

NONMINOR DEPENDENTS

AUTHORITY:

Administrative Directive
Rules of Court 5.502
Rules of Court 5.906
WIC 11402
WIC11400 (w)
WIC 16501.1 (d)(3)
WIC 388.1
WIC 450
All County Letter 11-61 – Extended Foster Care
All County Letter 11-69 – Extension of Foster Care Beyond Age 18 Part 1
All County Letter 11-77 – Extension of Foster Care Beyond Age 18 Part 2
All County Letter 11-85 – Extension of Foster Care Beyond Age 18 Part 3
All County Letter 12-12 – Re-Entry into Foster Care (EFC)
All County Letter 12-44 – Transitional Housing Placement-Plus Foster Care and Changes to Transitional Housing Placement Program and Transitional Housing Program-Plus
All County Letter 14-33 – Nonminor Dependents (NMDs) Placed out of State
All County Letter 15-67 – Additional Payment for Nonminor Dependent Parent in a Supervised Independent Living Placement (SILP)
All County Letter 16-82 – Reproductive and Sexual Health Care and Related Rights for Youth and NMD in Foster Care
All County Letter 19-105 – Placement Responsibilities for Nonminor Dependents in Extended Foster Care
All County Letter 22-72- New: Determination of for EFC Eligibility and ACL 21-142
All County Letter 22-92 – Additional Protections for Parenting Youth/NMD
All County Letter 23-28 – Updated Supplemental Security Income Application and Qualification Guidelines to Assist Foster Youth and NMDs
All County Letter 23-32 – Documenting Placement Information for Youth and NMDs in CWS/CMS

RESCINDS:

Procedure Manual Item 2-6-210, dated 01/06/2022

FORMS:

Placement Case Plan	Automated Form
Transitional Independent Living Plan (TILP)	Automated Form
SOC 162 – Mutual Agreement	
SOC 163 – Re-Entry	
SOC 157A-SILP Inspection: Checklist of Facility Health and Safety Standards	
SOC 157C – Standardized SILP Readiness Assessment Tool	
SOC 161 – Six-Month Certificate of Extended Foster Care Participation	
Status Review Reports	See PMI 2-6-207
JV Forms	Find Your Court Forms Judicial Branch of California
Findings and Orders After Nonminor	JV462

Dependent Status Review	
Findings and Orders After Hearing to Modify	JV 683
Findings and Orders After Hearing to Consider Termination Of Juvenile Court Jurisdiction Over a Nonminor	JV 367
Findings and Orders for Child Approaching Majority – Delinquency	JV 680
Findings and Orders after Hearing to Modify Delinquency Jurisdiction to Transitional Jurisdiction for Child	JV 682
Request to Return to Juvenile Court Jurisdiction And Foster Care	JV 466
Review Hearing for Youth 18 Years or Older – Information, Documents, and Services	JV 363

PURPOSE: To define Nonminor Dependents (NMDs) and to provide guidance on different types of NMDs, report/visitation requirements, and housing options for extended foster care.

I. GENERAL INFORMATION

A. The California Fostering Connections to Success Act was signed into law September 30, 2010 through Assembly Bill (AB) 12 and became effective January 1, 2012. The bill and subsequent legislation allowed foster care services for eligible youth to extend beyond age 18 up to age 21. Eligible foster youth are designated as nonminor dependents (NMDs). Foster youth would be able to maintain a safety net of support while experiencing independence in a secure and supervised living environment. Additionally, it provides youth extended time to obtain educational and employment training opportunities which assist youth in becoming better prepared for successful transition into adulthood and self-sufficiency.

1. Basic Eligibility Requirements- At the six-month hearing prior to the youth turning age 18, the assigned deputy probation officer will have a plan, developed with the youth, to ensure that the youth meets at least one of the following participation criteria.
 - a. Working toward completion of high school or equivalent program
 - b. Enrolled in college, community college or vocational education program
 - c. Employed at least 80 hours per month
 - d. Participating in a program designed to assist in gaining employment
 - e. Unable to do one of the above requirements because of a medical condition
2. Types of NMDs – A Nonminor Dependent is a youth with an open foster care order (placement order), whether they are on or off probation, who is between the age of 18-21 years of age.
 - a. A youth over the age of 18 years who is a 602 WIC ward of the court with an active foster care order, has a TILP, is meeting TILP goals

and signed a mutual agreement.

- b. A youth over the age of 18 years, who is no longer a 602 WIC ward of the court with an active foster care order, who has a TILP, is meeting TILP goals and has signed a mutual agreement is a nonminor dependent and comes under 450 WIC, transitional jurisdiction.

