



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 22-165

For business meeting on September 20, 2022

Title

Juvenile Law: Housing and Food Security
for Youth Exiting Foster Care

Agenda Item Type

Action Required

Effective Date

January 1, 2023

Rules, Forms, Standards, or Statutes Affected

Revise forms JV-362, JV-363, and JV-365

Date of Report

July 21, 2022

Recommended by

Family and Juvenile Law Advisory
Committee

Contact

Hon. Stephanie E. Hulse, Cochair
Hon. Amy M. Pellman, Cochair

Kerry Doyle, 415-865-8791
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Executive Summary

To conform to recent statutory changes, the Family and Juvenile Law Advisory Committee recommends revising, on three forms, (1) the information that must be provided to the juvenile court about a youth's housing plans when exiting foster care, enacted by Assembly Bill 546; and (2) the written information that must be provided to the youth at the review hearing before the youth turns 18 years old, enacted by Assembly Bill 674.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2023, revise:

1. *Review Hearing for Youth Approaching 18 Years of Age—Information, Documents, and Services* (form JV-362) and *Review Hearing for Youth 18 Years of Age or Older—Information, Documents, and Services* (form JV-363) to include items about the youth's housing plans and information about CalFresh food benefits; and

2. *Termination of Juvenile Court Jurisdiction—Nonminor* (form JV-365) to include items about the youth’s housing plans and information about CalFresh food benefits, and to correct statutory references.

The revised forms are attached at pages 6–12.

Relevant Previous Council Action

Forms JV-362 and JV-363 were adopted for mandatory use effective January 1, 2021. Form JV-365 is a mandatory form and was most recently revised effective January 1, 2021.

The 2021 adoption of and revisions to these forms were to conform to the statutory mandate of Assembly Bill 718 (Eggman; Stats. 2019, ch. 438) that child welfare agencies provide key information, documents, and services to youth in foster care beginning at age 16, rather than at the end of juvenile court jurisdiction. Before the passage of AB 718, the law required the provision of certain information, documents, and services only to a youth in foster care 18 years of age or older before termination of juvenile court jurisdiction over that youth. (Welf. & Inst. Code, § 391.)¹

Consistent with the intent of AB 718 to increase the access that youth in foster care have to various information, documents, and services as they transition to adulthood and greater levels of independence, the council approved the extension of the provisions in that bill to youth in foster care in the juvenile justice (delinquency) system as well as in the dependency system. The council amended California Rules of Court, rule 5.810, effective January 1, 2021, to apply the section 391 requirements regarding the information, documents, and services that must be provided to dependent children to youth in foster care under the juvenile justice (delinquency) jurisdiction of the court. The council also amended rule 5.810 to require the use of forms JV-362, JV-363, and JV-365 for youth in foster care under juvenile justice (delinquency) jurisdiction.

Analysis/Rationale

The recommended revisions to the forms will implement increased court oversight of the department’s efforts and provided more support to youth in foster care by helping the youth secure housing and CalFresh benefits. before the court terminates jurisdiction.

Assembly Bill 546

AB 546 (Maienschein; Stats. 2021, ch. 519) amends section 391(c) and requires county welfare departments to report to the court at certain review hearings on whether housing referrals or assistance have been successful at securing housing for the youth; and if not, what different or additional services the department has provided that are intended to secure housing.

¹ All further statutory references are to the Welfare and Institutions Code unless otherwise indicated.

The Chief Justice's Work Group on Homelessness

In October 2020, Chief Justice Tani G. Cantil-Sakauye established the Work Group on Homelessness to study and recommend ways the judicial branch can further assist people experiencing homelessness or facing the possibility of losing their homes. Among other things, the Work Group assessed whether changes in laws, regulations, or rules would help address homelessness or provide enhanced services. In its report, the Work Group recommended prioritizing “the creation and implementation of long-range plans for housing security for youth and nonminor dependents involved in the foster care system,” explaining that:

Minors who have never been involved in the child welfare system are more likely to have a support system that assists them with housing, housing expenses, and transitioning to becoming self-supporting adults. But when the state and the juvenile court determine that minors need to be removed from their families, the minors enter into the care of the court and the foster care system. Courts should assure, insofar as possible, that the transition from court care to independence does not result in homelessness.²

The advisory committee agrees with the recommendation of the Work Group, and the recommendation has informed and influenced the decisions of the committee for this proposal.

Assembly Bill 674

AB 674 (Bennett; Stats. 2021, ch. 524) amends section 391(b) to require that the report submitted by the county welfare department at the last regularly scheduled hearing before the youth reaches age 18 include verification that the youth was provided with written information notifying them that they may be eligible to receive CalFresh benefits and where the youth can apply for those benefits.³

Policy implications

The committee considered how to best implement AB 546's statutory mandates that child welfare agencies provide the court with information about the youth's housing plans when exiting foster care and AB 674's statutory mandates to provide information to youth about CalFresh benefits. The recommended revisions are intended to provide the court with this information.

