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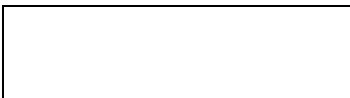
I. BACKGROUND

On September 30, 2010, Assembly Bill 12 (AB 12), the California Fostering Connections to Success Act, was signed into law and became effective January 1, 2012. AB 12 created the Extended Foster Care (EFC) Program, a voluntary program which allows eligible foster youth to remain in foster care after turning 18 and until their 21st birthday. AB 12 participants receive foster care benefits, Medi-Cal, and transitional support services. Eligible youth who elect to remain under the jurisdiction of the juvenile court on or after age 18 and prior to the maximum age limit are known as “Nonminor Dependents” (NMDs).

Please refer to the [AB 12 Desk Guide](#) for definitions pertaining to EFC.

II. PROGRAM ELIGIBILITY. In order to participate in AB 12, youth are required to comply with the criteria listed below.

- A. Age Criteria.** Youth must be at least 18 years old to participate in EFC, and may remain eligible for services until age 21.
- B. Juvenile Court Status.** Youth must have reached 18 years of age while under an order of foster care placement by the child welfare department, county probation department, or a Tribal Title IV-E agreement.
- C. Education and Employment Participation.** Youth must meet and maintain one of five statutory conditions to be eligible for AB 12. Participation activities are documented on the Six-Month Certification of Extended Foster Care Participation (SOC 161). The youth must be:
1. Working towards completing high school or equivalent credential.
 2. Attending college or enrolled in a vocational education program.
 3. Participating in a program or activity designed to promote or remove barriers to employment.
 4. Employed for at least 80 hours per month.
 5. Have a documented, verified medical condition which renders the youth incapable of the above participation criteria (e.g., the youth is a Regional Center client). This is supported by regularly updated information in the case plan.



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D. Compliance Criteria. Failure to comply with program criteria may result in the NMD being terminated from the EFC Program. The Court may also terminate jurisdiction if the Court finds that the NMD cannot be located. To remain in compliance, NMDs are required to:

1. Sign a Mutual Agreement for Extended Foster Care (SOC 162) on or after the youth's 18th birthday. By signing the SOC 162, the NMD acknowledges he/she is voluntarily agreeing to remain in foster care and participate in a case plan.
2. Participate in completing a Transitional Independent Living Plan (TILP) with his/her Social Worker. The TILP 1, available in CWS/CMS, is updated every six months or concurrently with the status review hearing date.
3. Meet with his/her Social Worker or Probation Officer once a month.
4. Agree to continued court supervision.
5. Reside in a CFS approved facility.

E. Facility Criteria. NMDs are afforded the same placement options as minor dependents. EFC participants must reside in a CFS approved and supervised facility. Authorized facilities are outlined below.

Facility Types	Facility Descriptions
<p>Supervised Independent Living Placement (SILP)</p>	<p>A Supervised Independent Living Placement (SILP) is a flexible, non-licensed housing option intended to provide an independent living experience in a least-restrictive setting. NMDs living in a SILP receive the California basic foster care rate. The physical unit must be approved by the Social Worker by completing the Supervised Independent Living Placement (SILP) Approval and Placement Agreement (SOC 157A) and SILP Inspection: Checklist of Facility Health and Safety Standards (SOC 157B). SILP units are inspected annually unless the type of housing is considered exempt as listed on the SOC 157B. SILP approved facilities may include:</p> <ul style="list-style-type: none"> • Apartments, either alone or with roommates. • Single room occupancies. • A room in the home of a former caregiver. • Dorms/University housing. Campus housing is not required to be assessed by the Social Worker. • Tribally Approved Homes. Tribally approved homes are not required to be assessed by the Social Worker. • A room in the home of a biological parent or guardian from whom the youth was removed. The Department will assess for safety. • Relative or NREFM home. A relative/NREFM home may have been previously approved under the "Relative Assessment" Program. • Job Corps/AmeriCorps/California Conservation Corps. On-site residential and



