



Advocates for Children and Youth is a statewide non-profit focused on improving the lives and experiences of Maryland's children through policy change and program improvement. We champion solutions to child welfare, education, health, and juvenile justice issues, positioning us to influence the full spectrum of youth experiences. This multi-issue platform helps us to improve the entirety of children's worlds—the systems they touch, the people they interact with, and the environment where they live.

Testimony before the Judiciary Committee

In SUPPORT, with Amendments, of House Bill 192- Juvenile Causes- Permanency Plans – Age Restrictions on Use of Another Planned Permanent Living Arrangement

**Melissa Rock, Child Welfare Director, Advocates for Children and Youth
February 4, 2016**

Thank you for the opportunity to provide testimony on House Bill 192– Juvenile Causes- Permanency Plans – Age Restrictions on Use of Another Planned Permanent Living Arrangement. Advocates for Children and Youth (ACY) supports this bill.

In September 2014, Congress passed the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183/HR 4980), which is aimed at improving permanency outcomes for foster youth to prevent them from becoming victims of sex trafficking. This federal law prohibits the permanency plan Another Planned Permanent Living Arrangement (APPLA) from being used for foster youth who are under 16 years old. House Bill 192 brings Maryland's laws into compliance with this new federal limitation. **However, unless the attached amendments are also added to Maryland's permanency planning statutes, we will not achieve the ultimate goal of improving permanency for foster youth.**

The permanency goal of APPLA was created by Congress to replace “long term foster care” and encourage agencies to better meet the individual needs of foster youth for whom other permanency goals – like returning home, adoption or guardianship – are not appropriate. However, APPLA has become just a substitute for long term foster care, and there is no indication that youth leaving care with APPLA as their permanency plan are better prepared for living independently than the youth whose permanency plan was long term foster care when they left care.

In addition to simply eliminating APPLA as a permanency plan option for youth under 16, the new federal law included a number of other requirements for youth whose permanency plan is APPLA to ensure that the Local Department of Social Services are continuing to work towards achieving true permanency for these youth and to better prepared them to live independently. As of May 2015, there were 1,182 foster youth in Maryland with an APPLA permanency plan.¹ **Without the attached amendments, Maryland's statutory changes will not improve permanency for Maryland's foster youth.**

¹ Maryland CHESSIE, School of Social Work, OOH Served End of Month Report as of 5/31/2015.
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In addition to raising the minimum age for an APPLA permanency plan to 16, the Preventing Sex Trafficking and Strengthening Families Act requires that when a young person's permanency plan is APPLA the Local Department of Social Services (LDSS) document their ongoing efforts to find relatives who can care for that foster youth. Studies have shown that the single most critical factor in determining successful outcomes for foster youth is that young person having a connection to a stable and reliable adult who will remain involved with them when they leave foster care. Even relatives who are not in a position to take custody of a foster youth can be that reliable adult to help in moments of crisis. Finally, a key way young people develop independence skills is by having the opportunity to use those skills before they are living independently. Engaging in age and developmentally appropriate extracurricular activities is one way youth can build these skills, yet most foster youth do not have the opportunity to participate in these activities. The federal law also requires the LDSS to demonstrate what efforts they're making to engage youth in these activities.

In the last calendar year, 488 youth aged out of foster care to live on their own.² It is critical that these youth have all the skills they need to live independently before they transition out of foster care without the safety net most young adults have. **We urge this Committee to issue a favorable report on House Bill 192, as amended, to ensure that youth who are transitioning out of foster care to independence are better prepared to live independently.**

Amendments:

On p. 2 line 14, after "and;" insert:

C. DOCUMENTS THE INTENSIVE, ONGOING AND UNSUCCESSFUL EFFORTS BY THE LOCAL DEPARTMENT OF SOCIAL SERVICES FOR FAMILY PLACEMENT, INCLUDING EFFORTS TO LOCAE BIOLOGICAL FAMILY MEMBERS USING SEARCH TECHNOLOGIES; AND

D. SPECIFIES THE STEPS THE AGENCY IS TAKING TO ENSURE THE REASONABLE AND PRUDENT PARENT STANDARD IS BEING FOLLOWED, AND THE CHILD HAS REGULAR, ONGOING OPPORTUNITIES TO ENGAGE IN AGE OR DEVELOPMENTALLY APPROPRIATE ACTIVITIES; AND

On p. 4 line 12, and on p. 6, line 28, after "child's life" insert:

3. DOCUMENTS THE INTENSIVE, ONGOING AND UNSUCCESSFUL EFFORTS BY THE LOCAL DEPARTMENT OF SOCIAL SERVICES FOR FAMILY PLACEMENT, INCLUDING EFFORTS TO LOCAE BIOLOGICAL FAMILY MEMBERS USING SEARCH TECHNOLOGIES; AND

4. SPECIFIES THE STEPS THE AGENCY IS TAKING TO ENSURE THE REASONABLE AND PRUDENT PARENT STANDARD IS BEING FOLLOWED, AND THE CHILD HAS REGULAR, ONGOING OPPORTUNITIES TO ENGAGE IN AGE OR DEVELOPMENTALLY APPROPRIATE ACTIVITIES.

² Maryland Department of Human Resources, Social Services Administration, Child Welfare Data (November 2015), p. 32.