Comments

This proposal circulated for comment as part of the spring 2022 invitation-to-comment cycle from April 1 through May 13, 2022, to the standard mailing list for family and juvenile law proposals. Included on the list were appellate presiding justices, appellate court administrators,

² Judicial Council of Cal., Work Group on Homelessness, *Report to the Chief Justice* (2021), p. 25, [hwg_work-group-report.pdf \(ca.gov\)](https://www.judicialcouncil.ca.gov/wp-content/uploads/2021/06/hwg_work-group-report.pdf).

³ CalFresh, known federally as the Supplemental Nutrition Assistance Program, or SNAP, provides monthly food benefits to individuals and families with low income. The program issues monthly benefits on an Electronic Benefit Transfer (EBT) card. Food may be purchased at any grocery store or farmers market that accepts EBT cards.

trial court presiding judges, trial court executive officers, judges, trial court administrators and clerks, attorneys, family law facilitators and self-help center staff, legal services attorneys, social workers, probation officers, Court Appointed Special Advocate (CASA) programs, and other juvenile and family law professionals. Six organizations, including four superior courts, provided comment: two agreed with the proposal, one agreed with the proposal if modified, and three did not indicate a position. A chart with the full text of the comments received and the committee's responses is attached at pages 13–22.

The committee sought specific comment on whether the proposal should include youth in foster care under the juvenile justice (delinquency) jurisdiction of the court. All five commenters who answered this question agreed that it should.

The committee also sought specific comment on whether an item on all three forms listing housing resources should include any other county agencies or departments. Item 19(b) on form JV-362, item 10(b) on form JV-363, and item 7(b) on form JV-365 list county departments or agencies, “other than the child welfare or probation department,” that the youth can be given as a referral or for assistance or services intended to prevent the youth from being or becoming homeless. One commenter, a large court, suggested that the probation department and Bureau of Indian Affairs should be added. The committee agreed with adding the Bureau of Indian Affairs to the list on the forms. The probation department was not added because the list is of entities “other than the child welfare or probation department.”⁴ One commenter, another large court, stated that the lists did not seem helpful, and suggested they be deleted and replaced with the instruction “describe in detail, including specific referrals.” The committee considered this suggestion but concluded that examples would be helpful for the court’s understanding of potential sources of assistance and could improve court oversight of this vital service to youth. The committee agreed with the suggestion to add the phrase “in detail, including specific referrals” to the instruction “describe” and has incorporated it into the revisions on the forms that it is recommending for adoption.

Alternatives considered

The committee considered limiting this proposal to youth in foster care under the dependency jurisdiction of the court, and not including those youth who are in foster care under the juvenile justice (delinquency) jurisdiction of the court. So limiting the proposal, however, would result in youth in foster care in the juvenile justice (delinquency) system receiving different treatment than youth in foster care in the dependency system. The legislative history of both bills clearly provides that the bills, respectively, are intended to help youth who exit foster care obtain stable housing and be informed of their potential eligibility for CalFresh.⁵ The committee found it both

⁴ See form JV-362, item 19(b); form JV-363, item 10(b); and form JV-365, item 7(b)

⁵ Assem. Com. on Human Services, Analysis of Assem. Bill No. 546 (2021–2022 Reg. Sess.) Apr. 7, 2021, p. 3; Assem. Com. on Human Services, Analysis of Assem. Bill No. 674 (2021–2022 Reg. Sess.) Apr. 7, 2021, pp. 2–4.

fair and logical that this proposal, like the implementation of AB 718, help all youth in foster care receive these important services to successfully prepare for their transition to independence.

The housing inquiry is statutorily required at the hearing before a youth turns 18 and at the hearing to terminate juvenile court jurisdiction over a nonminor.⁶ The CalFresh notification requirement is statutorily required at only one hearing—the hearing before a youth turns 18.⁷ The committee considered limiting this proposal to only those hearings but, given the importance of housing and food security, elected to add both requirements to the Judicial Council forms that are mandated for use at the review hearings after a youth turns 18 and the hearing to terminate juvenile court jurisdiction over a nonminor.

Fiscal and Operational Impacts

The proposal includes an added requirement that social workers and probation officers provide information to the court about a youth’s housing plans when exiting foster care and written information notifying the youth that they may be eligible to receive CalFresh benefits and where to apply for those benefits. This requirement will increase workload but is mandated for social workers by recent statutory amendments. As discussed above, the committee concluded that this benefit should also be provided to youth in foster care under the juvenile justice (delinquency) jurisdiction of the court; thus, the proposal includes a slight increase in workload for probation officers. In implementing the new and revised forms, courts will incur standard reproduction costs.

