

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 21-0645.01 Jane Ritter x4342

HOUSE BILL 21-1094

HOUSE SPONSORSHIP

Daugherty and Van Beber,

SENATE SPONSORSHIP

Zenzinger,

House Committees

Public & Behavioral Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE TRANSITION OF YOUTH IN COLORADO'S FOSTER**
102 **CARE SYSTEM TO SUCCESSFUL ADULTHOOD.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the foster youth in transition program (transition program) in the state department of human services (state department) to be implemented in county departments of human or social services (county departments) throughout the state. The purpose of the transition program is to allow foster youth who meet eligibility criteria to voluntarily continue to receive certain child welfare services (services) up

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

until the last day of the month of the youth's twenty-first birthday, or such greater age of foster care eligibility as required by federal law. Services provided through the transition program must be client-directed and developmentally appropriate as set forth in and agreed to through a voluntary services agreement (agreement) developed and entered into between the youth and county department.

The bill sets forth the eligibility criteria a youth must meet in order to voluntarily participate in the transition program. A youth who is no longer under the jurisdiction of the juvenile court and thinks he or she is eligible for the transition program may make a written request to the juvenile court (court) or county department where the youth resides. The county department shall make a determination of eligibility. If the youth is eligible, the county department shall explain the requirements and benefits of the transition program to the youth and, with the youth, develop an agreement that must be provided to the juvenile court together with a petition to renew jurisdiction with the juvenile court.

The bill describes the services and supports that will be made available to a youth through the transition program, including assistance with enrolling in medicaid; assistance with securing appropriate housing; and providing case management services, such as developing a roadmap to success, obtaining employment, obtaining critical documents and records, and accessing information about relatives and siblings, if available and appropriate.

The bill sets forth the form and content required for a petition to bring the youth under the juvenile court's jurisdiction. Upon receipt of informed, written consent of the youth, a person may be named as a special respondent in a case brought pursuant to the transition program.

A youth participating in the transition program must be appointed counsel from a list of attorneys approved by the office of the child's representative. If the youth is 18 years of age or older and, due to diminished capacity, needs a guardian ad litem, one may also be appointed.

Procedures for emancipation discharge and transition hearings (hearing) are described in the bill, including a requirement to have a personalized emancipation transition plan finalized for the youth no more than 90 days prior to a hearing. The county department shall file a report with the court at least 7 days prior to a transition hearing that includes relevant details concerning a youth's status and plans to either emancipate or enter the youth in transition program. With the youth's consent and in certain circumstances, the court may continue a transition hearing for up to 119 days.

The court shall hold periodic reviews of the youth's case at least every 6 months to ensure that the transition program is providing the youth with the necessary services to help the youth move toward permanency and a successful transition to adulthood. The bill sets forth

procedures for the periodic reviews. The bill grants continuing jurisdiction in a youth's case to the juvenile court under certain situations.

The bill creates the foster youth successful transition to adulthood grant program (grant program) and associated advisory board (advisory board). The purpose of the grant program is to support eligible youth to successful transition into adulthood. Youth are eligible for services from recipients of grants from the grant program if they are between the ages of 18 and 23, were in foster care or adjudicated dependent and neglected, and are participating voluntarily. The advisory board shall meet at least 2 times per year, and the bill outlines membership.

The state department is directed to promulgate rules for the implementation of the transition program.

The bill makes conforming amendments.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 3 to article
3 7 of title 19 as follows:

4 **PART 3**

5 **FOSTER YOUTH IN TRANSITION PROGRAM**

6 **19-7-301. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 FINDS AND DECLARES THAT:

8 (a) EACH YEAR, FOR A VARIETY OF REASONS, MORE THAN TWO
9 HUNDRED YOUTH, AGES EIGHTEEN TO TWENTY-ONE, EXIT COLORADO'S
10 FOSTER CARE SYSTEM WITHOUT AN ESTABLISHED PERMANENT HOME OR A
11 STABLE SUPPORT NETWORK;

12 (b) THESE YOUTH TYPICALLY DO NOT HAVE THE SAME SAFETY
13 NETS, SUPPORTIVE ADULTS, AND SUPPORT NETWORKS AS OTHER YOUTH
14 THEIR AGE;

15 (c) MANY OF THESE YOUTH WILL FACE CHALLENGES AS THEY
16 SEARCH FOR AFFORDABLE HOUSING, PURSUE HIGHER EDUCATION OR
17 TRAINING, SEARCH FOR EMPLOYMENT, MANAGE TIGHT BUDGETS, TAKE
18 CARE OF HEALTH NEEDS, AND MORE;

