

NOTICE PUBLICATION/REGULATORY ACTION SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2013-0513-01	REGULATORY ACTION NUMBER 2014-0522-035	EMERGENCY NUMBER
------------------	--------------------------------------	---	------------------

For use by Office of Administrative Law (OAL) only

2014 MAY 22 PM 2:44
OFFICE OF ADMINISTRATIVE LAW

ENDORSED FILED IN THE OFFICE OF

2014 JUL -7 PM 2:12

Jane Brown
SECRETARY OF STATE

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
California Department of Social Services

AGENCY FILE NUMBER (if any)
ORD# 0712-06

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER 2013, 212	PUBLICATION DATE 5/24/2013

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) CalWORKs Non-Minor Dependents	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
---	--

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT AMEND 40-181, 40-188, 40-190, 42-101, 42-213, 42-302, 42-712, 44-133, 44-316, 80-301, 80-310 , 82-820, 82-832 REPEAL
TITLE(S) MPP	

per agency request

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

3/13/14 - 3/28/14

per agency request

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify)			

7. CONTACT PERSON Zaid Dominguez	TELEPHONE NUMBER (916) 657-2586	FAX NUMBER (Optional) (916) 654-3286	E-MAIL ADDRESS (Optional) zaid.dominguez@dss.ca.gov
-------------------------------------	------------------------------------	---	--

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Pete Cervinka</i>	DATE 5/13/2014
TYPED NAME AND TITLE OF SIGNATORY PETE CERVINKA, PROGRAM DEPUTY DIRECTOR for BENEFITS & SERVICES	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUL 07 2014

Office of Administrative Law

Amend Section 40-181.1 to read:

40-181 CONTINUING ACTIVITIES AND DETERMINATION OF ELIGIBILITY 40-181

.1 (Continued)

(c) ~~AFDC-FC and Kin-GAP cases~~ Extended CalWORKs for Non-Minor Dependents

- (1) ~~For AFDC-FC cases, eligibility shall be established by use of the SAWS 2 at the time of application if the parent or legal guardian is available and cooperating. If the parent or legal guardian is unavailable or not cooperating, eligibility shall be established by use of the SAWS 2 or FC 2. AFDC-FC eligibility shall be reestablished by use of the SAWS 2 or FC 2 at six-month intervals.~~
- (2) ~~For children receiving Kin-GAP, eligibility shall be established by use of the KG 2 at the time of application. Kin-GAP eligibility shall be reestablished by use of the KG 2 at one-year intervals.~~

For non-minor dependents, eligibility shall be established at the time of application with the county welfare department by use of the Six-Month Certification of Extended Foster Care Participation form (SOC 161, rev. 9/11) and the Mutual Agreement for Extended Foster Care form (SOC 162, rev. 10/11), incorporated in their entirety herein by reference. Eligibility shall be reestablished by use of the SOC 161 certifying eligibility at six-month intervals.

(d) (Continued)

Authority cited: Sections 10553, 10554, 10604, 11203, 11265.1, 11369, and 18904, Welfare and Institutions Code.

Reference: 42 U.S.C. 616(b) and (f); 45 CFR 233.28 and 233.29(c); and 45 CFR 235.112(b); 7 CFR 273.16(b); Sections 10063, 10553, 10554, 10604, 11008, 11203, 11253(b), 11253.5, 11254, 11265, 11265.1, 11265.2, 11265.3, 11265.8, 11280, 11403, 11450.12, 11451.5, 11486, and 11495.1, Welfare and Institutions Code; and Section 301(a)(1)(A) and (B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193): California's Temporary Assistance for Needy Families State Plan dated October 9, 1996 and effective November 26, 1996; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 40-188.1 to read:

40-188 TRANSFER PROCEDURE

40-188

.1 (Continued).

.13 (Continued)

.135 Foster Care SAWS 1; FC 2/JA 2/KG2; SOC 158A; SOC 161; SOC 162; Birth Certificate/Alien Status; Social Security Number, FC 3/FC 3A; Voluntary Placement Agreement, Legal Guardianship Papers, or Court Order which establishes the authority for placement; Independent Living Plan; evidence supporting federal and/or state eligibility; and any other information necessary to determine eligibility.

