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Memo from CalYOUTH: Early Findings on Extended Foster Care and Legal Permanency

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Some states, such as California, have extended foster care to age 21 to provide continuing support to young people who find themselves in out-of-home care during the transition to adulthood. Recently, concern has been raised about the potentially negative effect that the policy of extended care might have on older youths' exits from care via family reunification, adoption, and guardianship, commonly referred to as "legal permanency." For example, some observers believe that extending foster care to young adults may lead child welfare authorities and courts to view the achievement of legally permanent placements with less urgency. Others speculate that potential adoptive parents or legal guardians may be more reluctant to adopt or assume guardianship of older adolescents in care if that might lead to the young person losing benefits. This memo provides an early look at the relationship between extended foster care in California and the ways that older adolescents exit care in the state. Examining trends in exits from shortly before to immediately after

the implementation of extended care, we find some evidence that, in the extended care era, fewer older adolescents are exiting care before their 18th birthday than before the law was implemented. However, rather than being the result of a reduction in exits to legal permanency, this shift has more to do with an increase in the likelihood that youth will remain in care rather than emancipate prior to age 18, run away from care, or experience other unwanted exits.

Study Methods

Using data from California's Child Welfare Services/Case Management System (CWS/CMS), we identified 21,884 youth who were in care at age 17 (between 17 and 17 years and 364 days of age) on January 1 of 2010, 2011, 2012, and 2013, respectively. These represent the two years prior to and two years after the implementation of extended care on January 1, 2012.¹

¹ We wish to express our thanks to Stephanie Cuccaro-Alamin, Joe Magruder, and Daniel Webster from the Center for Social Services Research, School of Social Welfare, at the University of California at Berkeley for their assistance in obtaining the data used for this analysis and providing feedback along the way. The interpretation of findings presented here is exclusively that of the authors.

We were interested in assessing the extent to which the implementation of the policy of extended care was associated with changes in both the likelihood that youth would exit care by their 18th birthday and the types of exits they experienced. We focused on exits prior to age 18 since the primary concern about extended care's potential impact on permanency is whether it decreases the push for legal permanency *prior to 18*, not after 18.² Therefore, using CWS/CMS data, we identified whether youth had exited care prior to their 18th birthday, and if so, how they had exited. Exits included reunification with family, adoption, legal guardianship, emancipation, runaway, and "other" exits.³ Youth who remained in care on their 18th birthday were coded as "still in care" regardless of how long they remained in care after that date. We compared the exits of youth who were 17 and in care on January 1 of 2010 and 2011, the two years immediately preceding the change in the law, to those who were in care at age 17 on January 1 of 2012 and 2013, the first two years that the law was in effect, through the youth's 18th birthday. To examine the impact of extended care policy on exits to legal permanency, we compared the overall rates of those who exited and those remaining in care between these two periods. We also estimated statistical models of change in exits over time, controlling for selected characteristics of youth and their experiences in care, to try to take into account any changes in these characteristics over time that might have influenced exits to permanency.

Findings

Table 1 shows demographic characteristics and placement experiences of these youth, all of which have been shown in prior research to be associated with the likelihood of one or more of the exits we studied (i.e., reunification with family, adoption, and guardianship). Table 1 also shows the extent to which the characteristics and experiences of youth changed from the period immediately preceding the implementation of extended care to the period of early implementation. Perhaps not surprisingly given the relatively short time frame, with regard to the characteristics and experiences we assessed, we observed no large changes over this period.

Table 2 and Figures 1 and 2 show the distribution of exit types experienced by the youth and the percentage that remained in care as of their 18th birthday. They highlight a contrast between the experiences of those who reached age 17 while in care during the two years prior to the implementation of extended care and those who did so in the two years after the law went into effect. Unless otherwise noted, all differences described below are statistically significant at $p < .05$. Over the four years, there was a decline in the number of youth in care at age 17. During both periods, the vast majority of youth remained in care at least through their 18th birthday. However, youth in the extended care era were somewhat more likely than youth from the earlier period to remain in care (about ten percentage points more, or about a 15 percent increase over the rate of remaining

² Prior to the extension of foster care to age 21 in California, youth could remain in care up to their 19th birthday in order to finish high school. Prior to the change in the law, youth did not remain in care after their 18th birthday, with the notable exception of Los Angeles County, where the juvenile court had established a practice of allowing some youth to remain in care after 18.