1 (d) YOUTH WHO ARE MAKING THE TRANSITION OUT OF FOSTER
2 CARE INTO INDEPENDENT LIVING FACE NOT ONLY THE TYPICAL
3 DEVELOPMENTAL CHANGES AND NEW EXPERIENCES THAT ARE COMMON TO
4 YOUTH BUT ALSO THE DRAMATIC CHANGE FROM BEING UNDER THE
5 COUNTY'S CARE TO BEING ON THEIR OWN, MANY WITHOUT ANY SUPPORT
6 SYSTEMS TO HELP THEM SUCCEED;

7 (e) ADDITIONALLY, MANY OF THESE YOUTH ARE DEALING WITH
8 THE LONG-TERM CONSEQUENCES OF TRAUMA RELATED TO THEIR
9 EXPERIENCE WITH ABUSE, NEGLECT, REMOVAL, OR OVERALL LACK OF
10 RESOURCES;

11 (f) THE ARRAY OF SERVICES AND SUPPORTS AVAILABLE TO YOUTH
12 WHILE THEY ARE IN THE FOSTER CARE SYSTEM, INCLUDING HOUSING,
13 FOOD, HEALTH CARE, AND CASEWORKER SUPPORT, DISAPPEAR WHEN THE
14 YOUTH EXIT THE FOSTER CARE SYSTEM; AND

15 (g) AVAILABLE RESEARCH SHOWS THAT EMANCIPATING YOUTH
16 BENEFIT FROM EXTENDED FOSTER CARE SERVICES AND SUPPORTS UNTIL
17 AGE TWENTY-ONE, AND COMMUNITY-BASED SUPPORTS THROUGH EARLY
18 ADULTHOOD, BUT FOR THE BENEFITS OF SUCH SERVICES AND SUPPORTS TO
19 LAST, YOUTH IN FOSTER CARE NEED DEVELOPMENTALLY APPROPRIATE
20 SERVICES, INCLUDING FREEDOM TO TEST THEIR INDEPENDENCE AND TO
21 MAKE MISTAKES WITH PROPORTIONAL CONSEQUENCES AND A REASONABLE
22 SAFETY NET.

23 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT BY
24 ESTABLISHING A VOLUNTARY TRANSITIONAL FOSTER CARE PROGRAM,
25 ALLOWING YOUTH TO REENTER THE STATE'S FOSTER CARE SYSTEM
26 THROUGH A FOSTER YOUTH IN TRANSITION PROGRAM, AND ENSURING
27 EQUITABLE ACCESS TO LESS RESTRICTIVE SUPPORTS IN THE COMMUNITY,

1 THE STATE CAN BETTER MEET THE NEEDS OF THOSE YOUTH WHO ARE
2 MAKING THE TRANSITION FROM FOSTER CARE TO SUCCESSFUL
3 ADULTHOOD.

4 **19-7-302. Definitions.** AS USED IN THIS PART 3, UNLESS THE
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "ADVISORY BOARD" MEANS THE FOSTER YOUTH SUCCESSFUL
7 TRANSITION TO ADULTHOOD GRANT PROGRAM ADVISORY BOARD CREATED
8 IN SECTION 19-7-314.

9 (2) "COUNTY DEPARTMENT" MEANS A COUNTY DEPARTMENT OF
10 HUMAN OR SOCIAL SERVICES.

11 (3) "ELIGIBLE YOUTH" MEANS AN INDIVIDUAL WHO MEETS THE
12 ELIGIBILITY CRITERIA SET FORTH IN SECTION 19-7-304 FOR PARTICIPATION
13 IN THE FOSTER YOUTH IN TRANSITION PROGRAM.

14 (4) "EMANCIPATION TRANSITION PLAN" MEANS A PLAN DEVELOPED
15 PURSUANT TO SECTION 19-7-310 THAT ADDRESSES HOW THE YOUTH WILL
16 MEET THE YOUTH'S NEEDS UPON THE YOUTH'S IMMINENT EMANCIPATION
17 FROM FOSTER CARE.

18 (5) "EVIDENCE-BASED SERVICE" MEANS A SERVICE THAT IS
19 ELIGIBLE FOR REIMBURSEMENT PURSUANT TO THE FEDERAL "FAMILY
20 FIRST PREVENTION SERVICES ACT", 42 U.S.C. SEC. 672, AND THAT IS
21 TRAUMA-INFORMED, PROMISING, SUPPORTED, OR WELL-SUPPORTED.

22 (6) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
23 THE STATE DEPARTMENT OF HUMAN SERVICES.