Attachments and Links

1. Forms JV-362, JV-363, and JV-365, at pages 6–12
2. Chart of comments, at pages 13–22
3. Link A: Assem. Bill 546,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB546
4. Link B: Assem. Bill 674,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB674

⁶ Welf. & Inst. Code, § 391(c)(6)(E), (h)(8).

⁷ Welf. & Inst. Code, § 391(b)(10).

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| ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name): | STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.: | FOR COURT USE ONLY DRAFT Not approved by the Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | | |
| YOUTH'S NAME: DATE OF BIRTH: | | |
| REVIEW HEARING FOR YOUTH APPROACHING 18 YEARS OF AGE— INFORMATION, DOCUMENTS, AND SERVICES | | |
| | | CASE NUMBER: |

Directions for the social worker or probation officer: Check the appropriate boxes in items 1 through 18, complete items 19 and 20, attach or submit to the court documents as required, and sign and date the form.

Directions for the youth (if the youth is available): Review the boxes checked by the social worker or probation officer in items 1 through 18. Sign your initials on the lines after items 1 through 18 **only if** you received the information, documents, or services described in those items. Then sign and date the form. You should give the form to the judge on the day of the hearing if you didn't give it to your social worker, probation officer, or attorney before the hearing.

An attached report or report submitted to the court verifies that the youth has received the following information, documents, and services (*check all that apply*):

1. ☐ Social security card _____
2. ☐ Certified copy of the youth's birth certificate _____
3. ☐ California identification card or driver's license _____
4. ☐ Medi-Cal Benefits Identification Card _____
5. ☐ A letter prepared by the county welfare department that includes the youth's name and date of birth, the dates within which the youth was within the jurisdiction of the juvenile court, and a statement that the youth was a foster youth in compliance with state and federal financial aid documentation requirements _____
6. ☐ The death certificate of the youth's parent or parents, if applicable _____
7. ☐ Proof of citizenship or legal residence, if applicable _____
8. ☐ An advance health care directive form _____
9. ☐ A copy of each of the following: *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-464-INFO), a blank *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466), and a blank *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468) _____
10. ☐ Assistance in obtaining employment _____
11. ☐ Assistance in applying for, or preparing to apply for, admission to college or a vocational training program or other educational institution, and in obtaining financial aid _____
12. ☐ Written information notifying the youth that state agencies, when hiring for internships and student assistant positions, must give preference to qualified applicants up to 26 years of age who are or have been dependent children in foster care, homeless youth, or formerly incarcerated youth _____
13. ☐ Written notice informing the youth that youth exiting foster care at 18 years of age or older are eligible for Medi-Cal until they reach 26 years of age, regardless of income, and are not required to apply _____

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| YOUTH'S NAME: | CASE NUMBER: |
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14. ☐ Written notice informing the youth of any financial literacy programs or other available resources provided through the county or other community organizations to help the youth obtain financial literacy skills, including but not limited to banking, credit card debt, student loan debt, credit scores, credit history, and personal savings _____
15. ☐ Help maintaining relationships with individuals important to the youth, consistent with their best interests *(required only if the youth has been in an out-of-home placement for six months or longer)* _____
16. ☐ The whereabouts of any siblings under the jurisdiction of the juvenile court, unless the court determines that sibling contact would jeopardize the safety or welfare of either sibling _____
17. ☐ Written notice informing the youth that they may be eligible to receive CalFresh food benefits and where the youth can apply for CalFresh benefits _____
18. ☐ Referrals to transitional housing, if available, or assistance in securing other housing _____

19. Housing

a. Have the referrals or assistance in item 18 resulted in housing being secured for the youth?

(1) ☐ Yes *(specify duration of housing)*

(a) ☐ Start date of housing: _____ ; end date of housing: _____

(b) ☐ Duration of housing unknown

(2) ☐ No. The different or additional referrals or assistance that the department has provided to help secure housing are *(describe)*:

b. Has the youth been given additional referrals, assistance, or services provided by county departments or agencies other than the child welfare or probation department that are intended to prevent the youth from becoming homeless if juvenile court jurisdiction is terminated? Additional county departments or agencies may include, but are not limited to, the county social services agency, public social services agency, state and county public assistance programs, mental health agency, regional center, office of community and economic development, homeless services agency, the youth's tribe and the Bureau of Indian Affairs (if the Indian Child Welfare Act applies), and other relevant government agencies and community-based service providers.

(1) ☐ Yes. *(describe in detail including specific referrals)*:

(2) ☐ No.

20. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF SOCIAL WORKER OR PROBATION OFFICER)

I certify that I have received the information, documents, and services that I initialed above.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF YOUTH)

| | |
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| ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NUMBER: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (name): _____ | FOR COURT USE ONLY DRAFT Not approved by the Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____ | |
| YOUTH'S NAME: _____ DATE OF BIRTH: _____ | |
| REVIEW HEARING FOR YOUTH 18 YEARS OF AGE OR OLDER— INFORMATION, DOCUMENTS, AND SERVICES | CASE NUMBER: _____ |
| Directions for the social worker or probation officer: Check the appropriate boxes in items 1 through 9, complete items 10 and 11, attach or submit to the court documents as required, and sign and date the form. | |
| Directions for the youth (if the youth is available): Review the boxes checked by the social worker or probation officer in items 1 through 9. Sign your initials on the lines after items 1 through 9 only if you received the information, documents, or services described in those items. Then sign and date the form. You should give the form to the judge on the day of the hearing if you didn't give it to your social worker, probation officer, or attorney before the hearing. | |

An attached report or report submitted to the court verifies that the youth has received the following information, documents, and services (*check all that apply*):

1. ☐ Assistance in obtaining employment _____
2. ☐ Assistance in applying for, or preparing to apply for, admission to college or a vocational training program or other educational institution, and in obtaining financial aid _____
3. ☐ Written information notifying the youth that state agencies, when hiring for internships and student assistant positions, must give preference to qualified applicants up to 26 years of age who are or have been dependent children in foster care, homeless youth, or formerly incarcerated youth _____
4. ☐ Written information notifying the youth that youth exiting foster care at 18 years of age or older are eligible for Medi-Cal until they reach 26 years of age, regardless of income, and are not required to apply _____
5. ☐ Written notice informing the youth of any financial literacy programs or other available resources provided through the county or other community organizations to help the youth obtain financial literacy skills, including but not limited to banking, credit card debt, student loan debt, credit scores, credit history, and personal savings _____
6. ☐ Help maintaining relationships with individuals important to the youth, consistent with their best interests (*required only if the youth has been in an out-of-home placement for six months or longer*) _____
7. ☐ The whereabouts of any siblings under the jurisdiction of the juvenile court, unless the court determines that sibling contact would jeopardize the safety or welfare of either sibling _____
8. ☐ Written notice informing the youth that they may be eligible to receive CalFresh food benefits and where the youth can apply for CalFresh benefits _____
9. ☐ Referrals to transitional housing, if available, or assistance in securing other housing _____
10. **Housing**
 - a. Have the referrals or assistance in item 9 resulted in housing being secured for the youth?
 - (1) ☐ Yes (*specify duration of housing*)

(a) ☐ Start date of housing: _____

; end date of housing: _____
 - (b) ☐ Duration of housing unknown

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| YOUTH'S NAME: | CASE NUMBER: |
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10. a. (2) ☐ No. The different or additional referrals or assistance that the department has provided to help secure housing are *(describe)*:

b. Has the youth been given additional referrals, assistance, or services provided by county departments or agencies other than the child welfare or probation department that are intended to prevent the youth from becoming homeless if juvenile court jurisdiction is terminated? Additional county departments or agencies may include, but are not limited to, the county social services agency, public social services agency, state and county public assistance programs, mental health agency, regional center, office of community and economic development, homeless services agency, the youth's tribe and the Bureau of Indian Affairs (if the Indian Child Welfare Act applies) and other relevant government agencies and community-based service providers.

(1) ☐ Yes *(describe in detail including specific referrals)*:

(2) ☐ No.

11. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF SOCIAL WORKER OR PROBATION OFFICER)

I certify that I have received the information, documents, and services that I initialed above.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF YOUTH)

| | |
|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NO: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (name): _____ | FOR COURT USE ONLY DRAFT Not approved by the Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____ | CASE NUMBER: _____ |
| NONMINOR'S NAME: _____ NONMINOR'S DATE OF BIRTH: _____ HEARING DATE AND TIME: _____ | |
| TERMINATION OF JUVENILE COURT JURISDICTION—NONMINOR | |

Directions for the social worker or probation officer: Check the appropriate boxes in items 1 through 6, complete items 7 and 8, attach or submit to the court documents as required, and sign and date **the form**.

Directions for the nonminor (if nonminor is available): Review the boxes checked by the social worker or probation officer in items 1 through 6. If the box checked in item 1 is wrong, check the correct box and sign your initials next to the box. Sign your initials on the lines after items 2a–i, 3a–l, 4, 5a–b, and 6a–i **only if** you received the information, documents, or services described in **those items**. Then sign and date **the form**. You should give the form to the judge on the day of the hearing if you didn't give it to your social worker, probation officer, or attorney before the hearing.

