

YOUNG ADULT VOLUNTARY FOSTER CARE (YAVFC)

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AUTHOR'S NOTE

This power point should be used as a guide and not referenced in lieu of policy. Refer to FOM 722-16, Foster Care – Young Adult Voluntary Foster Care, for complete instructions, timeframes, and requirements.

Words/phrases which are underlined and **written in teal** are hyperlinks and will take you directly to the item indicated.

Thank you!

LEGISLATION

Federal

[The Fostering Connections to Success and Increasing Adoptions Act of 2008 \(PL 110-351\).](#)

Provides states the option to receive matching federal funds to extend foster care maintenance payments, through federal title IV-E funding, to eligible foster until age 21.

Michigan

[Young Adult Voluntary Foster Care Act \(MCL 400.641 - 400.671\).](#)

Offers 18-, 19- and 20-year-olds who were in state-supervised foster care at the age of 18 or older the option of living in a licensed foster family home, a child care institution or an approved setting in which the individual is living independently, until age 21.

MICHIGAN

EXISTING LAW/POLICY

MCL 712A.2a

FOM 722-15, Foster Care - Case Closing

- Youth who enter foster care prior to age 18 may continue to stay under court and/or DHS supervision up to age 20 pursuant to MCL 712A.2a.
- These services are provided under court jurisdiction and not considered voluntary.
- **FUNDING**
 - MCI Wards- State Ward Board and Care
 - Temporary Court Wards
 - Title IV-E (until age 19 and must be in school full-time).
 - County Child Care Funds

THIS OPTION WILL CONTINUE.

NEW LAW/POLICY

MCL 400.641 - 400.671

YAVFC

- Youth who were in state-supervised foster care at the age of 18 or older may voluntarily elect to receive foster care services through DHS following the termination of court jurisdiction, until age 21.
- Because these services are provided without court jurisdiction they are considered **voluntary**.
- **FUNDING**
 - For all youth until age 21
 - Title IV-E
 - General Funds

THIS OPTION IS NEW AND WILL BE IMPLEMENTED IN ADDITION TO EXISTING POLICY.

ELIGIBILITY CRITERIA

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Consideration for Young Adult Voluntary Foster Care (YAVFC) is available to youth, who were in out of home placement, after being referred or committed to the Michigan Department of Human Services for care and supervision at the age of **18** years old.

NOTE: Youth with a delinquency (DL) court case must also have a dual abuse/neglect (N/A) case to be considered for eligibility. Youth with a DL case only are not eligible.

EXTENDING VS. ENTRY/RE-ENTRY

Youth will enter YAVFC in one of two ways:

- **Extending** an open foster care case.
 - The youth is currently receiving foster care services and is at least 18 years old, but less than 21 years old.
- **Entering/Re-entering** YAVFC after case closure.
 - The youth exited foster care/YAVFC after reaching 18 years old, but is less than 21 years old.

*Refer to the flow charts for intake and case processing tips and time frames.

PROGRAM REQUIREMENTS

PROGRAM REQUIREMENTS

- Actively completing high school or a program leading to a general equivalency diploma (GED).
- Enrolled at least part-time in a college, university, vocational program, or trade school.
- Employed in either full- or part-time work or participating in a program that promotes employment (such as Job Corps, Michigan Works!, or another employment skill-building program). **Participation must be at least 80 hours per month** and may be at one or more places of employment and/or a combination of the above activities.
- Incapable of the above educational or employment activities due to a documented medical condition.

**YOUNG ADULT
VOLUNTARY FOSTER
CARE AGREEMENT**

YOUNG ADULT VOLUNTARY FOSTER CARE AGREEMENT

DHS-1297, Young Adult Voluntary Foster Care (YAVFC) Agreement.

- Outlines eligibility requirements in the areas of education, employment, living arrangement, residence notification, visitation and case reviews.
- Gives the Department of Human Services placement and care responsibility.
- The agreement may not be signed until the youth reaches 18 years old and has family/juvenile court jurisdiction dismissed.
- The original agreement must be placed in the youth's file and a copy must be given to the youth.
- Youth are eligible for foster care services and payments on the date the DHS-1297, YAVFC Agreement is signed.



