



Iowa Children's Justice

Iowa Children's Justice Update

To inform the courts and other interested members of our state community, Iowa Children's Justice will send out periodic information about issues and activities related to Juvenile Court.

Fostering Connections to Success & Increasing Adoptions January 2009

January Topic Fostering Connections

The federal '**Fostering Connections to Success and Increasing Adoptions Act of 2008**' was signed into law on October 7, 2008. According to the Center for Law and Social Policy, this act "...will help...children and youth in foster care by promoting permanent families for them through relative guardianship and adoption and improving education and health care. Additionally it will extend federal support for youth to age 21 (H.R.6893)... [and] offer for the first time many American Indian children important federal protections and support."

Why is this important?

The *Fostering Connections Act* has sweeping implications for many areas of judicial and child welfare practice as it relates to the well-being of children in foster care and state eligibility for Title IV-B and IV-E funds. The goals of the Act require that state IV-B and IV-E plans include:

- Health oversight & coordination for children placed in out of home care
- Educational stability for children placed in out of home care
- Reasonable efforts to keep siblings together, or ongoing visitation & contact for sibs not placed in the same home
- A subsidized guardianship program option for relative foster parents
- Fostering Connections Grants to support programs that help children reconnect with family members
- Direct tribal access to IV-E funding
- De-linking adoption subsidy from AFDC income requirements over the next 9 years beginning in FFY2010
- Personalized transition plans for youth aging out of foster care
- Federal funding to support children in foster care up to age 21 at the option of the state, starting in FFY2010.
- States also have the option to extend eligibility for Title IV-E foster care adoption assistance & kinship guardianship payments up to age 21 beginning in FFY2011.

Legislative Implications for Iowa

The Act acknowledges that some states will need to pass specific legislation prior to implementation. DHS has identified 4 areas in the Act that require state legislation prior to implementation and has drafted proposed legislation. These areas include:

- Due diligence to identify & notify relatives within 30 days of a child's placement in foster care [section 471(a)(29)]
 - Assurances that school age title IV-E recipients are full-time students [section 71(a)(30)]
 - Case plans include a plan for educational stability of the child while in foster care [section 475(1) (G)]
 - Case plans include transition plans for youth aging out of foster care [section 475(5)(H)]
-

Iowa Children's Justice

Iowa legislation SSB1104

SSB1104 is Iowa's legislative response to the Fostering Connections Act. As of the last week in January, 2009, both DHS and DOE are in the process of proposing amendments to the existing Senate Study Bill. A copy of SSB1104 can be found at: <http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=billinfo&Service=Billbook&ga=83&hbill=SSB1104>

Both DHS and DOE expect that the provisions of SSB1104 will be passed by this year's general assembly and will take effect as soon as rule changes, manual changes and staff training can be completed. SSB1104 as it currently exists focuses primarily on education issues and transition planning.

Potential impact on the court

As a result of the provisions in SSB1104, juvenile courts should expect to see child welfare cases with an increased emphasis on:

- The **educational stability** for children in care - better coordination with local education agencies to identify how children in care can remain in their 'home' school.
- Child-centered **transition teams** for children in care age 16 and older that require involvement of the GAL, as well as the youth, persons selected by the youth and representatives of the adult service system when appropriate
- Regular **court review** of a youth's **transition plan** at each permanency hearing and during the 90-days prior to his/her 18th birthday.

What contribution can judges make?

New state IV-B and IV-E plan elements and practice changes required by the *Fostering Connections Act* are an extension of CFSR requirements that reflect best practice in assuring the safety, permanency and well being for children.

During reviews, judges can reinforce good practice, support the emphasis on education and transition planning and monitor important elements of the *Fostering Connections Act* by asking about:

- **Educational status:** is the child attending school full time? Is the child able to remain in his/her home school while in placement? Did educational records follow the child?
 - **Transition plans** for youth about to age out of foster care: what involvement does the youth have in developing the transition plan? In what ways has the transition plan been personalized for the particular needs of this youth?
 - **Relative notification:** were all adult relatives (both mother's and father's) identified and notified of their option to become a placement resource for the child? Did this happen within 30 days of the child's removal?
 - **Siblings:** were reasonable efforts made to place sibs in the same home? If sibs are not placed together, what efforts are being made to facilitate regular interaction & ongoing contacts?
 - **Health oversight & coordination:** what plans have been made to assure that the child's ongoing health, dental, and mental health care needs are being met? Did medical records follow the child?
-

Iowa Children's Justice ---

For more information
about Fostering
Connections

For more information about *Fostering Connections*, to read the entire Act or to view the federal program instructions - go to the web site for the National Resource Center for Family Centered Practice & Permanency Planning:
http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/FCSIAA-2008.html

A summary of the changes contained in the *Fostering Connections Act* can be found at: <http://www.dhs.state.ia.us/docs/FCOutline.pdf>

For more information about proposed DHS legislation, contact Jeff Regula at DHS jregula@dhs.state.ia.us

For more information
on Iowa Children's
Justice

This e-mail may be forwarded to others you think might be interested. If you would like to add someone to our mailing list, please send their e-mail address to jane.kieler@iowacourts.gov

If you would prefer not to receive this newsletter, please let us know at jane.kieler@iowacourts.gov
