



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3761

by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

New Act

Creates the Young Adult Voluntary Foster Care Act. Requires the Department of Human Services to implement this Act in accordance with the State's approved Title IV-E State Plan. Provides that a youth who exited foster care after reaching 18 years of age but before reaching 21 years of age may reenter foster care and receive extended foster care services. Sets forth eligibility criteria and provides that if a youth chooses to participate in extended foster care services the Department and the youth shall sign a voluntary foster care agreement that shall include certain information including (i) the obligation for the youth to continue to meet the conditions for eligibility for the duration of the voluntary foster care agreement and (ii) the voluntary nature of the youth's participation in receiving extended foster care services. Contains provisions concerning written report requirements; periodic case reviews by the appropriate juvenile court; termination of the voluntary adult foster care agreement; and other matters.

LRB098 14457 KTG 49165 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Young
5 Adult Voluntary Foster Care Act.

6 Section 3. Purpose. In 2008, the United States Congress
7 passed the Fostering Connections to Success and Increasing
8 Adoptions Act of 2008 which allows states to receive a federal
9 match for state dollars expended in supporting youth
10 transitioning out of foster care. It is the intent of this Act
11 to enable the State of Illinois to receive the federal match to
12 offset costs expended on supporting youth seeking
13 postsecondary education. This Act would result in these youth
14 receiving extended foster care services, for which there is a
15 federal match, until they turn 21, are no longer otherwise
16 eligible, or choose to leave foster care.

17 Section 5. Definitions. As used in this Act:

18 "Court" means an Illinois juvenile court.

19 "Department" means the Department of Human Services.

20 "Youth" means an individual who is at least 18 years of age
21 but less than 21 years of age.

1 Section 10. Implementation. The Department shall implement
2 this Act in accordance with the State's approved Title IV-E
3 State Plan.

4 Section 15. Youth exiting foster care. A youth who exited
5 foster care after reaching 18 years of age but before reaching
6 21 years of age may reenter foster care and receive extended
7 foster care services.

8 Section 20. Eligibility. The Department may provide
9 extended foster care services if the youth meets one of the
10 following conditions for eligibility:

11 (1) The youth is completing secondary education or a
12 program leading to an equivalent credential.

13 (2) The youth is enrolled in an institution that
14 provides postsecondary or vocational education.

15 (3) The youth is participating in a program or activity
16 designed to promote employment or remove barriers to
17 employment.

18 (4) The youth is employed for at least 80 hours per
19 month.

20 (5) The youth is incapable of doing any part of the
21 activities described in items (1) through (4) due to a
22 medical condition. This assertion of incapacity must be
23 supported by regularly updated information in the youth's
24 case plan.

1 Section 25. Voluntary foster care agreement. If a youth
2 chooses to participate in extended foster care services and
3 meets the eligibility criteria set forth in Section 20, the
4 Department and the youth shall sign a voluntary foster care
5 agreement that shall include, at a minimum, information
6 regarding all of the following:

7 (1) The obligation for the youth to continue to meet
8 the conditions for eligibility described in Section 20 for
9 the duration of the voluntary foster care agreement.

10 (2) Any obligation considered necessary by the
11 Department for the youth to continue to receive extended
12 foster care services.

13 (3) Any obligation considered necessary by the
14 Department to facilitate the youth's continued success in
15 the program.

16 (4) Termination of a voluntary foster care agreement
17 and program participation as described in Section 55.

18 (5) The voluntary nature of the youth's participation
19 in receiving extended foster care services.

20 Section 30. Extended foster care services. As soon as the
21 Department determines that a youth is eligible under Section 20
22 and the youth signs the voluntary foster care agreement
23 described in Section 25, the Department may provide extended
24 foster care services to the youth in accordance with this Act.

1 Section 35. Written report. Within 150 days after the
2 voluntary foster care agreement is signed, the Department shall
3 file with the court in the county where the youth resides a
4 written report that shall contain all of the following:

5 (1) The youth's name, date of birth, race, gender, and
6 current address.

7 (2) A statement of facts that supports the voluntary
8 foster care agreement and includes both of the following:

9 (A) The reasonable efforts made to achieve
10 permanency for the youth.

11 (B) The reasons why it remains in the youth's best
12 interests to continue in voluntary foster care.

13 (3) A copy of the signed voluntary foster care
14 agreement.

15 (4) Any other information the Department or the youth
16 wants the court to consider.

17 Section 40. Young adult voluntary foster care case. The
18 court has the jurisdiction to review the voluntary foster care
19 agreement signed by the Department and the youth in Section 25.
20 Upon the filing of a report under Section 35, the court shall
21 open a young adult voluntary foster care case for the purpose
22 of determining whether continuing in voluntary foster care is
23 in the youth's best interests. The court shall make that
24 determination not later than 21 days after the date the report

1 was filed as described in Section 15.

2 Section 45. Closed young adult voluntary foster care case.
3 Following the court's determination in Section 40, the court
4 shall close the young adult voluntary foster care case and the
5 Department shall provide extended foster care services to the
6 youth in accordance with this Act.

7 Section 50. Periodic case reviews. The Department shall
8 conduct periodic case reviews not less than once every 180 days
9 to address the status of the youth's safety, continuing
10 necessity and appropriateness of placement, extent of
11 compliance with the case plan, and projected date by which the
12 youth may no longer require extended foster care services.

13 Section 55. Termination of voluntary foster care
14 agreement.

15 (a) A youth may choose to terminate the voluntary foster
16 care agreement and stop receiving extended foster care services
17 at any time.

18 (b) If, at any time, the Department determines that the
19 youth is not in compliance with the voluntary foster care
20 agreement or any program requirements, the Department may
21 terminate the voluntary foster care agreement with the youth
22 and stop providing extended foster care services to the youth.
23 The Department shall provide written or electronic notice to

1 the youth regarding termination of the voluntary foster care
2 agreement and the youth's participation in the program.