VERIFICATION OF ELIGIBILITY

ELIGIBILITY VERIFICATION FORMS

- **DHS-3380, Verification of Student Information** (may also be used to verify vocational training or trade school).
- **DHS-38, Verification of Employment** (may also be used to verify an alternative to employment).
- **DHS-54A, Medical Needs.**



VERIFICATION OF ELIGIBILITY

- **Initial Verification**

- Must be provided to the caseworker prior to signing the DHS-1297, YAVFC Agreement.

- **Ongoing Verification**

- Ongoing verification of eligibility is required at least quarterly, to coincide with the service plan due date.

REPORTING ELIGIBILITY CHANGES

Youth must report changes that affect eligibility requirements to his/her caseworker within **three** business days of the change.



Changes that must be reported include but are not limited to:

- Address.
- Phone number.
- Household composition.
- Reduction of work hours.
- Enrollment/employment status.
- Graduation or completion date.

GRACE PERIOD

GRACE PERIOD

A grace period is the period of time after the youth ceases to meet program requirements when eligibility can be re-established without penalty.



GRACE PERIOD

- Youth are allowed a 30-day grace period in which to re-establish eligibility.
- Youth are allowed up to **three** grace periods per fiscal year.
- A grace period begins the day immediately following the day the youth becomes ineligible, whether or not it is reported timely.
- YAVFC payments and Medicaid coverage **continue** during grace period status.

GRACE PERIOD

A grace period can not be used for youth who become ineligible due to one of the following circumstances:

- Reaches his or her 21st birthday.
- Enters military service.
- Legally adopted.
- Marriage.
- Death.



90-DAY DISCHARGE MEETING

Once ineligibility is discovered/reported...

- Within one business day of discovering the youth is no longer meeting eligibility requirements, the caseworker must make a 90-Day Discharge Meeting referral; [see FOM 722-15, 90-Day Discharge Meeting.](#)
- Within three business days of receiving the referral, a PPC must be held to determine how the youth will regain eligibility or prepare for discharge from foster care. The youth must be informed that his/her case will close if eligibility requirements are not met by the end of the grace period.

**YOUNG ADULT
EXTENSION UNIT**

YOUNG ADULT EXTENSION UNIT

Until implementation of the Michigan statewide automated child welfare information system (MISACWIS), eligibility determinations and payments will be completed by the **Young Adult Extension Unit**, located in central office.

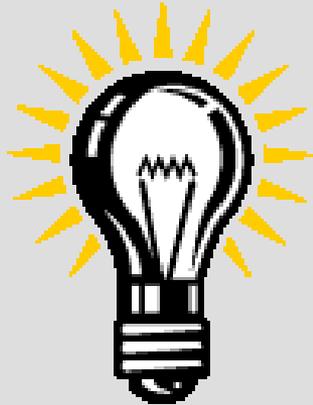


DHS – Subsidy Office
Young Adult Extension Unit
235. S. Grand Ave, Suite 412
Lansing, MI 48909
DHS-YAVFC@michigan.gov

FUNDING DETERMINATIONS

Once the youth signs the YAVFC Agreement, caseworkers must submit the DHS-650-YA, Young Adult Extension Checklist, and supporting documentation to the Young Adult Extension Unit.

IMPORTANT!!



IMPORTANT!!

Payment to the youth, foster parent, PAFC administrative rate, etc. **cannot be made** unless all of the information contained in the DHS-650-YA, Young Adult Extension Checklist, and all of the supporting documentation is accurate and complete.

Caseworkers must ensure that **COMPLETED** packets are sent to the Young Adult Extension Unit so that payments are made timely.

CASEWORKER CHANGE REPORTING RESPONSIBILITY



Changes that affect a youth's funding eligibility must be reported by the caseworker to the assigned specialist in the Young Adult Extension Unit, within **three** business days.

Changes are reported on the **DHS-650-YA, Young Adult Extension Checklist**, and can be sent electronically or by postal mail.

CHANGES THAT MUST BE REPORTED

- A grace period ending and the youth fails to re-establish eligibility.
- A youth's living arrangement (e.g., address changes, foster family license changes, CCI license changes, return to the biological parent's home, incarceration).
- Changes in the youth's family composition (e.g., the youth has a child, there is a change in custody, the minor child moves in/out of the youth's home).
- SSI/RSDI starting/stopping.
- Case closure.
- Caseworker change/agency change.
- An annual transition meeting not completed timely.