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	educational/vocational job training programs are considered EFC eligible housing options. An inspection is not required, as these housing settings have been pre-approved by the on-site program.
Resource Homes	NMDs may reside in resource homes, including licensed Foster Family Homes, Foster Family Agency (FFA) homes, and Resource Family Approval (RFA) homes.
Short-Term Residential Therapeutic Program (time-limited)	Short-Term Residential Therapeutic Program (STRTP) homes are eligible EFC placements if an NMD who meets STRTP criteria is finishing high school within that academic year, or reaches age 19, whichever occurs first. NMDs participating in EFC due to a documented medical condition can remain in an STRTP after age 19, but only until a more appropriate adult system of care is identified.
Small Family Homes	Small Family Homes are licensed residential facilities which provide 24-hour care to six or fewer youth considered developmentally disabled or physically handicapped, and require specialized care and supervision. These facilities are typically Regional Center Vendorized Homes.
Out-of-County Housing	NMDs may remain eligible for EFC if they reside in an approved facility outside the county of jurisdiction.
Out-of-State Housing	Placements out-of-state are acceptable for NMDs who are attending college, residing in an appropriate placement, or for appropriate employment. The sending county may request that the other state provide supervision and direct provision of services to the NMD; however, the other state does not have to accept this request. Please consult with the Contra Costa County Interstate Compact on the Placement of Children (ICPC) Liaison for more information regarding placement of NMDs out-of-state.
Dual Agency Home	A Dual Agency Home is a housing option for NMDs who are consumers of Regional Center services and in receipt of Aid to Families with Dependent Children-Foster Care (AFDC-FC), Kinship-Guardianship Assistance (Kin-GAP), or Adoption Assistance Program (AAP) benefits.
Transitional Housing Program for Nonminor Dependents (THP+NMD)	THP+NMD is a licensed housing option. THP+NMD provides housing and supportive services while the NMD is under the jurisdiction of the juvenile court.

III. COURT PROCEEDINGS

A. Preparation for Six Month Review. While preparing for the six-month review hearing prior to the youth in care reaching the age of majority (18), the Social Worker must convene a Youth Transition Meeting (YTM), which is considered a type of Child and Family Team (CFT) Meeting, to discuss with the youth:

- The potential benefits of continued dependency.
- The right to remain in foster care as an NMD.
- The right to request termination of dependency upon turning 18.

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- The right to have dependency reinstated if he/she meets AB 12 eligibility requirements, any time prior to his/her 21st birthday.

If the youth elects to participate in AB 12, an updated case plan and TILP are developed in collaboration with the Social Worker and youth. The youth must sign the Mutual Agreement for Extended Foster Care (SOC 162) to acknowledge he/she voluntarily agrees to remain in foster care in an approved facility as a court dependent, and satisfy the other conditions outlined in the agreement.

In circumstances where the youth is not capable of signing the SOC 162:

- It must be notated on the SOC 162 that the youth is not capable of making an informed agreement; and
- This determination must be supported by case records and documentation for the purpose of waiving the signature, and must be documented in the court report.

B. Six Month Review Hearing

1. The Social Worker should complete appropriate notice and Status Review Report for the six-month period prior to the youth turning 18.
2. Attach the updated case plan, TILP, SOC 161, and JV 460 as needed.
3. Inform the court of the youth's decision to participate in AB 12 and document how the youth meets program criteria.

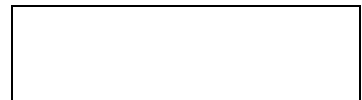
C. Exiting Foster Care

Youth/NMDs may exit foster care any time after reaching age 18 by requesting to have their dependency jurisdiction terminated. A YTM must occur 90 days prior to the youth turning 18, and for NMDs for whom dependency was extended beyond 18 years of age, during the 90 day period prior to the termination of jurisdiction. The 90-Day Transition Plan (FC 1637), available in CWS/CMS, is completed to ensure the dependent youth/NMD has an individualized plan in place to successfully transition out of foster care.

IV. CASE MANAGEMENT**A. Social Worker Responsibilities.** Ongoing case management responsibilities for youth who attain NMD status includes, but is not limited to:

- Engage in reasonable efforts to ensure NMD has the appropriate tools and support to maintain program eligibility.

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- Monthly visitation.
- Encourage NMD to participate in Contra Costa County's Independent Living Skills Program (ILSP) to access more supportive services and resources. Out-of-County youth can participate in the ILS program connected to their county of residence. Contra Costa's ILSP Unit can assist with the referral process.
- Develop a case plan and TILP. A TILP is updated every six months or concurrently with the status review hearing date.
- Complete the Six-Month Certification of Extended Foster Care Participation (SOC 161), on or after the NMD turns 18, which certifies the NMD is in compliance with EFC participation criteria, and is expected to remain in compliance over a prospective six month period. The SOC 161 is updated when the TILP and case plan are updated.
- Obtain a signed Mutual Agreement for Extended Foster Care (SOC 162).
- Complete a placement agreement at the time of initial placement and/or when an NMD moves or transitions to a different eligible facility.
- Hold a follow-up YTM every six months, or sooner if needed.
- Hold a 90-Day YTM and complete a 90-Day Transition Plan 90 days prior to the NMD's 21st birthday, or sooner if an NMD under the maximum age limit expresses a desire to exit foster care.

