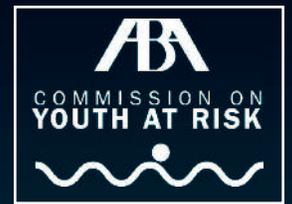


Executive Summary

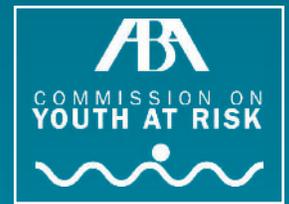


Charting a Better Future for Transitioning Foster Youth



Report from a National Summit on the Fostering Connections to Success Act

Executive Summary



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American Bar Association Commission on Youth at Risk

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This publication is intended for educational and informational purposes only.

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American Public Human Services Association	National Center for State Courts
Association of Family and Conciliation Courts	National Foster Care Coalition
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National Resource Center for Permanent and Family Connections, Hunter College School of Social Work	

Most importantly, the American Bar Association Commission on Youth at Risk would like to recognize and thank the former foster youth who have dedicated their time, resources and voices to the successful outcomes of the Summit.

Introduction

In April 2010, the American Bar Association’s Commission on Youth at Risk convened a National Summit on the recently enacted *Fostering Connections to Success and Increasing Adoptions Act* (FCA or “Fostering Connections”). The focus of the Summit was to address how this new ground-breaking piece of legislation affects youth and young adults involved in and “aging out of” the foster care system. The Summit brought together over 100 leaders and experts for a day-long “action-oriented” dialogue that inspired, educated, and produced this

blueprint of recommendations for national and state leaders to implement new approaches for addressing the unique needs of youth leaving the foster system.

As states have begun to implement aspects of this new federal legislation, a variety of questions and challenges arise. Through this Summit, the American Bar Association and our collaborating organizations are encouraging states to seize this new opportunity to

support foster youth beyond age 18 and implement the *Fostering Connections Act* in an expansive manner. The chapters and recommendations that follow reflect the suggestions and conversations that were born from the experts and leaders who participated in this Summit. In some instances, recommendations may repeat certain core concepts that Summit leaders felt were particularly important for states and localities to consider when implementing the *Fostering Connections Act*.

Emphasis is placed on the importance of court oversight and engagement for youth who elect to remain in foster care between the ages of 18 to 21. Courts can be instrumental, and often vital, in helping ensure that youth in foster care receive the support to which they are entitled. Chapters addressing health, employment, housing and permanency stress how states can use *Fostering Connections* to better prepare youth for a successful transition to adulthood and help them avoid the pitfalls of homelessness, joblessness and criminal or juvenile system involvement. The final chapter provides states with additional concrete steps to implement and fund systemic reforms for youth in and leaving care.

In these difficult economic times, we realize that not all states will be able to implement all aspects of these best practice recommendations at once. However, if taken in steps or phased-in over time, these recommendations can make significant differences for youth transitioning from care and help lead them toward a path of hope and success.

“...now I have to face the world on my own and I don’t even have a clue what to do.”

FosterClub member Desiree Moore

Carolyn B. Lamm

*President, American Bar Association 2009-2010
February, 2011*

Executive Summary

Introduction

Every year over 29,000 youth age out of our nation's foster care system and too often face the harsh realities of adulthood ill-prepared and alone. Without the anchor of a family, former foster youth disproportionately join the ranks of the homeless, incarcerated and unemployed.

While our current policies and practices are premised on the presumption that foster youth can somehow attain financial and emotional independence by age 18, most emancipated foster youth are woefully unprepared for independent adult life: only one-third have a driver's license, fewer than four in 10 have at least \$250 in cash, and fewer than one-quarter have the basic tools to set up a household, let alone the skills to know what to do with those tools. With generally no more than a garbage bag of belongings, our foster youth commonly emancipate from foster care with no significant connection to a responsible adult, no one to provide them with desperately needed guidance, and no place to turn when they falter.

We know that extending support for even a few years to the thousands of youth who otherwise would leave care at age 18 would enable a much higher percentage of foster youth to become productive members of our communities. Youth who were allowed to remain in foster care beyond age 18 in a few forward-thinking states have been shown to be more likely to be working toward completion of a high school diploma or in college, and far less likely to be victims or perpetrators of crime and violence. These studies confirm the wisdom of embracing policies and practices that can lengthen the window of support for these vulnerable and at-risk youth.