JUDICIAL DETERMINATION

JUDICIAL DETERMINATION

Federal guidelines require that there be a judicial determination that remaining in foster care is in the youth's best interests if title IV-E foster care maintenance payments are to continue beyond the first 180 days of the voluntary placement.

- A youth may not participate in YAVFC until family/juvenile court jurisdiction is dismissed.



FILING FEE

A \$120.00 fee is required at the time the Young Adult Ex-Parte Petition is filed.

Funds to cover this cost must be requested through local office accounting procedures.

To ensure payment is available by the date the petition is filed, caseworkers must make requests in advance, as the standard of promptness for payment requests may vary based on local office procedures and time frames.



YAVFC PETITION AND ATTACHMENTS

The following documents and information must be included when filing the petition for Young Adult Voluntary Foster Care:

- Circuit Court Family Division (CCFD) 20, Ex-Parte Petition Regarding Young Adult Voluntary Foster Care.
- DHS-1297, YAVFC Agreement.
- The applicable eligibility verification form(s).
- The most recent USP/PWSP that includes the recommendation to participate in YAVFC.
- Any documentation that supports the youth's efforts and participation in YAVFC.
- Payment for the petition filing fee.

JUDICIAL DETERMINATION PROCESS

YOUTH EXTENDING

- At the closest review hearing preceding the youth's 18th birthday, the caseworker must request that the court schedule a review hearing to request dismissal, on or within 30 calendar days of the youth's 18th birthday.
 - A state ward must be discharged by the superintendent of the Michigan Children's Institute before participating in YAVFC.
- The caseworker must have the youth attend the review hearing, if possible.
- If the youth is in attendance, the caseworker must bring the petition and attachments, to the dismissal hearing.
- The court must terminate jurisdiction over the youth by dismissing the abuse/neglect (N/A) case.
- The caseworker must obtain a copy of the written court order dismissing the N/A case.
- Upon receiving a copy of the written court order, the caseworker must have the youth sign the DHS-1297, YAVFC Agreement.
- The caseworker must file the petition and attachments with the court.

JUDICIAL DETERMINATION PROCESS

YOUTH ENTERING/RE-ENTERING

Because youth entering/re-entering do not have an open court case this process is **MUCH** easier!

Within 45 calendar days of the date the DHS-1297, YAVFC Agreement, is signed, the caseworker must file with the court, a CCFD 20, Ex-Parte Petition Regarding YAVFC, including all attachments and the filing fee, to initiate the opening of the VF case.



COURT RESPONSIBILITY

Within 21 calendar days of receiving the CCFD 20, Ex-Parte Petition Regarding YAVFC, the court will complete the following steps:

- Establish jurisdiction based on the Young Adult Voluntary Foster Care Ex-Parte Petition and Agreement.
- Make a determination regarding the youth's best interest to be in foster care.
- Provide the Department of Human Services and the youth with the CCFD 21, Order Regarding Voluntary Foster Care Agreement, which makes the best interest finding.
- Terminate jurisdiction over the youth.

NOTE: A hearing is not required for this process, but may be held on the court's own motion or at the request of the youth or the department.

After this process is complete, the department will retain full responsibility of the YAVFC case and reporting requirements to the court will cease.

CASE MANAGEMENT

REPORTS

- Case plans are required for YAVFC cases. The current DHS-68, Permanent Ward Service Plan (PWSP), must be used for all YAVFC case plans, regardless of prior wardship.
- An initial case plan must be completed within 30-calendar days of the youth signing the DHS-1297, YAVFC Agreement, and at least every 90 calendar days thereafter.

VISITS

- The caseworker must continue to meet with the youth in his/her placement, at least monthly.
- Youth Entering/Re-entering
 - Within 30 calendar days of the case assignment date, the caseworker must have two face-to-face contacts with the youth; at least one must occur in the placement. The first visit with the youth must take place within five business days from the date the case is assigned to the caseworker and be documented within the social work contacts of the case service plan. The caseworker must continue to visit the youth in his/her placement/living arrangement monthly thereafter; see [FOM 722-6, Developing the Service Plan](#).
- The DHS-1295, Young Adult Monthly Visit Report, must be completed with the youth during each home visit. A copy must be given to the youth and the original placed in the case file.
- Youth participating in YAVFC who reside out of state must have an in-person visit once a month with the assigned caseworker unless interstate compact is providing courtesy supervision.

