words of legal terminology is as salt to the open wound of loss (TPR, death certificate, whereabouts unk.)
  - Due to lacking essential, supportive and caring relationships, the good feelings hurt, are foreign and uncomfortable and feel like they won't last, especially if they do wrong....so they are ready to run when things get tough. (Casey)
- Oftentimes they will reject before they get rejected.
  - They usually display sabotaging behavior to create distance, test relationship, hurry up the "inevitable".
  - Some kids never unpack ... so they can be ready on a dime to leave. Anticipated feelings of another loss is too painful.

# First Adoption Family Recruitment Case: JT



<http://www.childrensactionnetwork.org/canVideo/jt.swf>

# Probation Foster Youth Adoption: Stephen



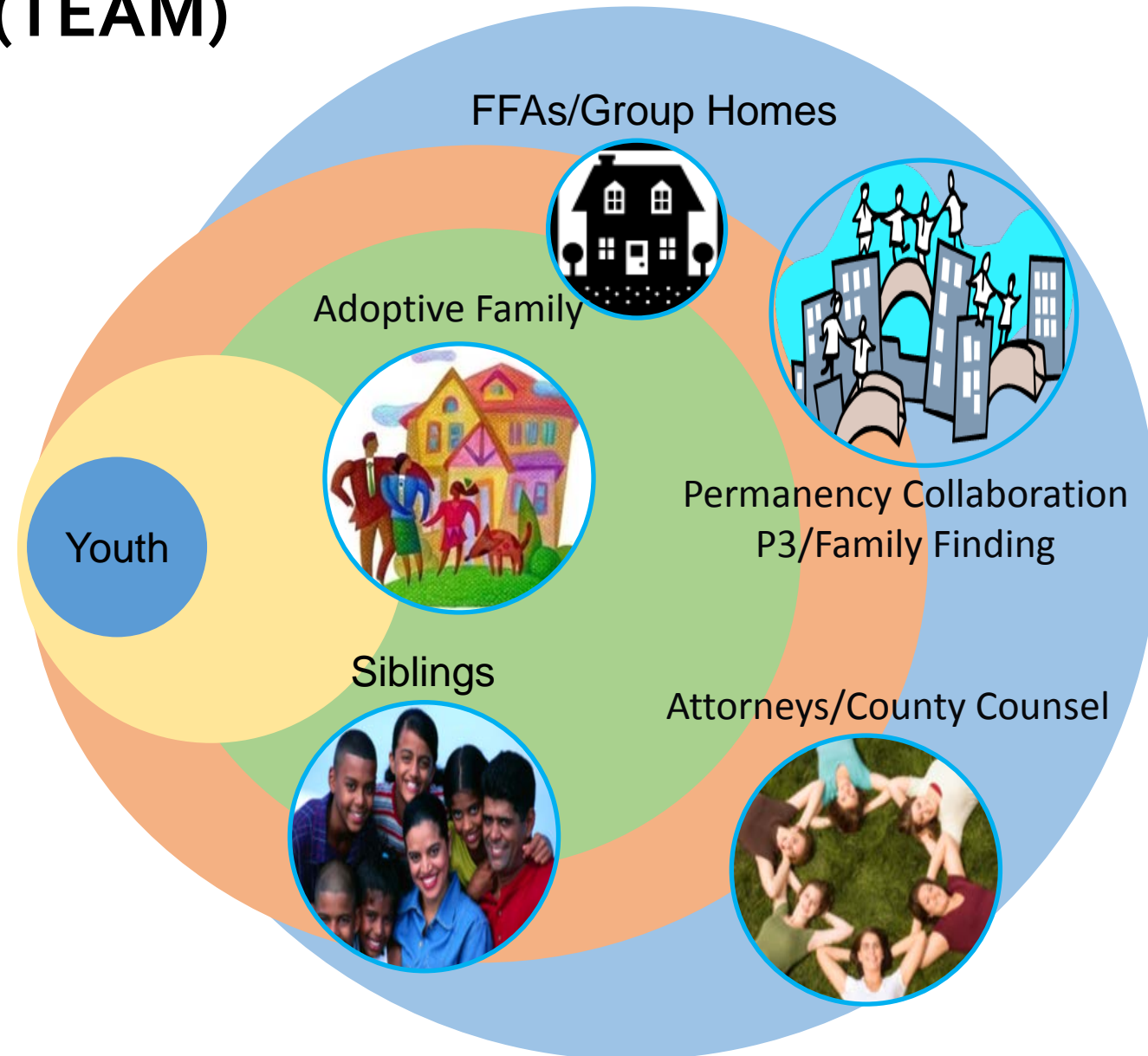


# Probation Foster Youth Adoption: Fred





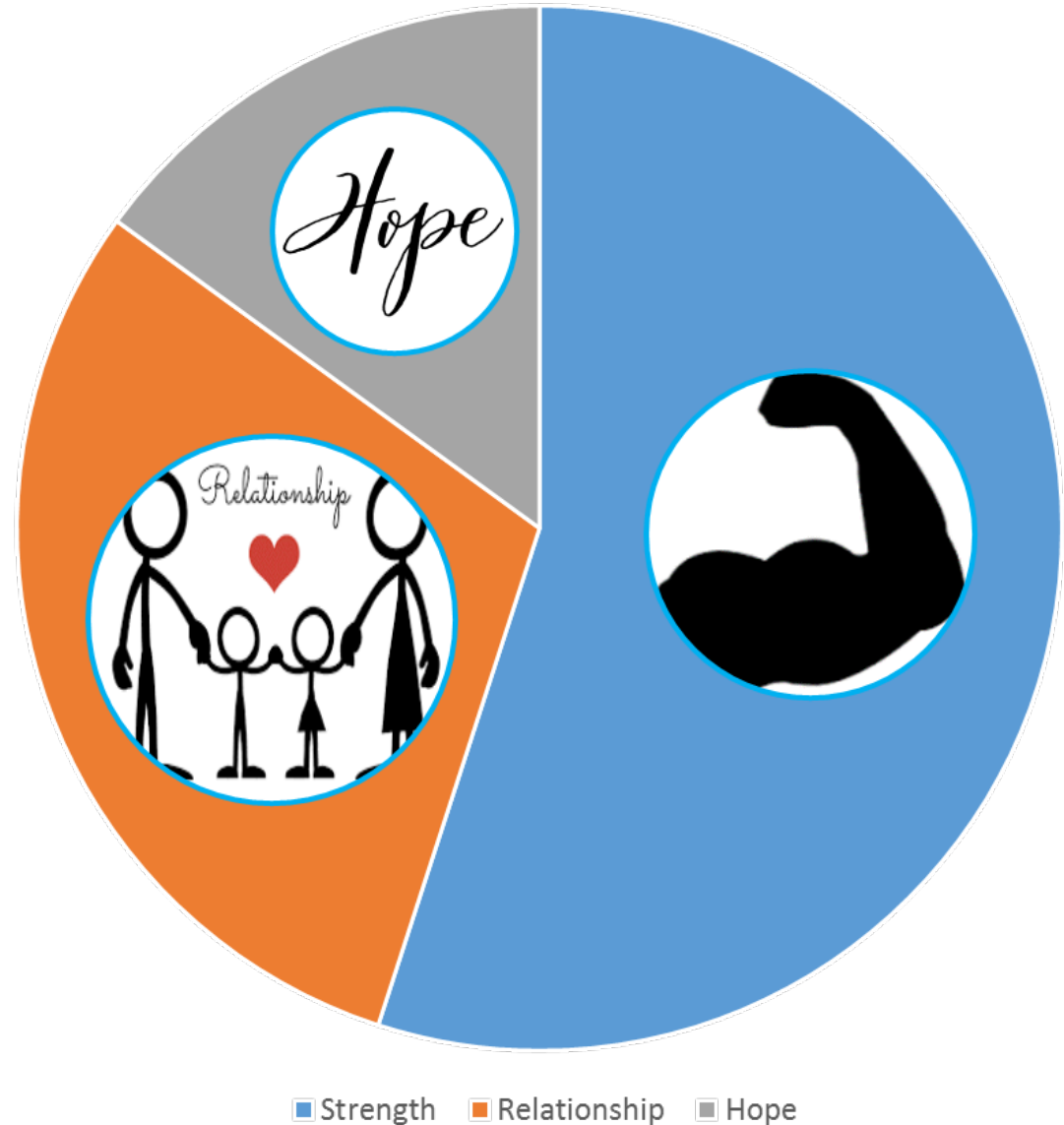
# It Takes A Village (TEAM)