1. a. ☐ The nonminor wants to attend the termination hearing ☐ in person ☐ by telephone.
 b. ☐ The nonminor does not want to attend the termination hearing. The petitioner has attached verification that the nonminor has been informed of the potential consequences of failure to attend the termination hearing.
 c. ☐ The nonminor is unavailable or has refused to sign this form. Documentation of reasonable efforts to locate the nonminor and to obtain the nonminor's signature is attached.
2. An attached report or report submitted to the court verifies that the nonminor has received **the following** written information about the nonminor's juvenile court case (*check all that apply*):
 - a. ☐ The nonminor's Indian heritage or tribal connections. _____
 - b. ☐ The nonminor's family history. _____
 - c. ☐ The nonminor's placement history. _____
 - d. ☐ The nonminor's educational history and medical history. _____
 - e. ☐ Any photographs of the nonminor or the nonminor's family in the possession of the county welfare department or probation department, other than forensic photographs. _____
 - f. ☐ Contact information for all siblings under juvenile court jurisdiction, unless the court determines that sibling contact would jeopardize the safety or welfare of either sibling. _____
 - g. ☐ Instructions on how the nonminor may exercise the right to inspect and receive a copy their juvenile case file, including how to access sealed records (see Welf. & Inst. Code, §§ 389(a), 781(a)(4), 786(g)(1)(F), 826.6, 827; Cal. Rules of Court, rule 5.552). _____
 - h. ☐ If the nonminor requests, assistance in completing a voluntary reentry agreement for care and placement under Welfare and Institutions Code section 11400(z) and in filing a petition under Welfare and Institutions Code section 388(e) to resume dependency jurisdiction. _____
 - i. ☐ The date on which the jurisdiction of the court would be terminated. _____
3. The nonminor has been provided with the following documents (*check all that apply*):
 - a. ☐ A certified copy of the nonminor's birth certificate _____
 - b. ☐ A social security card _____
 - c. ☐ A California identification card or driver's license _____
 - d. ☐ Proof of citizenship or lawful permanent resident status (if applicable) _____
 - e. ☐ A copy of the death certificate of the nonminor's parent or parents (if applicable) _____
 - f. ☐ A Health and Education Passport _____

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| NONMINOR'S NAME: | CASE NUMBER: |
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3. g. ☐ A blank advance health care directive form _____
- h. ☐ A letter prepared by the county welfare department that includes the nonminor's name and date of birth, the dates during which the nonminor was within the jurisdiction of the juvenile court, and a statement that the nonminor was a foster child in compliance with state and federal financial aid documentation requirements _____
- i. ☐ Written information notifying the nonminor of any financial literacy programs or other available resources provided through the county or other community organizations to help the nonminor obtain financial literacy skills, including but not limited to banking, credit card debt, student loan debt, credit scores, credit history, and personal savings _____
- j. ☐ Written information notifying the nonminor that state agencies, when hiring for internships and student assistant positions, must give preference to qualified applicants up to 26 years of age who are or have been dependent children in foster care, homeless youth, or formerly incarcerated youth _____
- k. ☐ The nonminor's 90-day Transition Plan _____
- l. ☐ A copy of each of the following: *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-464-INFO), a blank *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466), and a blank *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468) _____
4. ☐ The nonminor continues to be eligible for services or accommodations under the Individuals with Disabilities Education Act, the Americans with Disabilities Act, or section 504 of the Rehabilitation Act of 1973, and the nonminor has been provided with the most recent service or accommodation plan. _____
5. ☐ The nonminor has been receiving services as provided in the Individuals with Disabilities Education Act (see 34 C.F.R. §§ 300.320(b)–(c) & 300.321(b)), and
- a. ☐ has received a copy of their transition service plan. _____
- b. ☐ has been informed of the rights that will transfer to them under this act. _____
6. The nonminor received the following assistance or services (*check all that apply*):
- a. ☐ Written verification of continued enrollment in Medi-Cal with no interruption in coverage _____ and provision of
- (1) ☐ a Medi-Cal Benefits Identification Card _____
- (2) ☐ information about eligibility for extended Medi-Cal benefits until age 26 _____
- b. ☐ Help applying to college, a vocational training program, or another educational or employment program _____
- c. ☐ Help obtaining financial aid for college, a vocational training program, or another educational or employment program _____
- d. ☐ Assistance obtaining employment or other financial support _____
☐ including completing enrollment in CalFresh _____
- e. ☐ Help maintaining relationships with individuals important to the nonminor, consistent with their best interests (*required only if the nonminor has been in an out-of-home placement for six months or longer*) _____
- f. ☐ Help accessing the Independent Living Aftercare Program in the nonminor's county of residence _____
- g. ☐ Written notice informing the nonminor that they may be eligible to receive CalFresh food benefits and where the nonminor can apply for CalFresh benefits _____
- h. ☐ Referrals to transitional housing, if available, or assistance in securing other housing _____
- i. ☐ Other services ordered by the court (*specify*): _____

7. Housing

- a. Have the referrals or assistance in item 6h resulted in housing being secured for the youth?

