**PRACTICE TIPS FOR PANDEMIC RELIEF BILL OF DECEMBER 2020**

**PROVISIONS CONCERNING TRANSITION AGE YOUTH\***

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1. Keep track of your adolescent clients' dates of birth and determine if they will be aging out (18 or 22 years old) or have aged out during the relevant time period (April 1, 2020 to September 30, 2021).

2. For any youth ages 18-22 that is currently in DCF care, the requirements to maintain full-time school or work are waived. If your client receives a case closure or YASP payment decrease notice based on failure to comply with these requirements, contact the DCF attorney immediately to discuss how the Act has changed that requirement and ask them to rescind the notice in writing. Next, consider contacting the DCF ombudsman about the issue to seek a resolution. Immediately file for a fair hearing to preserve your client's rights. Consider filing a Motion to Enjoin DCF in court to maintain the status quo until DCF can be educated about the effects of the Act.

3. If your 18-22 year old client is enrolled in school but struggling, DCF has flexible funding that will allow them to fund less-than-full-time matriculation or other non-attendance costs that would help the youth remain enrolled. Be creative about what that might include--not just books, but maybe better internet for virtual classes, a tutor, or other things that DCF might not normally be allowed to provide that they can for this limited period.

4. For foster youth who are 15 years old or older, DCF will now have up to $4,000 per child to help the youth obtain a driver's license and lawfully drive. That includes funds for driver's ed classes, testing fees, licensing fees, deductible assistance, vehicle insurance, and even automobile purchase assistance. Having a driver's license and access to a reliable car can lift burdens that restrict a youth's success in attending school or finding a job.

5. Youth are currently eligible for foster care services until age 27 years old and DCF is receiving funding to offer youth in this age range room and board. However, there may still be age restrictions on program licensing, so to try to avoid unstabilizing your client's placement during the pandemic, contact the program and confirm that their license allows your client to stay there past their birthday. If it does not, begin a discussion about having the program request a waiver from their licensor to allow your client to stay there through the pandemic. This can take some time, so start this discussion as soon as possible.

6. DCF is required to actively seek out and facilitate re-entry of foster kids who have aged out but have not yet attained 22 years of age. If your client aged out during the pandemic (beginning April 1, 2020), consider reaching out to let them know about this. If they wish to re-enter, encourage them to put their request in writing to the DCF SW right away as they could be eligible for rental assistance, YASP payments, housing, or other assistance.

7. The pandemic did not change DCF's mandate to follow all requirements related to permanency and to transition planning for transition-age youth. So, don't forget the DCF regulations and policies that require DCF to begin inclusive transition planning well in advance of your client's birthday.

\*NOTE: These tips refer to relevant portions of the Consolidated Appropriations Act of 2021 that begin on page 3168 and go until 3178. The Bill can be found at:

<https://rules.house.gov/sites/democrats.rules.house.gov/files/BILLS-116HR133SA-RCP-116-68.pdf>. You can also find a summary of the relevant provisions provided by the NACC and developed by the Juvenile Law Center and the Annie E. Casey Foundation on the CPCS CAFL Page on MyGideon under the heading Young Adult: <https://www.mygideon.org/Massachusetts_Committee_for_Public_Counsel_Services/CPCS_Children_and_Family_Law_Resources/CAFL_COVID-19_Resources>.