# Why Strength Focused Practice: By Dr. Barry Duncan

Research shows that change is caused by:

- 55% strength
- 30% relationship
- 15% hope and expectations



# Examples of Permanency Pacts

- Place to do laundry
- Emergency Place to Stay
- Food/Occasional Meals
- Care Packages at College
- Job Search Assistance
- Career Counseling
- Support with the housing hunt
- Recreational Activities
- Transportation
- Mentor
- Educational Assistance/Advocacy
- Storage
- Clothing
- Help with Legal Troubles
- Use of Phone or Computer
- Help when moving into an apartment
- Cooking lessons
- Help with reading complex documents
- Regular Check in
- Assistance with Management of bills/money management
- Mechanical Assistance (house, car)
- Help with housekeeping or home decorating
- Help with Voting
- Be a co-signer
- Baby sitting
- Reference
- Emergency Cash

## Let's Get Crazy With It!!

- Remove the term Sex Offender and return the child home with services and supervision (Juan) → Transgender youth—surround them with love and acceptance and place them where they feel comfortable
- Provide incentives for churches/synagogues to visit a child every weekend → Increase use of host weekend families—pay them to provide family life for our kids for the weekend to prepare them for a family → Put youth on Electronic Monitoring until they can build a supportive network → Create an after hours team that will “hang out” with CSEC youth through the night hours!

What's your crazy idea?? It just might work!!

Our kids don't have time for our red tape and politics!