³ The "other" category included a wide range of exits, but over 80 percent of these exits were due to transfer to another non-child welfare agency's jurisdiction, incarceration, the adjudication of the youth as delinquent, or the youth refusing services. Beginning in 2008, "runaway" was no longer allowed as an exit code in CWS/CMS. However, in reality many youth leave their placement without permission from the child welfare agency and never reenter before aging out of care. Therefore, we categorized a youth as having exited care as a runaway if the reason for their last placement change was coded in CWS/CMS as "child ran away from placement" and their termination reason was coded as "emancipation" or "other," or their exit date was after their 18th birthday.

in care prior to the new law). Most of the difference in the percentage of youth remaining in care is the result of the large decrease in the likelihood of emancipation prior to 18 after the change in policy; youth are much less likely to exit to emancipation prior to age 18 in

the extended care era than before (over six percentage points less, representing about an 88 percent decrease in the likelihood of exit to emancipation since the earlier period). Other generally unwanted exits from care (runaways and exits we categorized as “other”)

Table 1 Characteristics of 17 Year Olds in Foster Care, January 1, 2010-2013		
	Before extended care 2010–11 (n=11,808)	Extended care era 2012–13 (n=10,076)
Female (%)	53.17	52.96
Race/Ethnicity (%)		
Black	31.23	28.52
White	25.34	25.06
Hispanic	39.53	42.04
Asian/Pacific Islander	2.69	3.11
Native American	1.20	1.27
Total time in care in years, all episodes (mean)	6.51	6.03
Total episodes in care (mean)	1.73	1.74
Total placements, all episodes (mean) ¹	7.52	7.66
Primary placement type, age 17–17.99 (%)		
Nonrelative foster home	6.06	5.76
Relative home	21.63	22.64
Foster Family Agency (FFA) home ²	28.42	24.75
Group home/shelter/receiving home	26.30	29.13
Other placement	17.60	17.71
County urbanicity of primary placement (%) ³		
Rural/mostly rural	5.14	5.18
Urban	19.24	21.06
Large urban	42.66	40.05
Los Angeles	32.95	33.70

¹ Max was capped at 40 placements. Less than 1% of youth had more than 40 placements.

² California licenses agencies, known as FFAs, to supervise foster homes that are intended to provide therapeutic foster care as an alternative to group care.

³ The rural/mostly rural group includes counties with no municipality with greater than 50,000 individuals. The urban group includes counties that had at least one municipality with a population of 50,000 to 250,000 individuals, but none with a population greater than 250,000. The large urban group includes counties that had at least one municipality with a population of more than 250,000 individuals.

Table 2 Legal Permanency Status at Age 18 by Year, 2010-2013				
	Before extended care		Extended care era	
	% in 2010 (n=6088)	% in 2011 (n=5670)	% in 2012 (n=5394)	% in 2013 (n=4579)
Reunification	11.27	10.74	9.86	10.18
Adoption	1.49	1.11	1.13	1.22
Guardianship	1.74	1.83	1.67	1.81
Emancipation	7.85	7.16	1.08	0.76
Runaway	4.78	4.41	3.08	2.56
Other	2.63	2.06	1.30	1.42
Still in care	70.24	72.68	81.89	82.05

also declined markedly over the four years, going from 6.96 percent of all exits prior to the change in the law to 4.12 percent after the implementation of the law, about a two-fifths reduction in the overall rate of these exits. With respect to exits to legal permanency, there were no statistically significant changes in the rates of adoption and guardianship for these older youth associated with the implementation of extended care. However, there was a small reduction in the rate of exit to reunification; the percentage of youth exiting to reunification prior to age 18 declined by one percentage point after the implementation of extended care, a reduction of about nine percent in the rate of reunification observed before the change in the law.