.136 (Continued)

Authority cited: Sections 10553, 10554, 10605, 11052.6, 11053, 11102, and 11369, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 10605, ~~and~~ 11265.1, and 11403(b), Welfare and Institutions Code; and Nickols v. Saenz Court Order Case Number 310867; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 40-190.1 to read:

40-190 COUNTY RESPONSIBILITY

40-190

.1 (Continued)

.14 (Continued)

.15 Non-Minor Dependent Transfer

A minor has been receiving aid in his/her caretaker relative's AU from a county other than the county with court jurisdiction over the minor. The non-minor dependent's case shall be transferred to the county with court jurisdiction.

.2 (Continued)

Authority cited: Sections 10553, 10554, 10604, 11053, 11102, and 11369, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 10604, 11004, ~~and~~ 11265.1, and 11403(b), Welfare and Institutions Code; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 42-101 to read:

42-101 AGE REQUIREMENT

42-101

- .1 A child meets the age requirement for CalWORKs eligibility until his/her 18th birthday. A child 18 years of age may be eligible if the requirements in Section 42-101.2 or .3 are met.
- .2 (Continued)
- .3 Non-Minor Dependents
 - .31 A non-minor dependent is eligible for CalWORKs beyond age 18 if he/she is in foster care and meets one or more of the following requirements:
 - (a) Enrolled in and working towards completing high school or an equivalency program.
 - (b) Enrolled at least half-time in post-secondary or vocational school, or enrolling for the next available term.
 - (c) Participating in a program or activity that promotes or removes barriers to employment.
 - (d) Employed at least 80 hours per month.
 - (e) Incapable of enrollment or participation in school or employment due to a documented medical (physical, mental, or emotional) condition.
 - .32 In addition, the non-minor dependent must sign a mutual agreement with the county welfare department documenting the non-minor dependent's agreement to comply with program requirements and eligibility conditions for extended CalWORKs benefits.
 - (a) A non-minor dependent is exempt from signing a mutual agreement if he/she is unable to give consent due to a documented medical condition (i.e., physical, mental, or emotional).
- ~~.3.4~~ (Continued)
- ~~.31.41~~ (Continued)
- ~~.4.5~~ (Continued)
- ~~.41.51~~ (Continued)
- ~~.5.6~~ (Continued)

51.61 (Continued)

6.7 (Continued)

Authority cited: Sections 10553, 10554, and 11369, Welfare and Institutions Code.

Reference: Sections 10063(a), ~~and~~ 11253, and 11403(b), Welfare and Institutions Code, Fry v. Saenz 98 Cal.App.4th 256, and Fry v. Saenz, (Sacramento County Superior Court), Case No. 00CS01350, Judgment and Peremptory Writ of Mandate, July 7, 2004.

Amend Section 42-213.2 to read:

42-213 PROPERTY ITEMS TO BE EXCLUDED IN EVALUATING PROPERTY 42-213
WHICH MAY BE RETAINED

.2 (Continued)

.21 (Continued)

.22 (Continued)

.23 (Continued)

.24 All personal property and vehicles of non-minor dependents shall be excluded.

.3 (Continued)

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 11155, 11155.2 (Chapter 622, Statutes of 2007), 11155.5, 11253.3(a), 11257, 11265.1, 11265.2, and 11450.5, Welfare and Institutions Code; Sidwell v. McMahon, United States District Court (E.D. Cal.) May 7, 1990, civil no. S-89-0445; Public Laws 97-458, 98-64, and 103-286; and Federal Action Transmittal 91-23, 45 CFR 233.20(a)(3)(i)(B) ; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 42-302 to read:

42-302 48-MONTH TIME LIMIT REQUIREMENTS FOR ADULTS

42-302

.1 48-Month Time Limit Except as specified in Section 42-302.11, no individual shall be eligible for aid when that individual has received aid as an adult, 18 years of age or older, for a cumulative total of 48 months. The 48-month time limit applies to aid received under CalWORKs. The 48-month time limit also applies to any aid received under another state's program funded by the federal Temporary Assistance to Needy Families (TANF) Program since January 1, 1998. The 48-month time limit shall not apply to children or non-minor dependents.

.11 (Continued)

.2 (Continued)

.21 (Continued)

(d) (Continued)

(e) Non-minor dependent

The individual is exempt from welfare-to-work participation due to eligibility as a non-minor dependent.