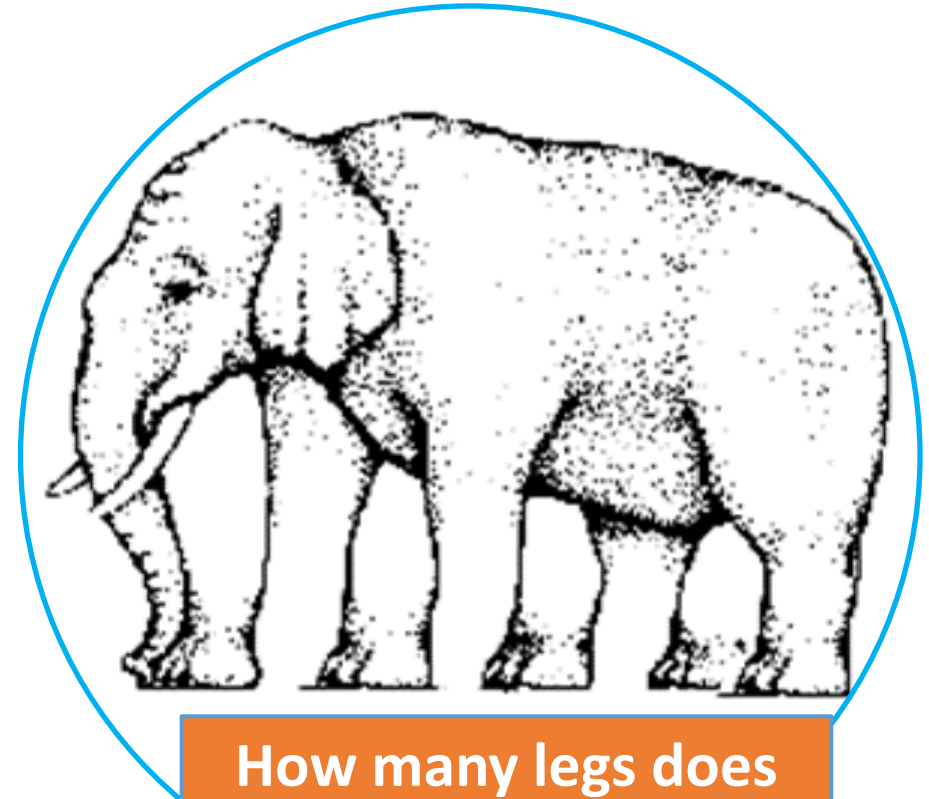


# AB 1879

Improving Permanency Outcomes  
for Children Who Wait in Foster Care

# A Moral & Fiscal Imperative

- We know how to achieve permanent families for “hard-to-place” children, teens, and nonminor dependents
- Keeping these children in foster care is very expensive and results in grim adult outcomes
- The dollars saved by moving these children and youth into permanent families far outweigh the cost of effective child-centered specialized permanency services
  - They can pay for themselves, often in the same fiscal year, and free up funds for other critical county needs



**How many legs does  
the elephant have?  
Things are not always  
as they seem**

# Enter Youth Permanency Movement



## Challenged prevailing beliefs





## Changed Organizational Culture



## California Rich in Successful Pilot Programs all demonstrate strong permanency outcomes

- Capitol Kids are Waiting – Sacramento County 1992 – current
- Destination Family – Sacramento, Nevada & Placer Counties – 2003 – current
- Dumisha Jaama – Alameda County
- Older Youth Adoption Contracts – 2007-2010
  - Counties of Alameda, Los Angeles, Kern, San Francisco,
  - CDSS Sacramento District Adoption Office (serving Amador, Calaveras, Sutter, Yolo, Yuba Counties)
  - Tested both in-house programs and programs with external partners

# California Permanency for Youth Project (CPYP)

- Groundbreaking work across the state
- XX counties signed the Declaration of Commitment to Permanence for Older Youth
- Recommendations for actions to support permanency for older youth by the Courts, FFA's and Adoption Agencies, Group Homes
- Training and T/A in 16 counties



**Phase 1:** Alameda, Monterey, Stanislaus

**Phase 2:** Humboldt, Sonoma, Contra Costa, Sacramento, Fresno, San Luis Obispo, Kern, Orange, LA (Santa Clarita, Metro North, Pomona districts)

**Phase 3:** Solano, Madera, San Bernardino, Riverside

## La Tanya - Adopted at age 14



CA Group Home Level 12	\$107,220
<u>Adoption Subsidy</u>	<u>\$ 15,000</u>
Annual Savings	\$ 92,220

# of years saving accrue = 4

Total savings:  $\$98,045 \times 4 =$  **\$368,880**

Approximate one-time cost of

specialized permanency services = **\$12,000**

## La Tanya - Guardianship at age 14



CA Group Home Level 12	\$107,220
<u>Guardianship Subsidy</u>	<u>\$ 7,419</u>
Annual Savings	\$ 99,801

# of years saving accrue = 4

Total savings:  $\$98,045 \times 4 =$  **\$399,204**

Approximate one-time cost of

specialized permanency services = **\$12,000**

## La Tanya - 2<sup>nd</sup> Chance Reunification age 14



CA Group Home Level 12	\$107,220
<u>Subsidy</u>	<u>\$ 0</u>
Annual Savings	\$ 107,220

# of years saving accrue = 4

Total savings:  $\$107,220 \times 4 =$  **\$428,880**

Approximate one-time cost of  
specialized permanency services = **\$12,000**

## John – Adopted at age 14



Foster Family Agency	\$24,312
<u>Adoption Subsidy</u>	<u>\$ 12,000</u>
Annual Savings	\$ 12,312