(1) ☐ Yes (*specify duration of housing*)

(a) ☐ Start date of housing: _____ ; end date of housing: _____

(b) ☐ Duration of housing unknown

NONMINOR'S NAME:

CASE NUMBER:

7. a. (2) ☐ No. The different or additional referrals or assistance that the department has provided to help secure housing are *(describe)*:

b. Has the youth been given additional referrals, assistance, or services provided by county departments or agencies other than the child welfare or probation department that are intended to prevent the youth from becoming homeless if juvenile court jurisdiction is terminated? Additional county departments or agencies may include, but are not limited to, the county social services agency, public social services agency, state and county public assistance programs, mental health agency, regional center, office of community and economic development, homeless services agency, the youth's tribe and the Bureau of Indian Affairs (if the Indian Child Welfare Act applies) and other relevant government agencies and community-based service providers.

(1) ☐ Yes. *(describe in detail including specific referrals)*:

(2) ☐ No.

8. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF SOCIAL WORKER OR PROBATION OFFICER)

I certify that I have received the information, documents, and services that I initialed above.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF NONMINOR)

Juvenile Law: Housing and Food Security for Youth Exiting Foster Care (Revise forms JV-362, JV-363, and JV-365)

All comments are verbatim unless indicated by an asterisk (*).

| | Commenter | Position | Comment | Committee Response |
|----|---|----------|---|--|
| 1. | Orange County Bar Association by Daniel S. Robinson, President | A | No specific comment. | No response required. |
| 2. | Superior Court of Los Angeles County by Brian Borys | A | <i>Should the proposal include youth in foster care under the delinquency jurisdiction of the court?</i> Yes, this proposal should include Dependency as well as Delinquency jurisdiction of minors in foster care. | The committee appreciates this input and agrees to continue to recommend that this proposal include youth in foster care under the delinquency jurisdiction of the court. |
| | | | <i>Should other county departments or agencies be added to form JV-362, item 19(b); form JV-363, item 10(b); and form JV-365, item 7(b)?</i> Yes, the Probation Department and the Bureau of Indian Affairs for the ICWA minors. | The committee agrees with the suggestion to include the Bureau of Indian Affairs and has incorporated it into the revisions that it is recommending for adoption. The committee is not adding the probation department as the list is of departments or agencies other than the child welfare or probation department. |
| 3. | Superior Court of Orange County by Vivian Tran, Operations Analyst | NI | <i>Does the proposal appropriately address the stated purpose?</i> Yes, the proposal appropriately addresses the stated purpose | No response required. |
| | | | <i>Should the proposal include youth in foster care under the delinquency jurisdiction of the court?</i> Yes, it should include both delinquency and dependency case types. | The committee appreciates this input and agrees to continue to recommend that this proposal include youth in foster care under the delinquency jurisdiction of the court. |
| | | | <i>Should other county departments or agencies be added to form JV-362, item 19(b); form JV-363, item 10(b); and form JV-365, item 7(b)?</i> | The committee agrees with another commenter and will add the Bureau of Indian Affairs to the list of other county departments or agencies that the youth can potentially be given as referral, |

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| | | | No, the other county departments or agencies should not be added to those forms. | assistance, or services intended to prevent the youth from homelessness. |
| | | | <i>Would the proposal provide cost savings? If so, please quantify.</i> | No response required. |
| | | | No, the proposal does not appear to provide cost savings | |
| | | | <i>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</i> | The committee appreciates this information. No response is required. |
| | | | Agenda item at meeting to inform staff of revisions. | |
| | | | <i>Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i> | No response required. |
| | | | Yes, three months is sufficient time for implementation. | |
| 4. | | NI | <i>How well would this proposal work in courts of different sizes?</i> | No response required. |
| | | | This proposal would work for Orange County. | |
| | | | <u>Does the proposal appropriately address the stated purpose?</u> | No response required. |

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| <p>Superior Court of Riverside Countyby Susan Ryan, Chief Deputy of Legal Services,</p> | | <p>Yes, the revisions to JV-362, JV-363 and JV-365 seem to provide the required information to the court regarding the youths housing and CalFresh benefits.</p> | |
| | | <p><u>Should the proposal include youth in foster care under the delinquency jurisdiction of the court?</u></p> <p>Yes. AB718 requires this information also be provided to the court for youth in foster care placement under the juvenile justice jurisdiction of the courts. The probation officers may provide this information in reports as opposed to using the forms, but it would be helpful to include juvenile justice on the forms as well.</p> | <p>The committee appreciates this input and agrees to continue to recommend that this proposal include youth in foster care under the delinquency jurisdiction of the court.</p> |
| | | <p><u>Would the proposal provide cost savings? If so, please quantify.</u></p> <p>None.</p> | <p>No response required.</p> |
| | | <p><u>What would the implementation requirements be for courts-for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</u></p> <p>Minimal implementation requirements. The court would just need to update the departments and judges of the changes to the forms.</p> | <p>The committee appreciates this information. No response required.</p> |