V. ELIGIBLE SPECIAL POPULATIONS. The following special populations are also eligible to participate in EFC.

Population	Eligibility
Indian Child Welfare Act (ICWA) Status	ICWA youth who wish to participate in EFC continue to have ICWA standards applied to their case, unless he/she elects to withdraw from being identified as an Indian youth. Withdrawal does not mean disenrollment from the tribe, and does not affect tribal membership status.
Pregnant and/or Parenting Youth	Youth who are custodial parents may participate in EFC. Parenting youth may qualify to receive Infant Supplement Payment (depending upon the facility type, the care provider or parenting youth will receive the foster care payment and infant supplement directly).
Youth Receiving Supplemental Security Income (SSI)	Youth eligible for or in receipt of Supplemental Security Income (SSI) may participate in EFC, even if they receive SSI payment benefits instead of AFDC-FC, or a combination of both.
Regional Center Youth	Youth in receipt of Regional Center services are eligible to participate in EFC if they meet eligibility requirements and participation conditions.



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Youth in the Military Not on Active Duty	<p>1. Youth enlisted in the military, but not on active duty, are eligible for EFC as long as they can make themselves available for the assigned Social Worker to perform monthly visits and supervision. Military youth also remain eligible during extended training if the program allows for monthly visits.</p> <p>2. NMDs in the reserve command of an armed forces branch or who serve as a member of the National Guard are eligible for EFC if all eligibility and participation requirements are met.</p>
Married NMDs	Married NMDs are eligible to participate in EFC.
Wards/Former Wards who are Victims of Human Trafficking	Wards or former wards of the court are eligible for EFC if the court vacates the youth's underlying adjudication based on charges related to sexual exploitation, or the youth is a victim of human trafficking.

VI. INELIGIBLE POPULATIONS

A. The following youth are not eligible for Extended Foster Care:

1. The youth has reached 21 years of age.
2. The youth did not have a foster care placement order in effect on his/her 18th birthday.
3. The youth is in the military on active duty status, or stationed on a military base which does not allow for social workers to complete monthly visits and supervision.
4. The youth is presently incarcerated.
5. The youth is in a Non-Related Legal Guardianship (NRLG) through probate court.
6. The youth is otherwise not eligible for AFDC-FC.

VII. AGING OUT AT AGE 21

A. Extended foster care payments shall cease as of whichever date comes first:

1. The date the Court terminates jurisdiction; or
2. The day before the NMD's 21st birthday.

It is possible for the Court to hold the termination of jurisdiction hearing prior to the NMD's 21st birthday, but make the termination effective on the date of the NMD's 21st birthday. Termination may occur before age 21 should the Court determine that the

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NMD is not complying with EFC requirements or is residing in an unapproved facility.

VIII. RE-ENTRY TO EXTENDED FOSTER CARE

Young adults under a court-ordered foster care placement on their 18th birthday may voluntarily re-enter foster care if they have not reached the maximum age limit for EFC. Young adults can petition the juvenile court to resume dependency jurisdiction. Participation and compliance requirements are the same for re-entry youth. There is no limit to the amount of times a nonminor may exit and return to care. Background check clearance for NMDs who re-enter care may be required if the NMD will be residing in a resource home that has minor dependents.

For more information, please refer to [Extended Foster Care: Re-Entry, DM 31-650.1](#).

IX. RE-ENTRY ELIGIBILITY FOR SPECIAL POPULATIONS

Provisions are included in AB 12 for extension of benefits to former dependents who meet eligibility criteria due to receipt of Kinship Guardianship Assistance Program (Kin-GAP), Adoption Assistance Program (AAP), or Non-Related Legal Guardian (NRLG) benefits. Nonminors who entered into a legal guardianship or were adopted, but did not receive Kin-GAP or AAP payments because they were receiving Supplemental Security Income (SSI) or other income from the Social Security Administration (SSA), are also eligible for re-entry. This applies to dependency and delinquency cases; guardianships established through Probate Court are not eligible for extended benefits.

The populations outlined below are eligible for re-entry.