# of years saving accrue = 4

Total savings:  $\$12,312 \times 4 =$  **\$49,248**

Approximate one-time cost of

specialized permanency services = **\$12,000**

## John – Guardianship at age 14



Foster Family Agency    \$24,312

Guardianship Subsidy    \$ 7,419

Annual Savings            \$16,893

# of years saving accrue = 4

Total savings:  $\$16,893 \times 4 =$  **\$67,572**

Approximate one-time cost of

specialized permanency services = **\$12,000**



## John – 2<sup>nd</sup> Chance Reunification at age 14



Foster Family Agency	\$24,312
<u>Subsidy</u>	<u>\$ 0</u>
Annual Savings	\$24,312

# of years saving accrue = 4

Total savings:  $\$24,312 \times 4 =$  **\$97,248**

Approximate one-time cost of

specialized permanency services = **\$12,000**

# Our Youth Have Waited Long Enough

## AB 1879 (McCarty)

- Co sponsored by Families NOW & California Association of Adoption Agencies
- Language crafted with help from
  - Alliance for Children's Rights
  - Children Now
  - Children's Law Center
  - Dependency Law Group San Diego
  - Children's Advocacy Institute
  - California Youth Connection
  - CWDA



## What AB 1879 Does

- Defines and requires child-centered specialized permanency services for children in foster care who have no viable option for permanency with family members and no prospective adoptive parents or guardians
  - Includes probation supervised foster youth
- Provides prospective adoptive families and guardians with information regarding the importance of working with mental health professionals with specialized training and experience in adoption / permanency clinical issues should the need for clinical services arise.

# Child-Centered Specialized Permanency Services: Definition

- Services are designed for and with the child
- Address the child's history of trauma, separation and loss.
- Include mental health services as necessary, or other services that are needed to ameliorate impairments in significant areas of life functioning that may reduce the likelihood of the child achieving a permanent family.
- Utilize family finding and engagement, to locate family members,
- Utilize child-specific recruitment, as needed to:
  - assist the child in achieving a permanent family through reunification, adoption, legal guardianship, or other lifelong connections to caring adults, including at least one adult who will provide a permanent, parent-like relationship for that child.
- Designed to prepare the identified permanent family to meet the child's needs, set appropriate expectations for before and after permanency is achieved, and stabilize the placement.

# Why Written Info to Prospective Families?

- The children bring their Prior trauma with them into the new family
- Mental health providers without specialized training in adoption/ permanency clinical issues, can, and often do, more harm than good creating unnecessary risk of disruption
- AB 1790 (Dickinson – 2014) resulted in recommendations for actions that can be taken to remove barriers to the provision of mental health services by clinician with appropriate training and experience
- Written in info about the importance of working with qualified clinicians is critically important



# Status of the Bill

- Key stakeholders in support, including CWDA & State Bar Family Law
- No opposition
- Sailed through Assembly Human Services Committee
- Passed Assembly Judiciary Committee on consent
- Assembly Appropriations Hearing in May
  - Greatest challenge may be here
  - All elements of child-centered specialized permanency services included in CCR Core Services
  - AB 403 specifically requires CDSS to create a new payment structure to consider the cost of Core Services



# Companion Budget Proposal for Training & Technical Assistance

- Passing a bill does not guarantee implementation
- Few counties or their private partners have the understanding needed to successfully implement these services
- Budget proposal funds training to build capacity to provide child-centered specialized permanency services
- 2016-17: Provides series of regional introductory training sessions
- Years 2017 – 21: Builds cohort of implementation pilot counties using a shared learning model to implement specialized permanency services



# How You Can Help

- Visit Families NOW website for updated fact sheets, info and sample support letters <http://familiesnow.org/ab-1879-foster-care-improving-permanency-outcomes/>
- Send support letters
- Email Gail to receive updates and sample support letters [gail@familiesnow.org](mailto:gail@familiesnow.org)
- Attend hearings to speak your support
- Ask your Assembly Member and Senator to vote for the bill





# Handouts

## Fact Sheet - AB 1879 (McCarthy) Foster Care: Improving Permanency Outcomes

### SUMMARY

As of October 1, 2015 there were 66,316 California children living in our foster care system. 25% (16,751) have been in care for over 3 years; 14% (9,499) have been in care for over 5 years. The likelihood of these "long-stays" growing up in foster care and entering adulthood without the safety net of a permanent family is high unless they receive services proven effective in achieving permanent families for this population.