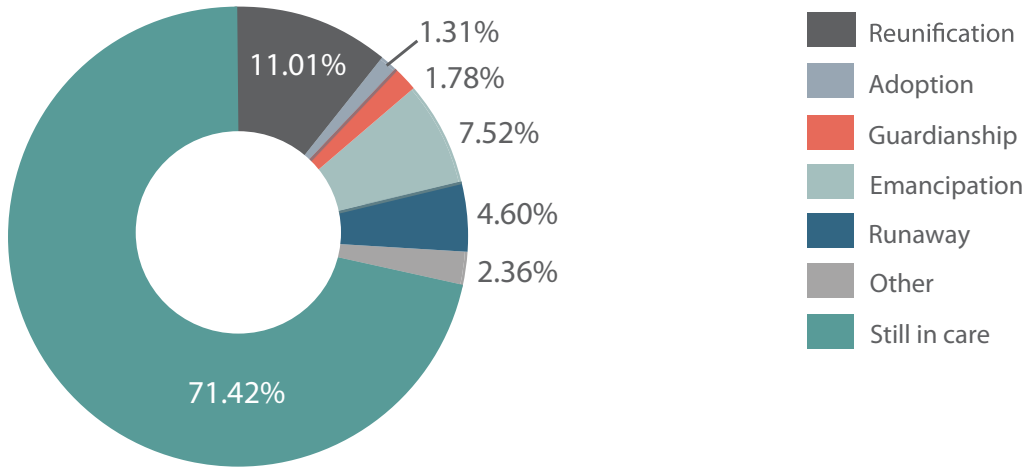
We then examined whether changes in the characteristics of youth reaching age 17 in foster care in California over this period, albeit small, might have accounted for some of the observed changes in exits to permanency. To do so, we estimated a multinomial logistic regression model that assessed the magnitude of changes in exit types from before to after the implementation of extended care. The model statistically controlled for youths' gender, race/ethnicity, total prior time in care, total number of prior episodes in care, total number of prior placements, the primary placement type the youth had resided in while

in care, and a measure of the urbanicity of the youths' placing county. The multinomial regression model told essentially the same story as the simpler before-and-after analysis of the association of the extended care policy with exits. That is, implementation of extended care was associated with a large increase in the rate of youth remaining in care past their 18th birthday, a large decline in the rates of emancipation and "other" exits, a small decrease in the rate of family reunification, and no difference in exits to adoption and guardianship.

Study Limitations

For several reasons, these findings should be regarded with some caution. First, and most importantly, our data only cover the first two years of implementation of the new policy of extended foster care. Therefore, they only provide information about the *early* impacts of extended care on youth outcomes. It is possible that as the law becomes more consistently implemented over time, its relationship to exits from care prior to age 18 will differ from those we observed. Second, the association we observed between the timing of the implementation of the new law and changes in the magnitude of some exit types might have been due—at least partially—to underlying trends over time in those exits. For example,

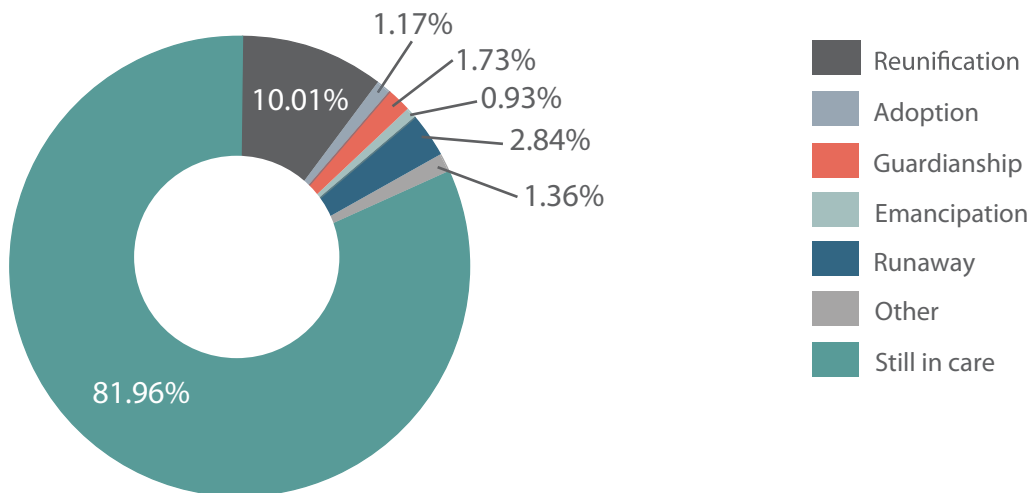
Figure 1
Status at 18th Birthday: 2010-2011



there was a year-over-year decline during the three years prior to the implementation of extended care for both reunification and “other” exits. This suggests that the declines we observed in the likelihood of these exits in 2012 and 2013 might have occurred anyway in the absence of extended care. However, none of the other exits showed a consistent trend over time prior

to the new law, and the changes in the percentage of youth remaining in care, exiting to emancipation, and running away are large departures from prior trends. Also, although we do not see large changes over time in recent years in the characteristics of older youth in care, the number of 17 year olds in care had been steadily declining in California since 2007. It is possible that this