~~(e)~~(f) (Continued)

~~(f)~~(g) (Continued)

~~(g)~~(h) (Continued)

~~(h)~~(i) (Continued)

~~(i)~~(j) (Continued)

~~(j)~~(k) (Continued)

~~(k)~~(l) (Continued)

Authority cited: Sections 10553, 10554, and 11369, Welfare and Institutions Code; SB 72 (Chapter 8, Statutes of 2011), Section 42.

Reference: Sections 10553, 10554, 11253.3(a), 11266.5, 11320, 11320.3, 11454, 11454(e) and (e)(5), 11454.2, 11454.5, ~~11454.5(b) and (b)(4) and (5)~~, and 11495.1, Welfare and Institutions Code; Section 37 of AB 444 (Chapter 1022, Statutes of 2002); and 42 U.S.C. 608(a)(7)(a), (B) and (D).

Amend Section 42-712.1 to read:

42-712 EXEMPTIONS FROM WELFARE-TO-WORK PARTICIPATION

42-712

.1 Every individual is required to participate in welfare-to-work activities as a condition of eligibility for cash aid under CalWORKs, unless exempt in accordance with Sections 42-712.41 through .49 or excused from participation as specified in Section 42-712.11, ~~or~~ .12 or .13:

.12 (Continued)

.13 A non-minor dependent is exempt if he/she meets one or more of the following requirements:

(a) Enrolled in and working towards completing high school or an equivalency program.

(b) Enrolled at least half-time in post-secondary or vocational school, or enrolling for the next available term.

(c) Participating in a program or activity that promotes or removes barriers to employment.

(d) Employed at least 80 hours per month.

(e) Incapable of enrollment or participation in school or employment due to a documented medical (physical, mental, or emotional) condition.

.2 (Continued)

.6 (Continued)

.64 (Continued)

.65 Being a non-minor dependent as described in 42-712.13.

.7 (Continued)

Authority cited: Sections 10553, 10554, 10604, and 11369, Welfare and Institutions Code; SB 72 (Chapter 8, Statutes of 2011), Section 42.

Reference: Sections 10553, 10554, 10063(b), 11253.3(a), 11253.5, 11320, 11320.3, 11331.5(a), (b), (c), and (d), 11403, 11454, 11454.2, and 11454.5, Welfare and Institutions Code; and 42 U.S.C. 5044(f)(2).

Amend Section 44-133.3 to read:

44-133 TREATMENT OF INCOME -- CALWORKS

44-133

.3 Income of Children, Non-Minor Dependents and Non-Minor Former Dependents in Foster Care, Extended CalWORKs and or Kin-GAP

~~All net income received by or on behalf of children in foster care or Kin-GAP shall be considered income to the child.~~

.31 All net income received by or on behalf of children in foster care or Kin-GAP shall be considered income to the child and shall not be included in the AU's income and grant computation.

.32 Income received by a non-minor dependent shall not be included in the income and grant computation for the non-minor dependent receiving extended CalWORKs benefits.

.321 The non-minor dependent is not precluded from receiving both SSI/SSP and extended CalWORKs. The SSI/SSP aid payment shall not be included in the income and grant computation for the non-minor dependent receiving extended CalWORKs benefits.

.33 Income received by a non-minor dependent or non-minor former dependent shall not be included in the income and grant computation for the caretaker relative's AU, if the relative continues to be aided.

Authority cited: Sections 10553, 10554, 10604, and 11369, Welfare and Institutions Code; SB 72 (Chapter 8, Statutes of 2011), Section 42.