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| | | | <p><u>Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation??</u></p> <p>Yes.</p> | No response required. |
| | | | <p><u>How will would this proposal work in courts of different sizes?</u></p> <p>This should work the same for courts of any size.</p> | No response required. |
| 5. | Superior Court of San Diego County by Mike Roddy, Executive Officer | AM | <p>Should the proposal include youth in foster care under the delinquency juvenile justice jurisdiction of the court? Yes.</p> | <p>The committee appreciates this input and agrees to continue to recommend that this proposal include youth in foster care under the delinquency jurisdiction of the court.</p> <p>The committee appreciates the commenter’s use of the term “juvenile justice” as a substitute for “delinquency.” Since not all courts use the term “juvenile justice,” the committee has used both terms in its report to the council, with the term “delinquency” in parentheses.</p> |
| | | | <p>Should other county departments or agencies be added to form JV-362, item 19(b); form JV-363, item 10(b); and form JV-365, item 7(b)? The lists do not seem helpful, and it is recommended they be deleted and replaced with “describe in detail, including specific referrals.”</p> | <p>The committee considered this suggestion but concluded that examples would be helpful for the court’s understanding of potential sources of assistance and could improve court oversight of this vital service to youth.</p> <p>The committee agrees with the suggestion to add the phrase “in detail, including specific referrals” to the instruction “describe” and has incorporated it into the revisions that it is recommending for adoption.</p> |

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| | | | Would the proposal provide cost savings? If so, please quantify. Not necessarily, but it will ensure [1] the court makes findings that will benefit the youths and [2] the youths receive the services they need to succeed in adulthood. | No response required. |
| | | | What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? Notify judicial officers and court staff of the changes. | The committee appreciates this information. No response is required. |
| | | | Would 3 months from approval of this proposal until its effective date provide sufficient time for implementation? Yes. | No response required. |
| | | | How well would this proposal work in courts of different sizes? It should work well. It's not as complicated and/or comprehensive as some of the other proposals for juvenile cases. It should work in San Diego County. | No response required. |
| | | | JV-362, item 19: For consistency with other JV forms (e.g., forms in ITC SPR22-13), suggest the subcategories in 19a and 19b be designated with numerals and letters in parentheses, e.g., “(1)” and “(a)”? | The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption. |

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| | | | <p>Suggested edits –</p> <p>a. The referrals or assistance ...</p> <p>1. (1) Yes (<i>specify duration of housing below</i>):</p> <p>a. (a) Start date of housing</p> <p>b. (b) End date of housing</p> <p>(c) Duration of housing unknown</p> <p>2. (2) No. The different or additional referrals ...</p> <p>b. Has the youth been given ...</p> <p>1. (1) Yes (<i>describe</i>):</p> <p>2. (2) No.</p> | |
| | | | <p>JV-363, item 10:</p> <p>Under WIC § 391(c)(6)(E), “The information described in subparagraphs (B) to (D), inclusive, [i.e., the information requested in item 10] is required only for reports submitted at the last regularly scheduled review hearing held pursuant to [§ 366.3(d)] before a dependent child attains 18 years of age.” Because form JV-363 is for review hearings held for youth 18 years of age or older,” the information in item 10 is not statutorily required. It can be left in the form, however, if the Committee feels it would be as helpful as the CalFresh notification (also not required for youth 18 or older, but included on the JV-363.)</p> | <p>The committee considered this comment and decided that while the information about the youth’s housing is statutorily mandated at the review hearing held before a child turn 18 years of age and at the hearing to terminate juvenile court jurisdiction, and the CalFresh notification requirement is statutorily mandated only at the review hearing held before a child turn 18 years of age, given the importance of ensuring housing and food security, the committee will continue to recommend adding items about housing and food security to the forms that are mandated for use at the review hearings for youth 18 years of age and older, and for termination of juvenile court jurisdiction over a nonminor.</p> |
| | | | <p>JV-363, item 10:</p> <p>Also, see comment and suggested edits above for JV-362, item 19, regarding numerals and letters in parentheses.</p> | <p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p> |

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| | | | JV-365, item 2h: Change “1140” to “11400(z).” | The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption. |
| | | | JV-365, item 7: See comment and suggested edits above for JV-362, item 19, regarding numerals and letters in parentheses. | The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption. |
| | | | Legislative Note: WIC § 607.3(f) should be amended to review to subdivision (c), not subdivision (e), of WIC § 391. | The committee appreciates the commenter’s noting the incorrect statutory reference and will provide this information to the council’s Governmental Affairs office. |
| 6. | Youth Law Center by Jenny Pokemper | NI | Does the proposal appropriately address the stated purpose? The proposal addresses, in large part, the stated purposes identified in the proposal. We would make the following recommendations to ensure that the purposes of AB 546 and 674—to ensure effective transition planning—are achieved: | No response required. |
| | | | Comment 1: In the “Directions for Youth” section on JV 362, 363, and 365, we recommend that the words “if the youth is available” be deleted. In the alternative, we recommend that the words “if the youth is available” are replaced with “unless the youth cannot be located” to set the expectation that the form are completed with the young person unless it is not possible Rationale: Federal and state law require that the court and case work team engage the youth in transition planning. 42 U.S.C.A. 675 (1)(B)(consultation and engagement in the case plan) &(5)(C)(consultation by the court). The engagement of the youth or non-minor | Because this suggestion would entail important substantive changes to the proposal, the committee believes public comment should be sought before it is considered for adoption. The committee may consider this suggestion during a future rules cycle. |