New Opportunities under the Fostering Connections Act

The "Fostering Connections to Success and Increasing Adoptions Act" Act (H.R. 6893) (the "FCA" or "Fostering Connections Act"), signed into law on October 7, 2008 as Public Law 110-351, will provide federal funds for the first time to enable states to extend child welfare services through age 21. With the enactment of this landmark legislation, courts, advocates, and child welfare professionals in local, state, and tribal governments will have new resources and opportunities to create critically needed supports to meet the needs of young adults in foster care. Effective October 1, 2010, federal funds will support state efforts to extend foster care services and oversight beyond age 18.

Yet these new opportunities also create new challenges. States must consider how and if to opt into this new legal landscape. Similarly, professionals in the court system and child welfare arena must begin to re-conceptualize practices and devise new approaches to best address the needs of these young adults.

The National Summit

On April 16, 2010, child welfare professionals, leaders, judges, lawyers and advocates from around the country gathered at the Roosevelt House Public Policy Institute at Hunter College of the City University of New York to discuss how to effectively seize upon the new opportunities created by the Fostering Connections Act and improve the plight of foster youth in transition. This invitation-only event brought together over 100 national, state and local leaders. Significantly, the voices and perspectives of current and former foster youth were prominently included in the participant mix.

Summit Structure

The Summit was structured as a working day with vigorous discussion among key experts from around the nation. The experts were broken into the following breakout groups:

- Permanency for Older Youth;
- Courts and the Legal Process;
- Housing and Placement;
- Education and Employment;
- Health and Mental Health;
- Crossover Youth;
- Youth Engagement and Youth Focused Systems; and
- State Implementation of the Fostering Connections Act.

Each group contained a mix of judges, practitioners, legislators, policy makers, and current or former foster youth. The working groups performed the most crucial work of the Summit—discussing the pressing challenges facing youth in transition and ultimately proposing concrete recommendations to address those challenges.

In addition to focusing on their specified topic, each working group was also asked to consider the following questions during its discussion of challenges and recommendations:

- What implementation challenges and opportunities exist for FCA provisions relevant to your topic area?
- What role is there for the private bar, the ABA and/or pro bono attorneys to assist in advocacy and reform work in your topic area?
- What strategies could address the disproportionate number of African American youth aging out of foster care?
- What challenges arise in your topic area concerning particularly vulnerable youth populations, such as pregnant and parenting teens, LGBTQ youth, children with disabilities, and immigrant youth?

Lead by two co-facilitators, each breakout group spent the first part of the day considering the challenges relating to its specified topic. After a mid-day report to the full Summit on those challenges, and an opportunity to get feedback, the working groups used the rest of the Summit to craft concrete recommendations.

Recommendations

The working groups proposed 56 major recommendations. Several key themes emerged over the course of the Summit and the crafting of the recommendations. In particular, there was uniform recognition that:

- Youth must be afforded much greater involvement in the decisions being made about them by judges, attorneys and agencies;
- States implementing the FCA should seize the opportunity to make major changes to how older youth are served by their child welfare agencies and courts; and
- Data collection, information sharing, and analysis of the effectiveness of new policies must be done to ensure continuous improvement of how older youth are served by child welfare systems and the courts.

“I did not become a statistic of the foster care system... I know how to cook, shop wisely, keep a clean house, and utilize public transportation. Most people that leave the foster care system do not know how to do these things.”

FosterClub member Allison H.

The breakout groups’ recommendations, listed below, are discussed and analyzed in much greater detail in the body of this report. While some of the recommendations are aspirational, others provide concrete guidance and strategies for implementation of the FCA. In an effort to preserve the integrity of each group’s dialogue, the report does not attempt to eliminate some of the duplication that arose among the breakout groups’ recommendations and also does not list the recommendations in any particular order of preference.

The recommendations are addressed to a wide range of audiences, including legislators, judges, attorneys, child welfare agencies, schools, community groups, and youth. All of these groups will be struggling over time with how and if to put in place new strategies to attend to the challenges and needs of youth in transition.

The breakout groups’ recommendations, divided by topic, are as follows:

Permanency for Older Youth

1. Federal and state governments, as well as state child welfare agencies, must develop laws and practices consistent with the FCA’s objectives and provisions confirming that permanency should be continuously pursued for all youth.
 - a. Child welfare agencies must plan for permanency from the beginning.
 - b. The federal government should create equitable incentives for all permanency options—reunification, adoption, and guardianship.
 - c. Federal and state governments and child welfare agencies should re-examine and limit the use of the another planned permanent living arrangement (APPLA) goal.
 - d. The Child and Family Service Reviews (CFSR) should encourage finding permanency for older youth.
 - e. States should extend not only foster care, but also guardianship and adoption assistance to age 21.