Reference: Sections 10063, 10553, 10554, 10604, 11008.14, 11017, 11253.3(a), 11254, 11320.15, 11450, 11451.5, 11452, 11453, 11454, 11454.2, 11486, 18937, 18940, and 11371, Welfare and Institutions Code; 45 CFR 205.50(a)(1)(i)(A); 45 CFR 233.20(a)(1)(i); 45 CFR 233.20(a)(3)(ii)(C), (a)(3)(vi)(B), (a)(3)(xiv), (a)(3)(xiv)(B), and (xviii); 45 CFR 233.50(A)(c); and 45 CFR 233.90(c)(2)(i); Family Support Administration Action Transmittal 91-15 (FSA-AT-91-15), dated April 23, 1991; and Omnibus Budget Reconciliation Act (OBRA) of 1990; U.S. Department of Health and Human Services Federal Action Transmittal No. FSA-AT-91-4 dated February 25, 1991; Simpson v. Hegstrom, 873 F.2d 1294 (1989); Ortega v. Anderson, Case No. 746632-0 (Alameda Superior Court) July 11, 1995; and Federal Register, Vol. 58, No. 182, pages 49218 - 20, dated September 22, 1993; 8 U.S.C. 1631~~;~~ and 42 U.S.C. 602(a)(39), and 42 U.S.C. 1382(c)(5).

Amend Section 44-316.3 to read:

(QR)44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS

44-316

.3 (Continued)

(QR) .33 (Continued)

(QR) .331 (Continued)

(QR) (s) (Continued)

(SAR).33 (Continued)

(SAR).331 (Continued)

(SAR)(t) (Continued)

(SAR)(u) A non-minor dependent is transferred into their own AU.

Authority cited: Sections 10553, 10554, and 11369, Welfare and Institutions Code; SB 72
(Chapter 8, Statutes of 2011), Section 42.

Reference: Sections 10063, 11265, 11265.1, 11265.2, 11265.3, 11450.5, 11454 and
11454.2, Welfare and Institutions Code; Federal Register, Vol. 75, No. 19,
dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 80-301 to read:

80-301 DEFINITIONS

80-301

(n) ~~(Reserved)~~

(1) Non-minor dependent (NMD)

"Non-minor dependent" means a current dependent child or ward of the juvenile court who:

(A)

is at least 18 years of age but is less than 21 years of age,

(B)

is in foster care under the responsibility of the county welfare department or county probation department, and

(C)

is participating in a transitional independent living case plan.

(2) Non-minor former dependent

"Non-minor former dependent" means either of the following:

(A)

A non-minor who reached 18 years of age while subject to an order for foster care placement, and for whom dependency, delinquency, or transition jurisdiction has been terminated, and who is still under the general jurisdiction of the court.

(B)

A non-minor who is over 18 years of age and, while a minor, was a dependent child or ward of the juvenile court when the guardianship was established pursuant to Welfare and Institutions Code section 360, 366.26, or 728(d); and the juvenile court dependency or wardship was dismissed following the establishment of the guardianship.

(o) (Continued)

Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 10054, 10058, 10063, 10553, 10554, 10604, 10830, 11008.13, 11008.14, 11023.5, 11051, 11054, 11201, 11203, 11250, 11250.4, 11265.2, 11265.3, 11266, 11269, 11320, 11400, 11450, 11486, 16501.1, and 16507, Welfare and Institutions Code; Sections 297, 297.5, 298.5, and 299.2, Family Code; 8 CFR 213a. and 299; 45 CFR 201.3, 206.10, 224.51, 232.12, 233.10, 233.106, 233.20, 233.51, 233.60, 233.90, 237.50, 255, and 266.10; 42 USC 402(a)(6) and 606(a); and SSA-AT-86-01; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 82-820.2 to read:

82-820 INCLUDED PERSONS

82-820

.2 (Continued)

.21 (Continued)

.22 Non-minor dependent

One non-minor dependent. Each non-minor dependent shall constitute his/her own assistance unit (AU) of one.

~~.22.23~~ (Continued)

~~.23.24~~ (Continued)

~~.24.25~~ (Continued)

Authority cited: Sections 10553, 10554, 10604, and 11369, Welfare and Institutions Code.

Reference: 42 USCA 606; 45 CFR 206.10(a)(1); 45 CFR 233.10(a)(1), (a)(1)(iv) and (vii); 45 CFR 233.90(c)(1)(v)(A); 45 CFR 237.50(b)(5); 45 CFR 250.34; SSA-AT-86-01; Section 242, California Civil Code; Edwards v. Healy, Civ. S. 91-1473 DFL (1992); Sections 10553, 10554, 10604, 11000, 11253.3(b), 11254, 11265.3, 11400, 11450, and 11450.16, Welfare and Institutions Code; and ACF-AT-94-5; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 82-832.1 to read:

82-832 EXCLUDED PERSONS

82-832

.1 (Continued)

(a) Child of AFDC-FC or
Kin-GAP Child

Is a child living with his/her minor or non-minor dependent parent who is receiving AFDC-FC or Kin-GAP.

(b) (Continued)

(j) (Continued)

(k) Non-minor dependent

Is a non-minor dependent. Non-minor dependents shall constitute an AU of one and as such shall be excluded from the AU of a needy or non-needy caretaker relative for CalWORKs purposes.

Authority cited: Sections 10553, 10554, 10604, 11270, and 11369, Welfare and Institutions Code.

Reference: 8 CFR 213a. and 299; 45 CFR 205.42(d)(2)(v)(A) and (B), as printed in Federal Register, Vol. 57, No. 198, Tuesday, October 13, 1992, page 46808, 45 CFR 205.52, 45 CFR 206.10(a)(5)(i), 45 CFR 232.12(d), 45 CFR 233.10(a)(1)(i), (a)(1)(i)(B), and (a)(3), 45 CFR 233.20(a)(1)(i), (a)(3)(ii)(C) and (F), and (a)(3)(ix), 45 CFR 233.50, 45 CFR 233.51, 45 CFR 233.90(c), (c)(1), and (c)(2)(iv), 45 CFR 233.100(a)(5)(ii), 45 CFR 233.106, 45 CFR 240.22, and 45 CFR 250.34(a) and (c), and (c)(2); and Sections 11008.13, 11104, 11157, 11201(b), 11203, 11251.3, 11253.3, 11263.5, 11265.1, 11265.2, 11265.3, 11268, 11270, 11315, 11320.6(e), 11327.5(c), 11406.5, 11450, 11450.5, 11454, 11454.5, 11477, 11477.02, 11486, and 11486.5, Welfare and Institutions Code; and the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, Section 115; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

SIX-MONTH CERTIFICATION OF EXTENDED FOSTER CARE PARTICIPATION

Instructions: *The purpose of this form is for the social worker/probation officer (SW/PO) to certify a nonminor's participation in extended foster care (EFC) activities and transmit it to the eligibility worker (EW).*

Nonminor's name: _____ Case Number: _____ DOB: _____

I. Nonminor's transitional independent living plan (TILP) was updated on _____. Nonminor's six-month plan to meet participation is: (DATE)

- Primary participation activity in # _____ with backup plan in participation # _____.
- Combination of activities in participation # _____ and participation # _____.
- Incapable of doing activities in participation activity #1 through #4 due to a medical condition.

Participation Activities

1. Complete secondary education/equivalent credential.
2. Enroll in post secondary/vocational education institution.
3. Participating in activity designed to promote or remove barriers to employment.
4. Employed at least 80 hours per month.
5. Incapable of doing any activities in number (1) to (4) due to medical condition.

II. Certification

- Nonminor dependent:** I certify the nonminor dependent is eligible for EFC based on the updated TILP for the next six-month period. Regular updates on participation will be verified and documented in the Child Welfare Services/Case Management System (CWS/CMS) Contact Notebooks and SW/PO court reports with the six-month case plan updates. Should the juvenile court terminate jurisdiction of the nonminor, I will notify the EW immediately.
- Ward of nonrelated legal guardian:** I certify the nonminor is eligible for EFC based on the updated TILP for the next six-month period. Regular updates on participation will be verified and documented in the Child Welfare Services/Case Management System (CWS/CMS) Contact Notebooks and the six-month case plan updates. Should the nonminor cease eligibility for EFC, I will notify the EW immediately.

SW/PO Name: _____

SW/PO Signature: _____ Date: _____

The SW/PO must send this Certification Form to the EW.

Received by:

EW Name: _____

EW Signature: _____ Date: _____

Copies must be kept in SW/PO and EW case files.

MUTUAL AGREEMENT FOR EXTENDED FOSTER CARE

I have met with a county case worker (social worker or probation officer) to talk about voluntarily staying in foster care after turning 18 years old. I want to continue to stay in foster care after I turn 18 years old.

I am asking the county case worker for a foster care placement (such as a foster home, relative's home, foster family agency home, group home, transitional housing program, a supervised independent living placement or with my nonrelated legal guardian), as described in my Placement Agreement.