SEMI-ANNUAL CASE REVIEWS

CASE REVIEW/ANNUAL TRANSITION MEETING

Because there is no court jurisdiction cases must have an administrative review, at least once every 180 calendar days, from the date the youth signs the YAVFC Agreement.

To meet this requirement the administrative case review will be combined with the youth's Annual Transition Meeting.

The Annual Transition Meeting must follow currently established PPC guidelines; see [FOM 722-15, Foster Care - Case Closing](#) and [FOB 2011-002, Permanency Planning Conferences](#).

CASE REVIEWS AND TIMELINESS

Title IV-E eligibility is dependent on the case review being completed timely.

If the Annual Transition Meeting/Case Review has not been completed within 180 calendar days of the previous review, a youth cannot be title IV-E funded.

Once the case review has been held, title IV-E funding can resume on the first of the month that the case review was held.

A funding redetermination must be completed in order to re-establish eligibility.



CASE REVIEW/ANNUAL TRANSITION MEETING

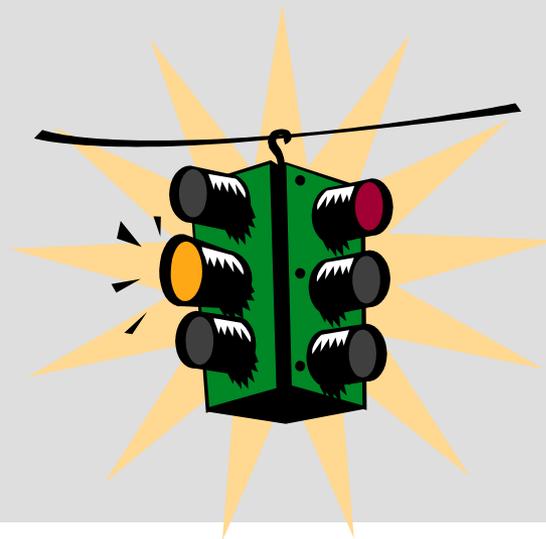
Topics that must be addressed at the annual transition meeting to meet case review requirements include but are not limited to the following:

- Safety.
- Appropriateness and necessity of the placement.
- Compliance with the case plan.
- Permanency goals.
- Progress towards achieving independence, including whether appropriate and meaningful independent living skill services are being developed.
- Projected date by which the youth may no longer require extended foster care services.

TRAINED FACILITATOR

NOTE!!!

If a trained facilitator is not available to conduct the annual transition meeting, a neutral person **without** case management responsibility, such as a permanency resource manager, supervisor, or program director **must** facilitate.



LIVING ARRANGEMENT

LIVING ARRANGEMENTS/PLACEMENT OPTIONS

- Youth in YAVFC may reside in one the following living arrangements:
 - Licensed foster home.
 - Licensed child care institution.
 - Approved setting in which the individual is living independently. Placement options may include but are not limited to the following:
 - Rental home/apartment setting, with or without roommates.
 - College dormitory.
 - Relative home.
 - Friend/partner home.
 - Host home/supportive adult home.

APPROPRIATE PLACEMENT OPTIONS FOR YOUTH LIVING INDEPENDENTLY

Good judgment must be used when assisting youth with identifying an appropriate placement.

Foster youth need to have the chance to live “normal” lives, especially since this is the time when they are transitioning to young adulthood.

The policy outlining appropriate placement options was left general enough to allow youth to choose a living arrangement, similar to their peers.

Personal values and beliefs may need to be set aside when assisting a youth with this decision (e.g., a youth may choose to live with his/her girlfriend or boyfriend).

However, **safety** is the number one priority.



PLACEMENT IN THE PARENTAL HOME

Due to title IV-E requirements, placement with a legal and/or biological parent, whether or not parental rights have been terminated, is not permissible.

Caseworkers must assist the youth in making an informed decision when moving to or moving from his/her parental home.



