



# **AB 12 (BEALL): CALIFORNIA FOSTERING CONNECTIONS**

## **TO SUCCESS ACT**

(INTRODUCED: DECEMBER 1, 2008)

**MARCH 2010**

### **Introduction**

The following is an analysis of AB 12, the California Fostering Connections to Success Act. This bill was introduced on December 1, 2008; and has currently been referred to two Senate committees: the Human Services Committee and Judiciary Committee.

### **Background**

California's foster care system covers foster youth until age 18. This is in contrast to other states that provide care until age 21. At the age of 18, California's foster youth "age out," or emancipate from the system, making them no longer eligible for foster care services. Many foster youth go directly into homelessness. In California, approximately 5,000 foster youth emancipate from the system annually.

### **Purpose**

AB 12 helps older foster youth ages 18 – 21 transition into adulthood. To be qualified for financial assistance resulting from this bill, the nonminor foster youth must demonstrate one or more of the following:

- Enrollment in secondary education or an equivalent credential program;
- Enrollment in postsecondary or vocational education institution;
- Enrollment in a program designed to promote or remove barriers to employment;
- Employment of at least 80 hours per month;
- Inability to fulfill one of the above requirements due to a medical condition that is documented in the individual's foster care case plan.

The bill replaces California's CalWORKs Kinship Guardianship Assistance Program (KinGAP) with a new federal KinGAP program and allows the State to receive federal funds for current or former dependent children or wards of the juvenile court. These funds are appropriated from the Fostering Connections Act, and will be implemented as follows:

- Effective January 1, 2012, extends foster care to eligible youth up to age 19;
- Effective January 1, 2013, extends foster care to eligible youth up to age 20;
- Effective January 1, 2014, extends foster care to eligible youth up to age 21.

### **Bill Summary**

AB 12 proposes to use new federal funds to provide foster youth ages 18-21 with transitional support services, and creates a three major changes to the current foster care system. The first change requires the California's Department of Social Services to amend its state foster care plan to extend care to specified individuals up to 21 years of age. The second change requires the courts to ensure that the child's transitional case plan is reviewed periodically and includes a plan for the child to meet one or more criteria that would allow the child to remain a nonminor dependent, and to ensure that the child has been informed of his or her right to seek the termination of dependency jurisdiction. The third change extends the Adoption Assistance Program (AAP) to include children under 21 years of age who turned 16 years of age before the adoption assistance agreement became effective. These changes to the state's current foster care system are necessary to make California eligible for funds under the Fostering Connections to Success and Increasing Adoptions Act.

### **Funding**

The State's current foster care system is funded entirely with State Temporary Assistance for Needy Families (TANF) maintenance of effort (MOE) funds. This bill will eliminate this fund by \$185 million,

and replace it with a combination of Title IV-E federal funds, state General Funds and county funding. Funds are estimated as outlined below:

- \$80 million in new federal Title IV-E dollars;
- \$83 million from the State's General Fund;
- \$22 million from county funding.

The Assembly Appropriations Committee estimates that depending on the number of foster care nonminors who elect to stay in foster care until the age of 21, first-year costs for extending foster care would likely be \$40 to \$60 million. The State's General Fund would be impacted by \$30 to \$40 million not including licensing and automation costs. A one-time automation cost to include nonminors in the foster care system is estimated to cost \$1 million.

By the third year of the new KinGAP program, the program should be fully implemented and annual costs would range from \$100 to \$155 million per year. The State's General Fund would be impacted by \$65 to \$100 million.

The Assembly Appropriations Committee estimates that when the program is fully implemented (in FY 2012 and beyond) the net cost of the program to the state will be in the range of \$5 million to \$41 million. The Appropriation Committee also contends that if this program is delayed until September 30, 2010 when ARRA funds for federal fiscal relief ends, the cost to implement the program will be significantly less.

Fostering Connections to Success and Increasing Adoptions Act funds can be used for three purposes:

- Foster care
- Kinship-guardianship
- Adoption assistance benefits to youth who meet certain criteria.

### **Registered Support**

This bill has an extensive list of supporters as of May 29, 2009. The City and County of San Francisco as well as the City of Culver City support this bill. Other supporters and co-sponsors of include: California Alliance of Child and Family Services, California Youth Connection, Children's Law Center of Los Angeles (CLCLA), County Welfare Directors Association of California (CWDA), John Burton Foundation, Judicial Council of California, Service Employees International Union, and Youth Law Center.

### **Registered Opposition**

The most current bill analysis shows no opponents.

### **Legislative History**

- Introduced in the State Assembly on December 1, 2008
- Assembly Committee on Human Services, passed (5-0) on April 14, 2009
- Assembly Committee on Appropriations, passed (13-4) on January 21, 2010
- Assembly Floor, passed (72-0) on January 27, 2010
- Referred to Senate Committee on Human Services and Committee on Judiciary on February 11, 2010
- Currently in the Senate Committee on Human Services

### **Bill Text**

Bill text for AB 12 is over 250 pages. A copy of the bill can be obtained by visiting California's Official Legislative Website at: [http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab\\_0001-0050/ab\\_12\\_bill\\_20100125\\_amended\\_asm\\_v95.pdf](http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0001-0050/ab_12_bill_20100125_amended_asm_v95.pdf)