**AB 1879 improves permanency outcomes for children in foster care, enhances the stability of adoptive and guardianship families, and significantly reduces costs by:**

- 1) Defining and requiring child-centered specialized permanency services for children whose reunification services have been terminated, are not placed with a fit and willing relative, and are considered unlikely to achieve a permanent family.
- 2) Providing prospective adoptive families and guardians with information regarding the importance of working with mental health professionals with specialized training and experience in adoption / permanency clinical issues should the need for clinical services arise.

### BACKGROUND

Outcomes are often poor for the children who age-out of foster care without a permanent family. Within two years 50% will be homeless, in prison, victimized or dead.

California led the development of child-centered specialized permanency services for the children and youth likely to age-out of foster care without the safety net of a permanent family. Despite their proven success these services are rarely used in our state, causing hardship to the children and unnecessarily high foster care costs at all governmental levels.

Placement into permanent families through adoption or guardianship is key to the success of our Continuum of Care reform. Permanency can create life-saving changes for those children as their new parents help them overcome their difficult histories including prior trauma and chronic abuse.

Without the support of adoption-competent clinicians children adopted from foster care are at unnecessary risk for disruption from their adoptive family and return to foster care – one more devastating loss in a litany of preventable losses.

### SOLUTION

AB 1879 defines and requires, under specific conditions, child-centered specialized permanency services to assist the child in achieving a permanent family through reunification, adoption, legal guardianship, or other lifelong connections to caring adults.

These services are designed for and with the child to address the child's history of trauma, separation and loss. The services include, but are not limited to:

- Mental health services to ameliorate impairments in significant areas of life functioning that may reduce the likelihood of the child achieving a permanent family;
- Family finding and engagement, through search technology and social media to locate family members;
- Child-specific recruitment;
- Services designed to prepare and support the identified permanent family to meet the child's needs.

Further, AB 1879 increases the stability of families adopting children from foster care by requiring information be provided to potential adoptive families and guardians regarding the importance of working with mental health providers who have specialized adoption / permanency clinical training and experience, should the family need clinical support.

### SPONSOR

Families NOW  
Gail Johnson Vaughn  
530-477-2900  
Co-Sponsor: CA Association of Adoption Agencies

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(916) 319-2007

## What are Child-Centered Specialized Permanency Services?

AB 1879 proposed amendment to WIC Section 11400(ag):

Child-centered specialized permanency services means services that are designed for and with the child to address the child's history of trauma, separation and loss.

Those services shall include mental health services as necessary, or other services that are needed to ameliorate impairments in significant areas of life functioning that may reduce the likelihood of the child achieving a permanent family.

These services shall utilize family finding and engagement, including, but not limited to, using search technology and social media to locate family members, and child-specific recruitment, as needed,

to assist the child in achieving a permanent family through reunification, adoption, legal guardianship, or other lifelong connections to caring adults, including at least one adult who will provide a permanent, parent-like relationship for that child.

These services include services designed to prepare the identified permanent family to meet the child's needs, set appropriate expectations for before and after permanency is achieved, and stabilize the placement.

## When Will They Be Required?

When a child in foster care has no viable options for permanency with a family member and no prospective adoptive parents or guardians.

