

Supporting Older Youth In Foster Care

Regional CJI Team Meetings

September – October 2010

Best Practices for Agency

1. Timely file the OHPP and ILP with the court

- ▶ The OHPP must be filed with the court and provided to the parties within 30 days of the court's order placing the child in foster care. (*Minn. Stat. § 260C.178, subd. 7 (a)*)
- ▶ For a youth age 16+, the OHPP must be updated to include the Independent Living Plan (ILP) requirements and, prior to the review hearing, must be filed with the court together with a report on the progress on the plan. (*Minn. Stat. § 260C.212, subds. 1(a) and 7; MRJPP 38*)

Best Practices for Agency

2. Prepare the youth for what will happen in court

- ▶ Does the youth have an attorney?
- ▶ Explain to the youth the roles of the various adults in the court room.
- ▶ Prepare the youth to comment on the content and progress of the OHPP and ILP.
- ▶ Make the youth aware of any anticipated differences or conflicts.

Best Practices for Agency

3. Arrange Transportation for the Youth

- ▶ Clarify who is transporting the youth to and from the hearing and at what times.

4. Consult with the Guardian Ad Litem

- ▶ Discuss the needs of the youth and recommendations to the court.
- ▶ Discern area's of difference and/or conflict.

Best Practices for Agency

5. Determine the role of the caretaker (usually the foster parent) in terms of support and/or participation in court

- ▶ Does the caretaker (foster parent) want to address the court?
- ▶ Is it likely that the judge will ask the foster parent their opinion?
- ▶ Discuss your recommendations with the caretaker and how they may impact the youth.

Best Practices for Agency

6. Debrief with the youth after the hearing

- ▶ Answer any questions the youth may have about what happened in court.
- ▶ What implications did the hearing have for the youth's near- and long-term future?
- ▶ Process the youth's perceptions, feelings, and/or emotions associated with the hearing.

Best Practices for the Court

1. Direct the agency to file the OHPP and ILP if they have not been filed

- ▶ The OHPP must be filed with the court and provided to the parties within 30 days of the court's order placing the child in foster care. (*Minn. Stat. § 260C.178, subd. 7 (a)*)
- ▶ For a youth age 16+, the OHPP must be updated to include the Independent Living Plan (ILP) requirements and, prior to the review hearing, must be filed with the court together with a report on the progress on the plan. (*Minn. Stat. § 260C.212, subds. 1(a) and 7; MRJPP 38*)

Best Practices for the Court

2. Expect youth to attend court hearings and appoint an attorney to represent the youth.

- ▶ Establish a policy for your county regarding youth attendance in court (see packet of materials “Youth in Court”).

3. Review transition goals with youth

- ▶ If youth is age 16+, during the hearing ask the youth to comment on his/her understanding of the progress or accomplishment of the eleven transition goals in Minn. Stat. § 260C.212, subd. 7(d)(2)

Best Practices for the Court

4. Ask the youth what plans they have once they turn age 18

- ▶ If the youth is over age 17, make sure they understand their right to remain in foster care beyond age 18 and up to age 21 (*Minn. Stat. § 260C.451*).
- ▶ Determine whether the youth has received his/her notice of foster care benefits to age 21? The agency is required to advise the child of the availability of continued benefits within six months of the youth's 18th birthday; most agencies will do this in writing.

Best Practices for the Court

5. Ensure youth's understanding of post-secondary education options and financial benefits

- ▶ Ask the youth if they are aware of the Education and Training Voucher (ETV) Program which helps foster youth pay for post-secondary education.
- ▶ If not, request the social worker to work with the youth to apply in their senior year of high school.

Best Practices for the Court

6. Issue findings and order

- ▶ Include findings regarding areas where appropriate progress is being made by the agency and child.
- ▶ Include findings regarding topics areas where progress needs improvement
- ▶ See, for example, Judge Seibel's review hearing order.

Best Practices for the Court

7. Schedule review hearings

- ▶ Hearings should be at a frequency that will serve the youth's best interests, but must be at least annually (*Minn. Stat. § 260C.201, subds. 10(e) and 11(d)(3); § 260C.212, subd. 7; and § 260C.317, subd. 3(c); MRJPP 42.11, subd. 4*).