**PLACEMENT AGENCY
FOSTER CARE'S (PAFC)
ROLE**

PAFC

- PAFCs will receive the administrative rate for supervising YAVFC cases.
- Youth **extending** may remain with his/her PAFC worker and do not have to be sent back to DHS.
- Youth **entering** YAVFC will require a coordinated effort by DHS and the PAFC. DHS offices will have to determine locally how cases will be sent to a PAFC. Things to remember:
 - Youth may be contacting his/her previous worker to enter the program.
 - Cases have to be registered/petitions filed in the county which the youth resides.
 - Cases have to be registered by DHS in SWSS FAJ.
 - The previous PAFC should be given the option to take the case back (if the youth makes the request) for case consistency.
 - PAFC workers may complete the initial intake requirements (visits, verifying eligibility, witnessing the signing of the YAVFC agreement etc.).

CLOSURE

TERMINATION OF YOUNG ADULT VOLUNTARY FOSTER CARE

Youth

initiated termination

Youth may terminate the DHS-1297, YAVFC Agreement, at any time, by notifying the caseworker, in writing, of his/her desire to terminate YAVFC.

DHS

initiated termination

DHS must terminate the DHS-1297, YAVFC Agreement, if the youth becomes ineligible.

INELIGIBILITY

Ineligibility for YAVFC occurs when the youth:

- Discontinues his/her educational, vocational, or trade program and does not re-enter a similar program or meet another eligibility requirement within the 30 calendar day grace period.
- Is no longer employed at least 80 hours per month, and does not meet one of the other eligibility requirements within the 30 calendar day grace period.
- Is no longer deemed incapable due to a medical condition and does not meet one of the other eligibility requirements within the 30 calendar day grace period.
- Refuses to make contact with the caseworker for more than 30 calendar days.
- Is incarcerated for more than 30 calendar days.
- Reaches his or her 21st birthday.
- Enters military service.
- Is legally adopted.
- Marries.
- Dies.



RE-ENTRY

RE-ENTRY

Regardless of the reason for a prior YAVFC case closure, the youth may re-enter YAVFC, before the age of 21, as long as the eligibility requirements are met.



RE-ENTRY AND THE COURT

>180 Days

Youth requesting to re-enter YAVFC more than 180 days after the previous YAVFC best interest finding (judicial determination), must have a new YAVFC petition, including all attachments and the filing fee, filed with the court.

<180 Days

Youth requesting to re-enter YAVFC within 180 days of the previous YAVFC best interest finding, do not have to have to have a new YAVFC petition filed nor do they have to return to court.

RE-ENTRY AND THE YAVFC AGREEMENT

All youth will have to complete a new DHS-1297, YAVFC Agreement, however, they must not complete Section III as indicated on the form.

Section III of the DHS-1297, YAVFC Agreement, is the portion of the agreement that gives the Department of Human Services placement and care responsibility. This section is required to be completed for all youth entering YAVFC unless s/he is re-entering within 180 days of a previous YAVFC best interest finding.



FORMS

FORM	TYPE OF FORM	WHEN IS IT COMPLETED?
DHS – 1297, Young Adult Voluntary Foster Care Agreement		Upon entering the program.
DHS-3380, Verification of Student Information	Eligibility	Upon entering the program.
DHS-38, Verification of Employment	Eligibility	Upon entering the program.
DHS-54a, Medical Needs	Eligibility	Upon entering the program.
DHS-650-YA, Young Adult Extension Checklist	Funding	Funding Determination.
DHS-929, Initial and Redetermination of Appropriate Foster Care Funding Source For Young Adult Voluntary Foster Care	Funding	Funding Determination.
Circuit Court Family Division (CCFD) 20, Ex-Parte Petition Regarding Young Adult Voluntary Foster Care	Court	When filing the YAVFC petition to open a VF case.
CCFD 21, Order Regarding Voluntary Foster Care Agreement	Court	When the court makes the judicial determination.
DHS-1295, Young Adult Monthly Visit Report	Case Management	Completed at monthly visit.
DHS-68, Permanent Ward Service Plan	Case Management	Reporting.
DHS-1302, Young Adult Voluntary Foster Care Case Closure Request	Case Management	By the caseworker to initiate case closure.
DHS-1301, Young Adult Voluntary Foster Care Case Closure Notice	Case Management	When the director approves case closure.