2. Federal and state governments, as well as state child welfare agencies, must develop laws and practices that promote and appropriately value youth's parental ties and extended family connections.
 - a. Child welfare systems should use different licensing standards for relatives.
 - b. Laws that allow judges to reinstate parental rights should be enacted and appropriately utilized.
 - c. Schools of social work and child welfare agencies must integrate philosophies recognizing the importance and value of families, including both maternal and paternal sides of families, into social work education curricula and child welfare worker and foster parent trainings.
 - d. Child welfare agencies should use family group decision-making and engage parents and/or relatives every time there is a need for a placement change.
 - e. Child welfare professionals and practitioners should elicit and carefully consider the youth's definition of family.
 - f. Child welfare professionals, judges and others should encourage and support meaningful contact between the youth and their identified connections.
 - g. States should provide additional funding to support family engagement and post-permanency supports.
 - h. States should take advantage of the new technological resources available to find families and interact with others.
3. States and child welfare agencies should develop programs and practices that acknowledge the unique needs of young adults, are youth-driven, and use assessment tools to measure the effectiveness of programs serving them.
 - a. Child welfare agencies and professionals should include youth in designing extended care support systems.
 - b. Child welfare agencies and professionals should learn about what has worked and what hasn't in states that already have extended care and supports for young adults.
 - c. State, county, and tribal child welfare agencies should continue to evaluate and assess their programs for older youth and promote mechanisms for necessary data sharing.

Courts and the Legal Process

4. States should enact legislation ensuring that juvenile court jurisdiction continues.
5. Courts should adopt procedures and modify hearings to ensure that older foster youth and young adults are present at, and involved participants in, their own court hearings.
 - a. The child welfare agency should involve young people in the planning process in advance of court and create mechanisms to support that involvement.

- b. Young adults who remain under dependency court jurisdiction should be represented by client-directed lawyers.
 - c. Judges, lawyers, and child welfare agency personnel should be trained and provided guidance to help them engage older foster youth as central actors in the planning and court process.
 - d. Child welfare agencies and courts should collect data that informs and fine tunes programming and support for young adults in care.
6. HHS should provide guidance, consistent with these recommendations, to ensure compliance with the FCA.
 7. State and local governments and judicial leaders should develop and promote new policies and practices that enhance the resources, support and prominence of juvenile courts.

Housing and Placement

8. States must create placement and housing options that meet foster youth's individual needs and prioritize permanency, as no youth should be permitted to transition from foster care to homelessness.
 - a. State child welfare agencies must promote, support, and create avenues for youth to connect and reconnect with family.
 - b. States must ensure that child welfare agencies, service providers, foster families, family members, and youth are aware of the housing and placement options and benefits of the FCA.
 - c. Any instructions issued by HHS on the "supervised setting in which the individual lives independently" (SSILs), and their implementation, must balance flexibility with accountability to ensure quality program delivery.
 - d. The special needs of particular subgroups must be addressed as states consider redesigning or enhancing their placement and post-discharge housing options for older youth.
9. The child welfare system should support youth until age 21 and reframe its housing and placement practices to meet the needs of older youth.
 - a. Child welfare agencies must promote meaningful and routine participation of youth in developing housing services.
 - b. Foster parents should be recruited, trained, and supported to work with older foster youth.
 - c. States should review and eliminate/amend laws and agency rules that prohibit age-appropriate behavior in placement settings.
 - d. Agencies should allow youth to have more control in placement decisions.
 - e. Child welfare agencies should allow youth to re-enter the system before turning 21.

10. Child welfare agencies should include transition planning that ensures safe and stable housing as part of effective independent living and permanency planning.
 - a. States should develop and clarify what is expected through the housing option component of the transition plan.
 - b. States should require courts to oversee transition and housing planning to ensure accountability and protect each youth's rights.
 - c. Transition planning must address and overcome all legal barriers to securing housing before youth are discharged from care.
 - d. States must create or expand youth-friendly avenues to share information about their rights and the programs and resources that are available to them as they are discharged from care.
 - e. Congress should require that elements of transition plans, such as housing, are reviewed as part of the federal Child and Family Services Reviews (CFSR).
11. Federal and state governments should promote creation of affordable housing options for youth after they leave care.
 - a. Congress should mandate collaboration and mutual responsibility between federal child welfare and housing agencies.
 - b. Local child welfare agencies and housing developers should create a structure of collaboration and mutual responsibility.
 - c. Child welfare agencies should work with older foster youth to develop their financial literacy and stability.