3. Placement or Housing options for Nonminor Dependents

- a. Remain in home where residing prior to turning 18 years of age (relative or non-relative), licensed foster family home; certified foster family agency home; approved resource family home; or Short-Term Residential Treatment Program (STRTP) so long as they meet eligibility requirements for STRTP (meets medical necessity). The cost of placement continues.
- b. Transitional Housing Program-Plus Foster Care (THP+FC). This placement requires an application from the program and for the youth to meet additional program rules. Each program is different and a conversation with the youth and the program should be had prior to placement in the program. These youth are not eligible for direct funding, rather the THP+FC program receives a rate for the care of the youth. Generally, the youth will receive staff support in securing employment or continuing education while they live in a shared apartment. While they will receive some program support for utilities and food, they will be expected to eventually pay a stipend to reside there to assist them with adjusting to paying rent as an independent adult.
- c. Supervised Independent Living Placement (SILP). This placement option allows youth to live independently in an apartment, house, condominium, room and board arrangement or college dorm, alone or with roommates, while still receiving the supervision and guidance of a deputy probation officer (DPO). The youth will receive a monthly foster care rate if the program requirements are being met (see eligibility requirements). If the youth is a parent, the youth will receive an additional infant supplement payment for each child. The following forms are required for the SILP to be approved. Further, if the youth is enrolled in school, there are mechanisms to cover the costs.
 - (1) The SOC 157A Supervised Independent Living Placement Approval and Placement Agreement
 - (2) The SOC 157B SILP Inspection: Checklist of Facility Health and Safety Standards
 - (3) The SOC 157C- Standardized SILP Readiness Assessment Tool (not mandatory, but should be used, with the youth to determine readiness for SILP living)

The DPO shall complete the forms and have the youth sign the

forms. A copy should be kept for the DPO, a copy should be given to the youth and the original will be given to the unit clerk to send to the Eligibility Worker (EW) for SSA, who will begin the funding for the youth.

II. PROCEDURE

- A. At the six-month placement review hearing, prior to the youth turning 18 years of age, the DPO will meet with the youth to determine if the youth intends on participating in extended foster care services. If the youth intends on participating in the services, the DPO and the youth will develop a plan to ensure that the youth will meet at least one of the eligibility requirements. The court will be notified via the placement review hearing report and the JV 680 will be attached to the report.
- B. Nonminor Dependents must sign the Mutual Agreement form - SOC 162, agreeing to reside in an eligible placement and agree to work with the assigned DPO to meet the goals outlined in the TILP. Additionally, the SOC 161 - Six Month Certification of Extended Foster Care Participation will be completed every six months thereafter, if eligible, to verify continued eligibility. The forms will be kept by the DPO and sent to the eligibility worker.
- C. On or about the youth's 18th birthday, once it is determined what type of placement option the youth will be entering into, the appropriate paperwork will be completed and a START in the [REDACTED] will be entered. If the youth is already in a placement and will not be moving from that placement, a new START does not need to be entered, but the SOC 162 still must be completed.
- D. The DPO will supervise the youth and assist the youth in remaining eligible by meeting TILP goals. If the NMD is also a 602 WIC ward, the DPO will supervise the youth according to probation department contact standards.
- E. Once the NMD has meet rehabilitative goals and no longer requires probation supervision, the DPO will recommend to the court that the youth transition to 450 WIC. This is generally done during a six-month status review hearing and the JV 683 will be attached to the report. Once an NMD transitions to 450 WIC, the youth is no longer held to probation terms and conditions, but the DPO will continue to meet with the NMD, face to face monthly to provide assistance and support to the youth. Should the youth stop meeting eligibility requirements, the DPO shall engage the youth in conversation and provide assistance to help the youth maintain eligibility.
- F. At any time, an NMD wishes to exit foster care that is their right. The NMD shall be advised of their right to exit foster care and apply for re-entry to foster care at any time, until age 21. The court will be notified of the youth's unwillingness to continue in foster care and request to terminate the foster care order. An NMD who terminates extended foster care services, but who is still a 602 WIC, will be transferred to a field unit depending on where they live for probation supervision. The youth's case will be closed in [REDACTED] and a STOP will be done in PMS, stopping them from whatever was the last placement in the system.
 - 1. A youth exiting foster care will be provided with the following documentation: Copy of Birth Certificate, Social Security Card, Health and

Education Passport, and Medi-Cal number.

- G. A youth who has exited foster care but wishes to return to receive services prior to their 21st birthday may do so. Re-entry forms SOC 163 and JV-466 will be completed by the DPO and submitted to the court clerk's office to be calendared so that the youth can re-enter foster care.

REFERENCES:

Procedure:	2-6-207	Periodic Permanency Planning Review and Status Review Reports
	2-6-204	Placement Information Change Notice
Rules of Court:	5.502	
	5.906	

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APPROVED BY: