
**ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL**

Effective Date: October 29, 2012
Revised: June 30, 2015

Number: J-0105

Re-Entry into Extended Foster Care (EFC)

Purpose To provide guidelines for resumption of dependency jurisdiction and re-entry into extended foster care (EFC).

Approved This policy was approved by Gary Taylor, Director of CFS, on June 30, 2015. *Signature on file.*

Most Recent Revision The most recent revisions of the Policy and Procedure (P&P):

- Incorporate legislation impacted by Assembly Bill (AB) 2454 (2014), AB 787 (2013), AB 1712 (2012), and Senate Bill (SB) 1013 (2012), which:
 - Clarify eligibility for re-entry into EFC
 - Authorize former Kinship Guardianship Assistance Payment (Kin-GAP) or Adoption Assistance Payment (AAP) recipients to seek re-entry into EFC
 - Revise the timeframe for completion of a Case Plan
- Update court report documentation guidelines for young adults seeking re-entry into EFC

Background Legislation enacted by Assembly Bill (AB) 12 (2010) and AB 212 (2011), authorizes a former non-minor dependent (NMD) who exited foster care on or after his/her 18th birthday, to remain under the general jurisdiction of the Juvenile Court (Court) until 21 years of age. During this time, a petition may be filed pursuant to Welfare and Institutions Code (WIC) section (§) 388(e), to resume dependency jurisdiction, for the purposes of re-entry into EFC.

Note: During the period of general jurisdiction, dependency hearings will not be calendared and compliance contacts will not be required.

Legislation enacted by AB 787 (2013) and AB 2454 (2014) authorizes a former dependent who received Kinship Guardianship Assistance Payment (Kin-GAP) or Adoption Assistance Payment (AAP) benefits after attaining 18 years of age, to seek re-entry into EFC, provided certain eligibility criteria are met.

Definitions

For the purposes of this P&P, the following apply:

General Jurisdiction: The legal status retained by Juvenile Court over a young adult when dependency jurisdiction is terminated. General jurisdiction is retained until 21 years of age to allow for a petition to be filed pursuant to WIC § 388(e), should the young adult desire to re-enter EFC.

NMD Re-Entry Liaison: A Senior Social Worker (SSW) designated to assist young adult's seeking re-entry into EFC.

County of Jurisdiction: The county which maintained dependency jurisdiction:

- Over the young adult immediately prior to his/her exit from foster care (retains general jurisdiction)
- OR–
- At the time Legal Guardianship was established or Adoption was finalized (applicable to former Kin-GAP or AAP recipients seeking re-entry into EFC)

County of Residence: The county in which the young adult currently resides.

Voluntary Re-Entry Agreement: A written voluntary agreement between a young adult seeking re-entry into EFC and CFS that documents the:

- Young adult's desire and willingness to:
 - Re-enter EFC
 - Be placed by CFS in a supervised setting
 - Meet at least one EFC participation requirement
 - Collaborate with CFS to develop a Case Plan and Transitional Independent Living Plan (TILP)
 - Petition the Court to resume dependency jurisdiction

- Efforts and services CFS will provide to assist the young adult with re-entry into EFC

Indian Child: An unmarried person who is 18 years of age or over, but under 21 years of age, who is a member of an Indian tribe or eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe, and who is under the jurisdiction of the Juvenile Court.

Exculpatory Evidence: Evidence favorable to a party in the case and relevant to the issues of the case.

POLICY

Overview of CFS Responsibilities

A. **County of Jurisdiction:**
Per All County Letter (ACL) 12-12, if Orange County is the “County of Jurisdiction,” CFS will maintain financial and case management responsibility throughout the re-entry process. This includes, but is not limited to:

- Determining eligibility for re-entry into EFC
- Completing eligibility-related forms and forwarding these forms to Foster Care Eligibility
- Placing the young adult in a setting appropriate to transition to independent living
- Assisting the young adult in completing and filing a WIC § 388(e) petition, upon request
- If a WIC § 388(e) hearing is calendared:
 - Filing a court report, and associated documents, to address re-entry into EFC
 - Providing notice of the WIC § 388(e) hearing

Refer to [Attachment 1—Suggested Guidelines: County of Jurisdiction](#).

B. **County of Residence:**
Per ACL 12-12, if Orange County is the “County of Residence,” CFS will coordinate efforts with the “County of Jurisdiction.” At a minimum, CFS will:

- Assist the young adult in determining the “County of Jurisdiction,” and facilitate contact, as necessary
- Determine if CFS has an agreement to provide courtesy supervision for the “County of Jurisdiction”

- Provide blank copies of eligibility-related forms to the young adult
- Provide the young adult with the WIC § 388(e) petition documents used to request re-entry into EFC

Per ACL 12-12, if CFS provides courtesy supervision for the “County of Jurisdiction,” CFS will assist with the following, as needed:

- Determining eligibility for re-entry into EFC
- Completing eligibility-related forms and forwarding these forms to the “County of Jurisdiction”
- Coordinating with the “County of Jurisdiction” to place the young adult in a setting appropriate to transition to independent living

Refer to [Attachment 2—Suggested Guidelines: County of Residence](#).

Eligibility for Re-Entry—Former NMD

- A. **Eligibility Criteria to File a WIC § 388(e) Petition:**
Per WIC § 388, a former NMD may file a WIC § 388(e) petition to request re-entry into EFC if all of the following apply:

- The young adult was under dependency jurisdiction and an order for foster care placement when he/she attained 18 years of age
- Court retains general jurisdiction over the young adult
- The young adult has not reached 21 years of age

Note: Per ACL 14-33, a NMD placed out-of-state who chooses to exit EFC has the option to re-enter EFC.

Requests to re-enter EFC may be made an unlimited number of times, as long as the eligibility criteria above continue to be met.

- B. **Criteria Necessary to Resume Dependency Jurisdiction:**
Per WIC § 388, Court will resume dependency jurisdiction for the purposes of re-entry into EFC, provided the eligibility criteria specified above are met, and all of the following apply:

- Young adult signs Voluntary Re-Entry Agreement for Extended Foster Care (SOC 163), indicating he/she:

- Agrees/Intends to satisfy one or more EFC participation requirement (See CFS P&P [Extended Foster Care \[EFC\] \[J-0101\]](#))
- Agrees to placement in a supervised setting
- Re-entry and remaining in EFC are in the young adult's best interests

Note: A young adult is not eligible to re-enter EFC if currently residing with his/her parent(s) or incarcerated.

Eligibility for Re-Entry— Former Kin-GAP/AAP Recipient

A. **Eligibility Criteria to File a WIC § 388(e) Petition:**
Per WIC § 388.1, a former dependent who received Kin-GAP or AAP benefits after attaining 18 years of age, may file a WIC § 388(e) petition to request re-entry into EFC if each of the following apply:

1. The young adult has not reached 21 years of age.
2. At least one of the following applies:
 - The former legal guardian/adoptive parent died after the young adult reached 18 years of age

–OR–

 - The former legal guardian/adoptive parent no longer provides ongoing support to, and no longer receives payment (aid) on behalf of the former dependent

B. **Criteria Necessary to Resume Dependency Jurisdiction:**
Per WIC §§ 388.1 and 11403, Court will resume dependency jurisdiction for the purposes of re-entry into EFC, provided the eligibility criteria specified above are met, and all of the following apply:

- Young adult was either:
 - A minor under dependency jurisdiction at the time Legal Guardianship was established

–OR–

 - A dependent at the time Adoption was finalized
- Young adult signs *Voluntary Re-Entry Agreement for Extended Foster Care (SOC 163)*, indicating he/she:
 - Agrees/Intends to satisfy one or more EFC participation requirement
 - Agrees to placement in a supervised setting
- Re-entry and remaining in EFC are in the young adult's best interests

**Voluntary
Re-Entry
Agreement**

If a young adult seeking re-entry into EFC is eligible to file a WIC 388(e) petition, the NMD Re-Entry Liaison will meet with the young adult to review and sign:

- *Voluntary Re-Entry Agreement for Extended Foster Care (SOC 163)*
- *Emergency Assistance Application for Child Welfare Services (EA 1)*
- *Statement of Facts Supporting Eligibility for AFDC Extended Foster Care Benefits (FC 2 NM)*
- *Authorization for Release of Information (F063-25-228)*

Per ACL 12-12, a signed Voluntary Re-Entry Agreement is required to initiate EFC payment benefits and should be completed **at the earliest possible date**, even if placement and/or dependency have not been established.

Note: Dependency jurisdiction must be resumed within 180 calendar days of the date the Voluntary Re-Entry Agreement is signed for EFC payment benefits to continue.

ICWA

A. **Advisements Regarding Ongoing Application of ICWA:**

Per California Rule of Court 5.906, if a young adult seeking re-entry into EFC meets the definition of an Indian child, the NMD Re-Entry Liaison will:

1. Advise the young adult of the right to continue to be considered an Indian child.
2. Ask the young adult whether they want ICWA to continue to apply, should dependency jurisdiction be resumed.

B. **ICWA Provisions:**

If the young adult elects for ICWA to continue to apply, the NMD Re-Entry Liaison will:

1. Notify the ICWA Unit to provide notice of the WIC § 388(e) hearing, in accordance with WIC § 224.2, to the:
 - Tribe or Bureau of Indian Affairs (BIA) (if Tribal affiliation is unknown)
 - Secretary of the Interior

Refer to the “Notice of Hearing” Policy section for guidelines regarding notice.

2. Consult an Indian tribal representative during case plan development, per California Rule of Court 5.906.
3. Develop a placement plan for the young adult that meets ICWA placement preferences, per WIC § 361.31.

Note: Court may consider the request of an Indian child of sufficient age, in determining whether good cause exists to deviate from ICWA placement preferences.

Refer to the CFS P&P [Indian Child Welfare Act \(G-0309\)](#) for further guidelines regarding application of ICWA.

ICWA advisements and compliance will be addressed in the court report prepared for the WIC § 388(e) hearing.

Placement Guidelines for Re-Entry

Per WIC § 11403 and ACL 12-12, upon entering into a Voluntary Re-Entry Agreement with CFS, the young adult will be offered placement in a setting appropriate to their transition to independent living. Refer to CFS P&P [Non-Minor Dependent \(NMD\) Placements \(J-0102\)](#) for EFC placement guidelines.

Criminal Background Check

As authorized by WIC § 16504.5, a criminal background check will be completed on a young adult seeking re-entry into EFC, if the young adult is being considered for placement in a setting where minor dependents reside. The background check will be used to determine the appropriateness and safety of placing the young adult with minor dependents. A criminal conviction is not a reason to deny eligibility for re-entry into EFC, but may impact placement options.

Note: For placement changes following re-entry into EFC, a criminal background check may be required if not previously completed.

Per [ACL 11-77](#), criminal background checks will be completed via:

- California Law Enforcement Telecommunications System (CLETS) (see CFS P&P [CLETS \[B-0116\]](#))
- Live Scan (see CFS P&P [Live Scan Fingerprinting \[B-0115\]](#))

Note: For placement with a relative or non-relative extended family member (NREFM), CLETS results may be used to complete a placement assessment pending Live Scan results. For placement in a licensed or certified foster home, placement may occur prior to

receiving Live Scan results if the pre-placement appraisal indicates the young adult does not pose a threat to anyone in the home.

Per California Rule of Court 5.906, the results of the criminal background check will be addressed in the court report prepared for the WIC § 388(e) hearing.

WIC § 388 Petition

A. WIC § 388(e) Petition Documents:

Per ACL 12-12, the NMD Re-Entry Liaison will provide a young adult seeking re-entry into EFC:

- *Request to Return to Juvenile Court Jurisdiction and Foster Care (JV-466)*
 - Serves as the petition
- *Confidential Information – Request to Return to Juvenile Court Jurisdiction and Foster Care (JV-468)*
 - Serves to protect the confidentiality of the young adult’s address and phone number
- *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care (JV-464-INFO)*
 - Provides instruction to complete *JV-466* and *JV-468*

These documents may be completed by the young adult or the NMD Re-Entry Liaison, and are available in CWS/CMS under the “CDSS” Document Category.

B. Filing a WIC § 388(e) Petition:

Per WIC §§ 388 and 388.1, a petition to request re-entry into EFC:

1. Will be filed with the Juvenile Court that retains general jurisdiction over the young adult.

Note: If the petition is filed in the “County of Residence,” the petition will be forwarded to the Juvenile Court in the “County of Jurisdiction.”

2. May be filed by the young adult, his/her attorney, or the NMD Re-Entry Liaison.
3. Will be filed no later than **15 judicial days** from the date the *Voluntary Re-Entry Agreement for Extended Foster Care (SOC 163)* is signed.

Note: Per California Rule of Court 5.906, if a WIC § 388(e) petition is filed prior to CFS involvement the Court will notify the NMD Re-Entry Liaison that a petition has been filed.

**WIC § 388(e)
Hearing**

Per WIC §§ 388 and 388.1, following submission of a WIC § 388(e) petition, the Court will determine whether there is sufficient evidence to calendar a WIC § 388(e) hearing.

If Court determines there is sufficient evidence, a WIC § 388(e) hearing will be set within **15 judicial days** of the date the petition was filed.

Note: Court will not grant a continuance causing the WIC § 388(e) hearing to be completed more than **120 calendar days** after the date the petition was filed.

If Court determines there is insufficient evidence, refer to the “Court Disposition” Policy section for documents and information to provide to the young adult.

Court Report

A. **Content of the Court Report:**

Per WIC §§ 388 and 388.1, and California Rule of Court 5.906, if a WIC § 388(e) hearing is calendared, the NMD Re-Entry Liaison will prepare a court report in accordance with the guidelines detailed in [Attachment 3—Court Report to Address Re-Entry into EFC](#).

The court report will be written in complete, concise sentences, and incorporate pertinent, accurate, and objective information, including exculpatory evidence. Information incorporated into the court report will be consistent with information documented in the permanent record. Objectivity and accuracy on behalf of the NMD Re-Entry Liaison are paramount. This ensures a factual representation for Court to make a determination regarding the request to re-enter EFC, and lends credibility to the NMD Re-Entry Liaison’s recommendation.

Note: Attempts to obtain required information not available for inclusion in the court report will be documented in the court report.

B. **Recommendation Considerations:**

The recommendation at a WIC § 388(e) hearing will be based on whether the criteria to re-enter EFC are satisfied.

For a listing of recommendations applicable to a WIC § 388(e) hearing, refer to the [WIC § 388\(e\) Hearing Recommendation Desk Guide](#), contained on the CFS Intranet ([CFS/Manuals/Autotext](#)).

Case Plan and TILP

Per WIC §§ 388 and 388.1, a Case Plan and TILP must be completed **no later than 60 calendar days** from the date the young adult signs the Voluntary Re-Entry Agreement. To ensure timely completion, CFS policy requires the following to be submitted at a WIC § 388(e) hearing if recommending resumption of dependency jurisdiction:

A. **Case Plan:**

The NMD Re-Entry Liaison will develop a Case Plan with the young adult, in accordance with *Case Plans for Non-Minor Dependents (F063-25-688)*. Per WIC §§ 11400, the Case Plan will be based on the young adult's developmental needs and include:

1. Goals, objectives, and supportive services, consistent with the young adult's TILP, to assist with:
 - The transition to independent living
 - Assuming incremental responsibilities for adult decision-making
 - Meeting at least one EFC participation requirement
2. The young adult's plan to remain eligible for EFC. Include the **Primary** and **Secondary** EFC participation requirements the young adult intends to meet, as detailed in CFS P&P [Extended Foster Care \(EFC\) \(J-0101\)](#).
3. A description of the anticipated placement while in EFC.

B. **Acknowledgement of Participation in Case Plan Development:**

Per CFS policy, the NMD Re-Entry Liaison will request those involved in case planning sign an *Acknowledgement of Participation in Case Plan Development (F063-28-244)*.

- C. **Six-Month Certification of EFC Participation:**
Per WIC § 11403 and ACL 12-12, the NMD Re-Entry Liaison will complete a *Six-Month Certification of Extended Foster Care Participation (SOC 161)*.
- D. **Transitional Independent Living Plan (TILP):**
Per ACL 12-12, the NMD Re-Entry Liaison will collaborate with the young adult to develop a TILP which:
- Includes a primary and backup goal to satisfy at least one EFC participation requirement
 - Allows for continuous eligibility for EFC during periods the young adult is not able to meet education or employment based EFC participation requirements

Refer to CFS P&P [Independent Living Program \(ILP\) Services \(D-0504\)](#) for information regarding development of a TILP.

Submission of Court Report Documents

Per California Rule of Court 5.906, the court report and associated documents prepared for a WIC § 388(e) hearing will be:

- A. Submitted to the Court Typist by the **clerical deadline**, no later than **four business days** prior to the hearing date.
- B. E-filed with the Juvenile Court by the **court filing deadline**, no later than **two judicial days** (excluding judicial holidays) prior to the hearing date.

Refer to [Attachment 4—Suggested Guidelines to File a WIC § 388\(e\) Report](#), for further guidelines.

Stipulation for WIC § 388(e) Hearing

The Court Typist will prepare the following to provide to Court in advance of the scheduled WIC § 388(e) hearing:

- *Stipulation: Findings and Orders Regarding Resumption of Non-Minor Dependency (F063-25-706)*
- *Stipulation Signature Page (F063-25-689)*

Notice of Hearing

Per WIC § 388(e) and California Rule of Court 5.906, notice of the WIC § 388(e) hearing will be provided:

- A. By CFS **unless** the WIC § 388(e) petition is filed prior to CFS involvement. In such instances, the Juvenile Court Clerk's Office will notice applicable parties.

B. To the following parties, using the *Notice of Hearing on 388(e) Petition to Resume Dependency Jurisdiction (F063-25-693)*:

- Young adult seeking re-entry into EFC
- Young adult's attorney of record

Notice will include a copy of the *Request to Return to Juvenile Court Jurisdiction and Foster Care (JV-466)* filed with Court.

C. To additional parties, if requested by the young adult on the *Request to Return to Juvenile Court Jurisdiction and Foster Care (JV-466)* filed with Court.

Notice will be provided using the *Notice of Hearing on 388(e) Petition to Resume Dependency Jurisdiction (F063-25-693)*. A copy of the *Request to Return to Juvenile Court Jurisdiction and Foster Care (JV-466)* will not be provided.

D. **No later than five judicial days** prior to the hearing.

E. By personal service or first-class mail.

Verification that notice was provided will be documented by the Court Typist through:

- Signature on the *Certification of Services of Notice of Hearing (F063-25-693/page two)* (to be filed with Court two judicial days prior to the scheduled hearing date)
- Data entry into CWS/CMS (see [CWS/CMS Data Entry Standards—Notice of Hearings](#))

Provision of Court Report to Involved Parties

Copies of the court report and associated documents prepared for the WIC § 388(e) hearing will be included in the Legal File forwarded to Court, for distribution to the young adult and all attorneys of record (California Rule of Court 5.906). If the young adult does not attend the WIC § 388(e) hearing, the young adult will be provided a copy of the documents as soon as possible.

Note: Parents are not entitled to copies of the court report. Provision of the court report to a CASA will be determined by Court, on a case-by-case basis.

Telephonic Appearance at a WIC § 388(e)

Per WIC §§ 388 and 388.1, a young adult seeking re-entry into EFC may request a telephonic appearance at a WIC § 388(e) hearing.

Hearing

Note: Per California Rule of Court 5.900, Court may require a personal appearance if it would not create undue hardship for the young adult.

A. **Advisement:**

The NMD Re-Entry Liaison will advise the young adult of the right to a telephonic appearance. Per California Rule of Court 5.906, notice will include advisement of the right to a telephonic appearance and instructions for the young adult to:

- Notify the young adult’s attorney and assigned SSW when a telephonic appearance is requested
- Provide the phone number where the young adult can be reached on the date of the scheduled hearing

B. **Arranging A Telephonic Appearance:**

To facilitate a telephonic appearance:

1. **NMD Re-Entry Liaison:** Document request for a telephonic appearance, and the phone number where the young adult can be reached, in “Young Adult’s Attendance At Court” section of the court report.

Note: If not documented in the court report, notify Court Officer and Court Officer Supervisor at least **two business days** prior to the scheduled hearing.

2. **Court Officer:** At least **one business day** prior to the scheduled hearing, review the court report to determine if a telephonic appearance has been requested.

If a telephonic appearance has been requested, **immediately** notify the Court Clerk, and provide the phone number where the young adult can be reached.

Note: The Court Clerk will make arrangements to facilitate telephonic appearances per courtroom protocol.

Required Documents— Foster Care Eligibility

As detailed in ACL 12-12, and CFS P&P [Foster Care, AAP, and Kin-GAP Rates for Young Adults \(J-0103\)](#), when a young adult re-enters EFC a new eligibility determination is required to determine Title IV-E eligibility for AFDC-FC benefits. To ensure timely approval for funding, specific documents must be provided to Foster Care Eligibility at key points in the re-entry process.

A. **Following Initial Placement:**

Immediately following placement of the young adult:

1. The NMD Re-Entry Liaison's Unit Clerk will forward the following to Foster Care Eligibility:
 - *Voluntary Re-Entry Agreement for Extended Foster Care (SOC 163)*
 - Copy of minute order from prior dependency proceedings, indicating dependency was terminated
 - *Statement of Facts Supporting Eligibility for AFDC Extended Foster Care Benefits (FC 2 NM)*
 - Original signed *Six-Month Certification of Extended Foster Care Participation (SOC 161)*

Note: The *Six-Month Certification of Extended Foster Care Participation (SOC 161)* must be provided to Foster Care Eligibility within 30 calendar days of completion.

2. The NMD Re-Entry Liaison will forward the *Emergency Assistance Application for Child Welfare Services (EA 1)* to the Emergency Assistance (EA) Project Unit.
3. The Placing Social Worker's Unit Clerk will forward the following to Foster Care Eligibility:
 - *Foster Child's Data Record and AFDC-FC Certification (SOC 158A)*
 - *Foster Care Application (FCAPP) Information (F063-28-307)*
 - Approval documents applicable to the placement type

B. **Following Disposition of WIC § 388(e) Hearing:**

Immediately following the WIC § 388(e) hearing, if Court resumes dependency jurisdiction, the NMD Re-Entry Liaison's Unit Clerk will forward the following to Foster Care Eligibility:

- Minute Order indicating continuance in foster care placement is in the best interests of the young adult
- Current Case Plan and TILP

Case Filing

Forms and documents related to re-entry into EFC will be filed on the *Extended Foster Care (EFC) Acco (F063-25-1145)*, as detailed in CFS P&P [Extended Foster Care \(EFC\) \(J-0101\)](#).

Court Disposition

The NMD Re-Entry Liaison will follow all Court orders and complete one of the following upon disposition of the WIC § 388(e) petition:

A. **Case Assignment:**

If the request to resume dependency jurisdiction is granted, the NMD Re-Entry Liaison will remain the assigned social worker or transfer the case in accordance with CFS P&P [Case Transfers \(D-0302\)](#).

B. **Case Closure:**

If the request to resume dependency jurisdiction is denied, the NMD Re-Entry Liaison will:

1. Inform the young adult of the reason(s) the request was denied.
2. Advise the young adult that another WIC § 388(e) petition may be filed if circumstances change.
3. Provide the young adult:
 - *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care (JV-464-INFO)*
 - *Request to Return to Juvenile Court Jurisdiction and Foster Care (JV-466)*
 - *Confidential Information – Request to Return to Juvenile Court Jurisdiction and Foster Care (JV-468)*
 - Contact information for the attorney (previously) appointed to represent the young adult
4. If applicable, submit a *Placement Information Change (PIC) Notice (F063-28-301)*, per CFS P&P [Placement Change Notification \(K-0209\)](#), to end the placement episode.

The case will be closed in accordance with CFS P&P [Case Closure \(E-0106\)](#) and [CWS/CMS Data Entry Standards—Extended Foster Care \(EFC\)](#).

REFERENCES

Attachments and CWS/CMS Data Entry Standards

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

- [Attachment 1—Suggested Guidelines: County of Jurisdiction](#)
- [Attachment 2—Suggested Guidelines: County of Residence](#)
- [Attachment 3—Court Report to Address Re-Entry into EFC](#)
- [Attachment 4—Suggested Guidelines to File a WIC § 388\(e\) Report](#)
- [CWS/CMS Data Entry Standards—Extended Foster Care \(EFC\)](#)
- [CWS/CMS Data Entry Standards—Creating a New Placement Home](#)
- [CWS/CMS Data Entry Standards—Generating the SOC 158A](#)
- [CWS/CMS Data Entry Standards—Notice of Hearing](#)

Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS P&P [Case Closure \(E-0106\)](#)
- CFS P&P [Case Plans \(D-0101\)](#)
- CFS P&P [Case Transfers \(D-0302\)](#)
- CFS P&P [CLETS \(B-0116\)](#)
- CFS [Courtesy Supervision \(K-0501\)](#)
- CFS P&P [Electronic Signing and Filing of Court Reports \(B-0217\)](#)
- CFS P&P [Extended Foster Care EFC \(J-0101\)](#)
- CFS P&P [Foster Care, AAP, and Kin-GAP Rates for Young Adults \(J-0103\)](#)
- CFS P&P [Independent Living Program \(ILP\) Services \(D-0504\)](#)
- CFS P&P [Indian Child Welfare Act \(G-0309\)](#)
- CFS P&P [Live Scan Fingerprinting \(B-0115\)](#)
- CFS P&P [Placement Change Notification \(K-0209\)](#)
- CFS P&P [Sensitive/Highly Sensitive Referrals and Cases \(F-0107\)](#)
- [CFS Autotext Court Report Desk Guides](#)
- [County Welfare Directors Association \(CWDA\) website](#) (for listing of county contacts handling re-entry requests and courtesy supervision agreements)

Other Sources Other printed references include the following:

None.

FORMS

Online Forms Forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
Stipulation Signature Page	F063-25-689
Notice of Hearing on 388(e) Petition to Resume Dependency Jurisdiction	F063-25-693
Notice of Hearing on 388(e) Petition to Resume Dependency Jurisdiction (Spanish)	F063-25-693Sp
Medi-Cal Application Request for Former Foster Care Children (FFCC)	F063-25-710
Emergency Assistance Application for Child Welfare Services	EA 1
Notice of Hearing Worksheet	F063-28-04
Acknowledgement of Participation in Case Plan Development	F063-28-244
Acknowledgement of Participation in Case Plan Development (Spanish)	F063-28-244Sp
Statement of Facts Supporting Eligibility for AFDC–Extended Foster Care (EFC)	FC 2 NM
Stipulation: Findings and Orders Regarding Resumption of Non-Minor Dependency Case Plans for Non-Minor Dependents	F063-25-706
How to Return to Juvenile Court Jurisdiction and Foster Care	F063-25-688
	JV-464-INFO

Hard Copy Forms Forms listed below may be completed in hard copy (including multi-copy NCR forms). ***For reference purposes only***, links are provided to view these hard copy forms, where available.

Form Name	Form Number
Authorization for Release of Information	F063-25-228
Authorization for Release of Information (Spanish)	F063-25-228Sp
Extended Foster Care (EFC) Acco	F063-25-1145

**CWS/CMS
Forms**

The following forms may **only** be obtained in CWS/CMS. **For reference purposes only**, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
Placement Information Change (PIC) Notice	F063-28-301
Indian Child Welfare Act (ICWA) Notice Referral Request to Return to Juvenile Court Jurisdiction and Foster Care	F063-28-349 JV-466
Confidential Information – Request to Return to Juvenile Court Jurisdiction and Foster Care	JV-468
Application for Cash Aid, Food Stamps, and/or Medi-Cal/34-County CMSP	SAWS 1
Application for Cash Aid, Food Stamps, and/or Medi-Cal/34-County CMSP (Spanish)	SAWS 1 (SP)
Foster Child’s Data Record and AFDC-FC Certification	SOC 158A
Foster Child’s Data Record and AFDC-FC Certification (Spanish)	SOC 158A (SP)
Six-Month Certification of Extended Foster Care Participation	SOC 161
Voluntary Re-Entry Agreement for Extended Foster Care	SOC 163

Brochures

Brochures to distribute in conjunction with this procedure include:

Brochure Name	Brochure Number
None.	

LEGAL MANDATES

[Welfare and Institutions Code section \(§\) 224.1](#) provides a NMD may be considered an “Indian child,” for the purposes of ongoing application of the Indian Child Welfare Act (ICWA).

[Welfare and Institutions Code §§ 303\(b\)](#), [366.32\(c\)](#), and [391\(d\)](#) provide when dependency jurisdiction over a NMD is terminated, Court will maintain general jurisdiction until 21 years of age.

[Welfare and Institutions Code §§ 303\(c\)](#) and [391\(d\)](#) provide a young adult who exited foster care on or after 18 years of age may petition the Court to resume dependency jurisdiction-up until 21 years of age.

[Welfare and Institutions Code §§ 388\(e\)\(2\)\(A\)](#) and [388.1\(b\)](#) provide a petition to resume dependency jurisdiction may be filed in the “County of Jurisdiction” or the “County of Residence.”

[Welfare and Institutions Code §§ 388\(e\)\(2\)\(B\)](#) and [388.1\(c\)](#), and [California Rule of Court 5.906\(g\)](#) detail notice requirements for a WIC § 388(e) hearing.

[Welfare and Institutions Code §§ 388\(e\)\(3\)](#) and [388.1\(c\)](#), and [California Rule of Court 5.900\(e\)](#) allow for a young adult to make a telephonic appearance at a [WIC § 388\(e\)](#) hearing.

[Welfare and Institutions Code §§ 388\(e\)\(4\)](#) and [388.1\(c\)](#), and [California Rule of Court 5.906\(h\)\(1\)](#) detail the court report prepared for a [WIC 388\(e\)](#) hearing.

[Welfare and Institutions Code § 388\(e\)\(5\)](#) and [388.1\(c\)](#), and [California Rule of Court 5.906\(i\)](#) detail conduct of the [WIC § 388\(e\)](#) hearing, requirements to resume dependency jurisdiction, and applicable Court findings/orders.

[Welfare and Institutions Code §§ 388\(e\)\(5\)](#) and [388.1\(d\)](#) detail the timeframe for completion of a Case Plan.

[Welfare and Institutions Code §§ 388.1](#) and [11403](#) detail resumption of dependency jurisdiction of formers dependents who received Kin-GAP or AAP benefits after attaining 18 years of age.

[Welfare and Institutions Code § 11400](#) defines a Non-Minor Dependent (NMD), Transitional Independent Living Case Plan, and Voluntary Re-Entry Agreement.

[Welfare and Institutions Code § 16504.5](#) permits child welfare agencies to obtain state summary criminal history information on a young adult seeking re-entry into EFC, for placement purposes.

[California Rule of Court 5.900](#) defines the legal status of NMDs, and the general conduct of hearings involving NMDs.

[California Rule of Court 5.906](#) details Court procedures when a young adult requests resumption of dependency jurisdiction.

[California Department of Social Services \(CDSS\) All County Letter \(ACL\) 11-77](#) details placement guidelines and criminal background checks of a young adult seeking re-entry into EFC.

[CDSS ACL 12-12](#) details eligibility, case management responsibilities, court processes, and timelines related to re-entry into EFC.

[CDSS ACL 13-91](#) indicates if a young adult meets the definition of an Indian child, the process to seek re-entry into EFC is the same as for other former foster youth.

[CDSS ACL 14-33](#) details the applicability of EFC, including re-entry into EFC, for NMDs placed out-of-state.

[CDSS All County Information Notice I-29-13](#) details Assembly Bill 1712 (2012) and Senate Bill 1013 (2013), clarifying age requirements for young adults seeking re-entry into EFC.