Figure 2
Status at 18th Birthday: 2012-2013



reduction in the size of the population of older youth in care coincided with a change in the characteristics of the population not captured well by CWS/CMS data. If that occurred, it could have contributed to change over time in the mix of exits from care.

Third, our analyses do not examine exits prior to age 17 or after youth reach their 18th birthday, though it is possible that the extension of care has had an influence on exits for younger adolescents and young adults. For example, for youth 16 years of age or older who are adopted or discharged from care to a legal guardian, the federal law providing funding for extended foster care also extended federal adoption and guardianship subsidies to age 21. That policy might provide an incentive for caregivers to wait to adopt or assume legal guardianship of a youth in their care until the youth turns 16, in order to ensure the receipt of benefits after the youth reaches the age of majority. Likewise, youth leave care after they reach the age of 18, and many more youth are now remaining in care past that point than was the case prior to the policy of extended care. (Our study does not examine those exits.) As more time elapses since the implementation of extended care, it will become possible to examine the potential influence on exits from care for youth both younger and older than the youth that are the focus of this study.

Fourth, analysis of CWS/CMS data identifies likely variation both between and within counties over time in how data are entered into CWS/CMS, which could introduce error into our analyses. Lastly, the administrative records used for our analyses shed no light on the ways that extended care policy might have influenced the thought processes of foster youth and the many adults who influence youths' exits from care. In other words, our data help describe what happened but cannot tell us much about why it happened.

Conclusion

Keeping in mind the limitations noted above, this study represents an important early look at the relationship between the implementation of extended foster care in

California and the ways that youth approaching the age of majority in care leave care before becoming adults. Concerned about perceived incentives for older youth to remain in care given the potential services and supports made possible by extended foster care, some observers have voiced fears that youth who would otherwise have exited care prior to age 18 through reunification with family, adoption, or legal guardianship (i.e., legal permanency) would instead remain in foster care into adulthood. Early evidence from California suggests that youth approaching the age of majority in care are in fact more likely to remain in care past their 18th birthday when child welfare policy makes that option readily available to them. However, the exits that are most affected by this are legal emancipation (i.e., becoming legally independent prior to age 18), running away from care, or experiencing other generally undesirable exits that do not constitute legal permanency. These outcomes have all become less likely in the era of extended foster care.

In contrast, extending care in California appears to have had no effect on the likelihood that youth approaching adulthood in care will experience adoption or legal guardianship. The extended care policy is associated with a relatively small reduction in the likelihood that these older youth will be reunified with family, though it is possible that this reduction is largely a function of a trend that predated the law. Moreover, in interpreting a small reduction in the rate of family reunification as youth approach the age of 18, it is important to keep in mind that once youth turn 18 and are no longer minors in need of protection they are free to go live with family without the approval of child welfare agencies and juvenile courts. It is possible that some youth who went along with family reunification plans prior to the implementation of extended care did so because they believed they had nowhere else to go when they turned 18 and were discharged from care, but that they now choose to remain in care to keep their options open. Foster care providers, child welfare workers, and court personnel involved in reunification decision making may also weigh the risks and benefits of reuniting

youth with their families in a different way in the era of extended care. As we noted above, the data presented here cannot help us better understand how these decisions are being made.

As more time passes, the CalYOUTH project will revisit the question of whether extended care has had an impact on older youths' permanency outcomes. We will look at outcomes for youth younger than those we have studied so far (e.g., those 16 years old and younger). We will also examine exits through age 21, including to legal permanency, for those who remain in care past age 18. We will also obtain more information through our in-person surveys of youth making the transition to adulthood, our web-based surveys of their case managers, and from program administrative data on youth outcomes (e.g., college enrollment, earnings, and public aid utilization) about how the longer term well-being of youth who remain in care compares to that of youth who exit care in various ways.

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