Education and Employment

12. Child welfare agencies should develop and implement policies and practices predicated on the assumption that the education and employment outcomes of children and youth in foster care should be equal to or better than those achieved by their peers not in foster care.
13. Interventions aimed at improving the educational and employment outcomes of foster youth should address the needs of sub-populations that may face additional barriers to education and employment.
14. Child welfare agencies, school districts and the courts should establish a clear division of responsibilities for addressing the educational needs of children and youth in foster care.
15. Child welfare agencies should ensure that every child or youth in foster care has an educational advocate who monitors that child's or youth's academic progress and intervenes when needs are identified.

16. Every court hearing for school-aged children and youth in foster care should include an inquiry about their education.
17. Child welfare agencies and school districts should work together to ensure that foster children and youth remain in the same school even when they change placements, unless doing so is not in the child's best interest. To achieve this, child welfare agencies and school districts should create a blended funding stream that pays for the costs of transporting children and youth to their school of origin.
18. Educational outcome measures should be added to the list of data elements that child welfare agencies are required to report to the federal government.
19. States should develop policies and programs that promote the postsecondary educational attainment of youth in foster care and provide them employment opportunities. These would include tuition waivers that current or former foster youth could use at any public college or university in the U.S.
20. Congress should increase the annual appropriation for the Education and Training Voucher (ETV) program so that ETV funds are available to all eligible current and former foster youth.
21. Colleges and universities should provide wraparound services to students who are current or former foster youth to increase their retention and graduation rates.

“In a family, even once you leave home, you still have a place to return to. You still have support. So why is it that kids like me will no longer have anyone in their life and nowhere to go? It's just wrong.”

Anonymous

Health and Mental Health

22. States should create a single, centralized entity to develop, coordinate and oversee the implementation of health care policies for children and youth in care.
23. States must provide all children and youth with an initial medical and mental health screening immediately upon entering care, a comprehensive evaluation within the first month, and regular periodic examinations throughout their time in care.
24. States should develop an electronic “medical passport” for every child and youth in foster care.
25. States should develop models of health care delivery that provide youth with a “medical home base” with professionals knowledgeable about issues confronting youth in care.
26. Child welfare agencies should develop a new paradigm for providing services to older youth —“a young adult well-being model”—which includes physical and emotional health.

27. Youth must be given a “voice” in the treatment process.
28. The child welfare system should expand the definition of “therapeutic” services to supplement traditional mental health treatments and support healthy emotional development.
29. States must ensure that all youth leaving care have been given essential discharge exams, documents and services.
30. States should opt into the Chafee Medicaid waiver to provide health coverage until age 21 for youth leaving care.

Crossover Youth

30. Laws, court policies, and practices should reduce the ease with which dependent youth enter the delinquency system, and they should also increase the ability of delinquent youth to be reclassified as dependent youth.
32. Funding reforms should be considered that will avoid the necessity of transferring a youth from one “system” to another for service accessibility, while financial restrictions that inhibit all systems’ abilities to best serve children should be eliminated.
 - a. Funding should not drive the choice of system in which the crossover child is maintained and provided services.
 - b. Funding should be sufficient for crossover children’s needs, regardless of the system in which they are being served.
33. Policy discourses about delinquent youth must be reframed, so that services for them are not limited to those simply serving “bad kids.”
34. Jurisdictions should develop coordinated assessments and services between the delinquency and dependency systems to focus on the needs of and outcomes for crossover youth.
35. Crossover youth data collection should be a priority.
36. Judicial and child welfare leaders and professionals should ensure that delinquent youth, in appropriate circumstances, are adjudicated dependent before their 18th birthday to maintain eligibility for services in the dependency system.
37. Arrest or conviction after a young adult’s 18th birthday should not preclude continuation of or return to the dependency system.
38. Dependency and delinquency system caseloads must be reasonable to effect change.
39. Cross-system protocols should include information-sharing mechanisms that provide consent and confidentiality safeguards while promoting service coordination.