I understand that I am voluntarily staying in foster care as an adult. The benefits of staying in foster care include having safe and stable housing and having help from a county case worker to meet my needs and plan for my future.

Initial

I agree to meet face to face with my county case worker at least once a month and update my permanency goals and my Transitional Independent Living Plan (TILP) at least once every six (6) months.

I agree to do *one or more* of the following as described in my TILP to be eligible to stay in foster care:

1. Finish high school or get my California High School Equivalency Certificate (GED), *or*
2. Enroll in college, community college or a vocational education program, *or*
3. Participate in a program or activity to help me find and keep a job (for example: computer class, job search, job training, career counseling, volunteer work, etc.), *or*
4. Have a paid job and work at least 80 hours per month, *or*
5. I am unable to do any of the above due to a verified medical condition, including mental health conditions.

I agree to work on completing the goals in my TILP, and to:

1. Talk to my county case worker at least once a month to report on my progress and any problems I am having in meeting the goals in my TILP.
2. Tell my county case worker as soon as possible, but no later than my monthly contact with my county case worker, about any changes in how I am meeting one of the five eligibility conditions listed above.
3. Tell my county case worker as soon as possible, but no later than my monthly contact with my county case worker, about any changes to my income (from work or any other source such as social security or disability benefits, grants and scholarships).
4. If I am in a court supervised placement such as a foster home, living with a relative, foster family agency home, in a group home, in transitional housing, or in a supervised independent living placement:
 - I understand that the juvenile court will be supervising my case, and I agree to take part in six-month Review Hearings, either in person or by telephone, or communicate my needs with my attorney AND
 - I understand that if I don't participate in my TILP that a court hearing may be set to possibly close my case. I understand that I will receive written notices of action (NOAs) and that I can appeal these actions.
5. If I am voluntarily living with my juvenile court appointed nonrelated legal guardian:
 - I understand that the county case worker will be supervising my case, and I agree to participate in updating my six-month TILP; AND
 - I understand that if I don't participate in one of the five eligibility activities as described in my TILP, the county agency may stop payments and close my case. I understand that I will receive written NOAs and that I can appeal these actions.

Initial

___ In my foster care placement, I agree to:

1. Tell my county case worker about any problems with my placement and work with my case worker to find solutions.
2. Make sure my county case worker always has a way to contact me, and tell my case worker within one week if my phone number, mailing address, or other contact information changes.
3. Tell my county case worker within 24 hours after I complete a planned move to a new placement, or move out of my current placement for any other reason.
4. I understand that if I leave my foster care placement, the foster care funding may be stopped.
5. I understand that if I leave foster care, I can contact the court or the county agency to return to foster care if I am under the age limit.

___ The County Agency agrees to:

1. Help me develop and achieve my goals for stable and permanent housing and independent living, as described in my TILP.
2. Review the goals in my TILP and update them at least every six months.
3. Help me choose an appropriate approved or licensed placement (such as foster home, relative's home, group home, transitional housing program, or supervised independent living placement or remain with my nonrelated legal guardian).
4. Help me stay eligible for extended foster care by responding to any problems I have reported and help me find services and supports to meet my needs and maintain eligibility.
5. Help me develop a Shared Living Agreement, as needed, and help resolve any problems that arise with my placement.
6. Ensure that I have Medi-Cal or other health insurance, and help me get medical, dental, and/or mental health care as needed.
7. Tell me about any changes to my foster care benefits and give me information about the procedure to appeal a decision to either cut off or reduce my benefits.
8. Make sure I have contact information for my attorney, and information about upcoming juvenile court hearings, and how to participate in these hearings as applicable.

The undersigned agrees to foster care placement and supervision by the _____ County Agency.

PRINT NONMINOR'S NAME	CASE WORKER'S NAME	SUPERVISOR'S NAME
NONMINOR'S SIGNATURE	CASE WORKER'S SIGNATURE	SUPERVISOR'S PHONE NUMBER
NONMINOR'S CONTACT PHONE NUMBER	CASE WORKER'S PHONE NUMBER	TRIBAL AUTHORITY NAME
DATE	DATE	TRIBAL AUTHORITY PHONE NUMBER

NOTE: If nonminor dependent (NMD) signs form prior to their 18th birthday, a new one must be signed after the NMD's 18th birthday.