A. Extended Kin-GAP Eligibility for Nonminors

1. Nonminor reached 16 years of age before Kin-GAP payments began; or
2. Nonminor is a former dependent under Kin-GAP whose former guardian(s):
 - a. Died after nonminor reached 18 years of age, but prior to age 21.
 - b. No longer provides ongoing support to the nonminor and no longer receives aid on behalf of the nonminor after the nonminor has reached 18 years of age, but prior to reaching 21 years of age.

B. Extended AAP Eligibility for Nonminors

1. Nonminor reached 16 years of age before AAP payments began; or



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2. Nonminor is a former dependent whose adoptive parent(s):
 - a. Died after nonminor reached 18 years of age, but prior to age 21.
 - b. No longer provides ongoing support to the nonminor and no longer receives aid on behalf of the nonminor after the nonminor has reached 18 years of age, but prior to reaching 21 years of age.

C. Extended NRLG Eligibility for Nonminors

1. Nonminor reached 16 years of age before AFDC-FC benefits began; or
2. Nonminor is a former dependent whose former guardian(s):
 - a. Died after nonminor reached 18 years of age, but prior to age 21.
 - b. No longer provides ongoing support to the nonminor and no longer receives aid on behalf of the nonminor after the nonminor has reached 18 years of age, but prior to reaching 21 years of age.

D. Nonminors Receiving SSI or SSA Income In Lieu of Kin-GAP or AAP

1. Nonminor reached 16 years of age before guardian(s)/adoptive parent(s) began receiving SSI/Other Income in lieu of Kin-GAP or AAP; or
2. Nonminor is a former dependent in receipt of SSI/Other Income in lieu of Kin-GAP or AAP whose former guardian(s)/adoptive parent(s):
 - a. Died after nonminor reached 18 years of age, but prior to age 21.
 - b. No longer provides ongoing support to the nonminor and no longer receives aid on behalf of the nonminor after the nonminor has reached 18 years of age, but prior to reaching 21 years of age.

FORMS

[90-Day Transition Plan \(FC 1637\) \(CWS/CMS\)](#)

[CFT Referral Form \(CWS/CMS\)](#)

[Independent Living Skills Program \(ILSP\) Referral Form](#)

[JV-367 Findings and Orders After Hearing to Consider Termination of Juvenile Court Jurisdiction Over a Nonminor](#)

[JV-464-INFO How to Ask to Return to Juvenile Court Jurisdiction and Foster Care](#)

[JV-466 Request to Return to Juvenile Court Jurisdiction and Foster Care](#)

[KG 3 Kin-GAP Mutual Agreement for Nonminor Former Dependents](#)

[SOC 152 Placement Agency – THP Plus FC Provider Agreement](#)

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[SOC 153 Placement Agency – Foster Family Agency Agreement](#)
[SOC 154B Placement Agency – Group Home Agreement NMD Placed by Agency](#)
[SOC 156A Placement Agency – Foster Parent Agreement NMD Placed by Agency](#)
[SOC 157A Supervised Independent Living Placement \(SILP\) Approval and Placement Agreement](#)
[SOC 157B SILP Inspection: Checklist of Facility Health and Safety Standards](#)
[SOC 157C Standardized SILP Readiness Assessment Tool](#)
[SOC 161 Six-Month Certification of Extended Foster Care Participations](#)
[SOC 162 Mutual Agreement for Extended Foster Care](#)
[SOC 163 Voluntary Re-Entry Agreement for Extended Foster Care](#)
[SOC 815 Approval of Family Caregiver Home](#)
[TILP 1 Transitional Independent Living Plan and Agreement \(CWS/CMS\)](#)