## AB 1879 Impact

- Shorter stays in foster care
- Fewer youth age-out of foster care without safe, committed families
- Increased stability of adoptive and guardianship families
- Significantly reduces governmental costs

## Typical Savings From Youth Permanency for California Counties

Per Child / Per Year  
by Placement and Permanency Typ for Youth age 12 to 21  
2015-2016 rates

These savings accrue for every year the youth would have remained in care

### IV-E Waiver Counties

	Total Annual County Savings
Adoption from Foster Family Agency Home	\$14,238
Adoption from Group Home Level 10	\$77,952
Adoption from Group Home Level 14	\$106,560
Kin Guardianship from Foster Family Agency Home	\$13,104
Kin Guardianship from Group Home Level 12	\$96,012
Reunification from Foster Family Agency Home	\$24,312
Reunification from Group Home Level 10	\$92,952

### Non- Waiver Counties

	Total Annual County Savings
Adoption from Foster Family Agency Home	\$10,411
Adoption from Group Home Level 10	\$57,291
Adoption from Group Home Level 14	\$76,852
Kin Guardianship from Foster Family Agency Home	\$11,873
Kin Guardianship from Group Home Level 12	\$69,864
Reunification from Foster Family Agency Home	\$16,411
Reunification from Group Home Level 10	\$64,791



## Funding Youth Permanency

A County Guide to Funding Child-Centered Specialized Permanency Services for Youth in Foster Care

Prepared by Families Now  
(Formerly Mission Focused Solutions)  
through a grant from Sierra Health Foundation

June 2015



## Older Youth Adoption Pilots

An independent report by Families NOW

**Goal:**  
No California youth will age out of foster care without a lifelong permanent family connection.

**Pilot Participants:**  
Alameda County  
Kern County  
Los Angeles County  
San Francisco County

**CDSS Sacramento District Adoption Office serving:**  
Amador County  
Colusa County  
Sutter County  
Yuba County

**Project Outputs:** 944  
944 Youth Participated  
Pre and post adoption services provided to youth and families  
Adoption matching activities provided

**Project Outcomes:**  
77 adoptions finalized  
29 pending adoptions  
88 Guardianships completed  
49 youth reunified with a birth parent  
6 pending reunifications  
78 period relatives  
465 Life Line Connections® (relational permanency)



## Investing in Youth Who Wait for Families

**Older Youth Adoptions (OYA):**  
Authorized by AB 1808, statutes of 2008

Target youth: foster youth age 9 and older who have been in care for at least 18 months and are placed in unrelated foster or group homes.

Sample Services Funded:

- Social workers with lower caseloads so staff time could be devoted to permanency work,
- Proactive family finding efforts to identify and engage relatives who might be willing to provide a permanent home,
- Targeted outreach to recruit foster and adoptive homes open to older youth,
- Pre- and post-placement mental health assessments and support services for foster youth and their families,
- Development of assessment tools to help identify factors that could jeopardize the success of a permanent placement,
- Quality training for adoptive families and staff.

## Why Permanency Matters

Extensive research has shown that youth who emancipate from the foster care system without families are at high risk for poor outcomes:

- Only 40 % of emancipating foster youth graduate from high school!
- Only 20% of emancipating foster youth are employed!
- By age 21, 83% of emancipated youth had been homeless at least once!
- 30% of the sample group in a research study had been incarcerated between ages 18 and 21!
- 75% of the males and 56% of females had been arrested at least once in their lives!
- 75% of the females and a third of the males had joined the welfare rolls!
- The ongoing cost to the state is high, the emotional and physical cost to the youth is immense.

\*OWIS/CANS and SOC 455E Exit Outcomes for Youth Aging Out of Foster Care Quarterly Report, October -December [http://www.cdcs.ca.gov/owis/cans/PDF/1046\\_1011](http://www.cdcs.ca.gov/owis/cans/PDF/1046_1011), California Department of Social Services  
\*Ruman, N.P. & Watts (1999) Web of Failure: The relationship between foster and homelessness. National Alliance to End Homelessness.

AB 1879 Fact Sheet

Bill Info

Typical CA Savings

Funding Youth  
Permanency Guide

Older Youth  
Adoption Report