40. Jurisdictions should take immediate steps to change practice related to cases involving youth involved in more than one “system.”

Youth Engagement and a Youth Focused System

41. Involving and effectively engaging youth in permanency planning, court hearings, and policy development will require all involved professionals to make basic and fundamental accommodations to facilitate youth involvement.
42. Professionals should effectively engage youth in all aspects of their cases and should have the requisite training and skills to ensure that youth are not simply present but actively participate.
 - a. Fundamental training delivered when a child welfare professional or advocate initially enters the field must involve education on why and how to engage youth in permanency planning and court hearings.
 - b. Child welfare advocates and professionals should receive ongoing training on methods for effective communication with youth and ways to effectively support and promote youth engagement.
43. Youth must be provided with the training, information, knowledge and power to become engaged participants in court, case planning, and policy arenas.
 - a. Youth must be told consistently that they have the right to be involved in their planning and in the court process.
 - b. Agencies should develop age-appropriate training and written materials to inform youth about their rights and provide descriptions on how they can be involved.
 - c. The court, the child welfare agency, or the child’s attorney must provide age appropriate notices to youth concerning upcoming meetings and hearings.
 - d. Lawyers and advocates should help youth determine what they want, how to ask for it, and the best way to share their experiences effectively.
44. Child welfare professionals should develop and promote services and programs that support effective youth involvement
 - a. Contracts for services should include a requirement for service providers to include youth as a condition of payment.
 - b. Youth and professionals should use VirtualTeen.org, Facebook, and other internet based social networking sites to learn and teach about youth engagement.
45. Youth who have been involved in the child welfare system should educate their peers on the benefits of being involved.
 - a. Child welfare professionals and the broader community must dispel stigmas associated with foster care by making the plight of foster youth more visible and helping promote alumni and peer support networks.

- b. States and communities should support youth organizations like Foster Club, Foster Care Alumni of America, youth leadership councils and other organizations that assist youth in becoming engaged.
46. Child welfare professionals should be required in standards of practice to meet with and involve youth in their permanency planning and in other aspects of their case.
- a. Judicial standards and practices should promote youth engagement.
 - b. Outcome measures should assess the effectiveness of youth engagement, and professionals should be held accountable by the court and their superiors.
 - c. The Child and Family Service Review (CFSR) process must better involve youth in assessing child welfare challenges and crafting effective systemic solutions.

State Implementation of the Fostering Connections Act

47. States should identify which areas of the FCA are mandatory and which are optional and take affirmative steps to implement all of these provisions.
48. HHS should provide more structured guidance to states on certain key issues.
49. HHS should allow flexibility in how states comply with certain provisions of the FCA.
50. States should provide training to various stakeholders to help them implement the FCA.
51. HHS should provide states with information and updates on state challenges and best practices for policy and implementation.
52. HHS should provide states with assistance and guidance to clearly and accurately calculate the costs and savings associated with implementing various FCA provisions, including an examination of FCA areas that may offset costs.
53. HHS should support state efforts to phase in the option to extend care to youth over age 18 until all youth are covered by a specified date and to allow youth to reenter care up until age 21.
54. Youth involvement in FCA planning and implementation should be encouraged, expected and supported.
55. Courts should consider the older youth sections of the law as part of the total set of opportunities presented by the FCA.
56. Combating disproportionality should be a priority throughout states' planning and implementation of the FCA.

Next Steps

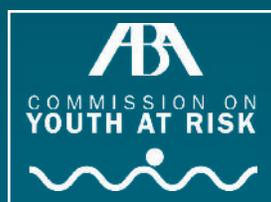
This Summit provided an invaluable opportunity for leaders to come together, share ideas, and define elements of success that can promote improved outcomes for older youth in care. We hope that legislators, policy advocates, administrators, attorneys, courts, and foster youth will use these recommendations for two purposes: (1) as a resource for what actions they specifically can take to improve outcomes for older foster youth; and (2) as a tool to support and enhance efforts to advocate for changes and improvements in how their legislatures, agencies, and courts work with older foster youth. While challenges will always remain, the thoughtful work by Summit participants—memorialized in this Report—provides a platform for ongoing innovations and a roadmap for concrete practices that can improve the path to adulthood for the many foster youth who every year venture out on their own. It is our hope that this important work will also redouble our collective commitment to the need for ongoing attention to and support for the children and youth in our charge.

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