REFERENCES

[AB 12 Desk Guide - Eligibility Worker Instructions](#)
[ACIN I-40-11 Program Information Re: AB 12 and the Extension of Foster Care to Age 20](#)
[ACL 11-61 Extended Foster Care \(EFC\)](#)
[ACL 11-69 Extension of Foster Care Beyond Age 18: Part One](#)
[ACL 11-77 Extension of Foster Care Beyond Age 18: Part Two \(Placement\)](#)
[ACL 11-17 California Work Opportunity and Responsibility to Kids: Extending Benefits to Nonminor Dependents](#)
[ACL 11-78E California Work Opportunity and Responsibility to Kids: Extending Benefits to Nonminor Dependents](#)
[ACL 11-85 Extension of Foster Care Beyond Age 18: Part Three \(Probation\)](#)
[ACL 11-86 Kinship Guardianship Assistance Payment \(KIN-GAP\) and Adoption Assistance Payments \(AAP\) to Age 21](#)
[ACIN I-78-11 Training Activities for the Extension of Foster Care Program](#)
[ACL 12-12 Re-entry Into Extended Foster Care \(EFC\)](#)
[ACL 12-27 California Work Opportunity and Responsibility to Kids \(CalWORKs\): Extending Benefits to Nonminor Dependents – Questions and Answers \(Part One\)](#)
[ACL 12-43 Aid To Families With Dependent Children-Foster Care \(AFDC-FC\) California Necessities Index \(CNI\) Increases and Other Rate Increases; Clarification of the Continuation of AFDC-FC Benefits Beyond Age 19](#)
[ACL 12-44 Transitional Housing Placement-Plus-Foster Care and Changes to Transitional Housing Placement Program and Transitional Housing Program-Plus](#)
[ACL 12-48 Extended Benefits for Nonminors Living with Current or Former Non-Related Legal Guardians \(NRLG\)](#)
[ACIN I-29-13 Extended Foster Care \(EFC\) Update](#)
[ACL 13-09 Transitioning Youth from Transitional Housing Placement Program \(THPP\) to the Transitional Housing Placement Plus Foster Care \(THP+FC\) Program](#)
[ACL 14-33 Nonminor Dependents \(NMDs\) Placed Out of State](#)

CHILDREN AND FAMILY
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[ACL 15-67 Additional Payment for a NMD Parent in a SILP](#)
[ACL 16-50 Additional Payment for a NMD Parent in a SILP Questions and Answers](#)
[ACIN I-76-15 Extended Foster Care \(EFC\) Update](#)
[ACIN I-76-15E Errata to Extended Foster Care \(EFC\) Update](#)
[ACIN I-42-17 Revised Extended Foster Care Forms](#)
[ACL 17-64 Changes in Placement Practices for Children, Youth, and NMDs in Foster Care](#)
[ACL 17-93 Use of Infant Supplement Payment for THP + FC Programs](#)
[ACL 18-89 Aid To Families With Dependent Children-Foster Care Home Based Family Care California Necessities Index Increases And Other Rate Increases; Rate Policy As To Youth Ages 18-21](#)
[ACL 18-101 Eligibility for Extended Foster Care \(EFC\) for Married Youth and Youth Performing Non-Active Duty Military Service](#)
[ACL 18-113 Extended Foster Care \(EFC\) for Otherwise Eligible Minors and Nonminors Whose Juvenile Court Adjudications are Vacated under PC 236.14 as Victims of Human Trafficking](#)
[ACL 19-02 Clarification of Regulations Regarding Minor Recipients Living with Parent\(s\)](#)
[ACIN I-68-17 CalFresh Treatment of NMD Foster Care Income](#)
[ACL 17-83 Supervised Independent Living Placement \(SILP\) – Residing with a Parent](#)
[ACL 17-93 Use of Infant Supplement Payment for THP+FC Programs](#)
[ACL 19-31 Re-Entry of Eligible Nonminors to Extended Foster Care When Adoptive Parent\(s\) or Former Legal Guardian\(s\) No Longer Provide Support](#)
[California Department of Social Services Manual of Policies and Procedures, Division 45 Eligibility and Assistance Standards Manual](#)
[Desk Guide: Independent Living Skills Program \(ILSP\) Overview and FAQs](#)
[Desk Guide: Independent Living Skills Program \(ILSP\) Documentation Guide](#)
[DM 31-200 Child Family Team Meeting, Eff. 10-17-17](#)
[DM 31-205 Youth Transition Meetings, Eff. 12-15-11](#)
[DM 31-235 Transitional Independent Living Plan Agreement \(TILP\), Eff. 10-16-09](#)
[DM 31-236 Resource Binders for Emancipated Youth Protocol, Eff. 07-30-09](#)
[DM 31-236.21 Ward of the Court Verification Letter, Eff. 02-28-17](#)
[DM 31-510 Interstate Compact on the Placement of Children \(ICPC\), Eff. 10-01-12](#)
[DM 31-524 Credit Reports for Youth in Foster Care and Non Minor Dependents, Eff. 04-23-18](#)
[DM 31-525 Independent Living Skills Program, Eff. 01-02-15](#)
[DM 31-526 National Youth Transitional Database \(NYTD\), Eff. 10-01-10](#)
[DM 31-650.1 Extended Foster Care: Re-Entry, Eff. 07-01-16](#)
[DM 31-911 Driver's License for Dependent Youth, Eff. 06-01-09](#)

CONTACT PERSON: First-line Supervisors and above may contact the Extended Foster Care Program Analyst with questions concerning this Department Manual Section.

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