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| | | <p>dependent is central for effective planning and to ensure accountability.</p> | |
| | | <p>Comment 2: Add the following new numbered inquiries on JV 362 and 363:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Documentation that the youth has been notified in an age-appropriate way of the option to remain in foster care pursuant to WIC 11403. <input type="checkbox"/> Documentation as to whether the youth has decided to participate in extended foster care consistent with WIC 11403. <p>Rationale: We recommend the inclusion of these two prompts to ensure that notification of extended foster care has been provided to youth and to provide context for the items that are included in the form. For example, if the youth does participate in extended foster care, the inquiries related to housing are likely to look different than for a youth who is discharging from care. Providing information on the youth's status related to extended foster care in these two forms will assist the court and the case planning team in identifying the key supports the youth needs and the urgency of each.</p> | <p>Because this suggestion would entail important substantive changes to the proposal that go beyond what is required in statute, the committee believes public comment should be sought before it is considered for adoption. The committee may consider this suggestion during a future rules cycle.</p> |
| | | <p>Comment 3: Revise questions related to housing security to ensure that referrals are at least made to specific programs for which youth aging out of foster care are eligible.</p> <p>Proposed language: Add a new question 19 A referral for a Family Unification Program Vouchers or Foster Youth to Independence Voucher has been made. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | <p>Because this suggestion would entail important substantive changes to the proposal that go beyond what is required in statute, the committee believes public comment should be sought before it is considered for adoption. The committee may consider this suggestion during a future rules cycle.</p> |

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| | | | <p>Add the identical prompt in question 10 on JV 363 and question 9 on JV 365.</p> | |
| | | | <p>Add a new question 20 A referral to provide Chafee room and board funds consistent with 42 USCA 677 has been made. <input type="checkbox"/> Yes <input type="checkbox"/> No Add the identical prompt in question 11 on JV 363 and question 10 on JV 365 Rationale: These added programs and funding streams are programs for which young people in and leaving foster care are categorically eligible. The rules should prompt their referral or an explanation as to why referrals were not made. We think this will help the rule fulfill the purpose of the new law, which is to help ensure housing stability and prevent homelessness upon discharge from foster care.</p> | <p>Because this suggestion would entail important substantive changes to the proposal that go beyond what is required in the controlling California statute, the committee believes public comment should be sought before it is considered for adoption. The committee may consider this suggestion during a future rules cycle.</p> |
| | | | <p>Should the proposal include youth in foster care under the delinquency jurisdiction of the court? We agree that the rules and forms should include youth in foster care who are also under the delinquency jurisdiction of the court. In fact, we believe the inclusion of these youth is required by current law. <i>See e.g.</i> WIC 727.25. The review hearings for all nonminor foster youth supervised by a department of probation are to be conducted pursuant to WIC 366.31, which requires compliance with WIC 391. Additionally, WIC 391 must be interpreted to apply to all nonminor dependents who meet the definition of WIC 11400(v). The law intended to cover all youth in foster care regardless of whether they are also</p> | <p>The committee appreciates this input and agrees to continue to recommend that this proposal include youth in foster care under the delinquency jurisdiction of the court.</p> |

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| | | | involved in the delinquency system. To ensure equitable treatment and effective transition planning, which is required by current law, we believe that applying the rule to youth in the delinquency system is required. | |
| | | | We also agree with the decision to provide the notification of CalFresh eligibility at the hearing prior to turning age 18 and all review hearings until termination of jurisdiction. This frequency mirrors the current structure and hearing requirements laid out in WIC 391. The frequency helps ensure that timely transition planning is done and that the youth, child welfare agency and related agencies have sufficient time to take the steps needed for good planning. Food security and housing stability are critical elements of the transition plan and require ongoing and consistent action and attention to ensure that a good plan results. | |
| | | | Should other county departments or agencies be added to form JV-362, item 19(b); form JV-363, item 10(b); and form JV-365, item 7(b)? We agree that these agencies should be referenced. Effective transition planning requires interagency collaboration and coordination and is not just the responsibility of the child welfare agency. This addition is also consistent with existing law that allows joinder. | |