24 (7) "FOSTER CARE" HAS THE SAME MEANING SET FORTH IN SECTION
25 19-1-103 (51.3).

26 (8) "GRANT PROGRAM" MEANS THE FOSTER YOUTH SUCCESSFUL
27 TRANSITION TO ADULTHOOD GRANT PROGRAM CREATED IN SECTION

1 19-7-314.

2 (9) "PARTICIPATING YOUTH" MEANS A YOUTH WHO VOLUNTARILY
3 AGREES TO PARTICIPATE IN THE TRANSITION PROGRAM AND MEETS THE
4 ELIGIBILITY REQUIREMENTS SET FORTH IN SECTION 19-7-304.

5 (10) "REASONABLE EFFORTS" HAS THE SAME MEANING AS SET
6 FORTH IN SECTION 19-1-103 (89).

7 (11) "ROADMAP TO SUCCESS" MEANS A WRITTEN DESCRIPTION OF
8 A YOUTH'S GOALS, PROGRAMS, AND SERVICES PROVIDED DURING AN OPEN
9 CASE THAT WILL ASSIST YOUTH WHO ARE FOURTEEN YEARS OF AGE OR
10 OLDER AND IN FOSTER CARE TO THE YOUTH'S EVENTUAL TRANSITION FROM
11 FOSTER CARE TO SUCCESSFUL ADULTHOOD. THE DOCUMENT IS DEVELOPED
12 COLLABORATIVELY WITH THE YOUTH.

13 (12) "SERVICE PROVIDER" MEANS AN AGENCY THAT APPLIES FOR
14 FUNDING TO PROVIDE SERVICES THROUGH THE GRANT PROGRAM.

15 (13) "SPECIAL RESPONDENT" MEANS ANY PERSON, OTHER THAN
16 THE YOUTH WHO IS THE SUBJECT OF THE PETITION, WHO IS VOLUNTARILY
17 OR INVOLUNTARILY JOINED IN A YOUTH IN TRANSITION PROCEEDING FOR
18 THE LIMITED PURPOSES OF PROTECTIVE ORDERS OR INCLUSION IN A CASE
19 PLAN AND FOR THE GROUNDS OUTLINED IN SECTION 19-7-307 (5).

20 (14) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
21 HUMAN SERVICES.

22 (15) "SUPERVISED INDEPENDENT LIVING PLACEMENT" MEANS A
23 FORM OF COMMUNITY-BASED PLACEMENT OUT OF THE HOME THAT IS
24 DESIGNED TO PROMOTE AND LEAD TO A YOUTH'S SUCCESSFUL
25 EMANCIPATION. THE PLACEMENT IS NOT LICENSED BUT IS SUPERVISED BY
26 THE COUNTY DEPARTMENT TO ASSESS PLACEMENT FOR MINIMUM SAFETY
27 STANDARDS.

1 (16) "TRANSITION PROGRAM" OR "FOSTER YOUTH IN TRANSITION
2 PROGRAM" MEANS THE PROGRAM ESTABLISHED PURSUANT TO SECTION
3 19-7-303 IN WHICH AN ELIGIBLE YOUTH MAY VOLUNTARILY OPT TO
4 CONTINUE OR RESUME RECEIVING CHILD WELFARE SERVICES THAT MAY
5 INCLUDE BUT ARE NOT LIMITED TO FOSTER CARE MAINTENANCE
6 PAYMENTS.

7 (17) "VOLUNTARY SERVICES AGREEMENT" MEANS A VOLUNTARY
8 SERVICES AGREEMENT ENTERED INTO BY A PARTICIPATING YOUTH
9 PURSUANT TO SECTION 19-7-306.

10 **19-7-303. Foster youth in transition program - established.**

11 THE FOSTER YOUTH IN TRANSITION PROGRAM IS ESTABLISHED IN THE
12 STATE DEPARTMENT TO BE IMPLEMENTED IN COUNTY DEPARTMENTS
13 THROUGHOUT THE STATE TO PROVIDE EXTENDED CHILD WELFARE
14 SERVICES TO ELIGIBLE YOUTH EIGHTEEN YEARS OF AGE OR OLDER BUT
15 LESS THAN TWENTY-ONE YEARS OF AGE. EACH COUNTY DEPARTMENT
16 SHALL MAKE THE TRANSITION PROGRAM AVAILABLE ON A VOLUNTARY
17 BASIS TO ELIGIBLE YOUTH. THE CHILD WELFARE SERVICES PROVIDED
18 THROUGH THE TRANSITION PROGRAM MUST BE CLIENT-DIRECTED AND
19 DEVELOPMENTALLY APPROPRIATE, AS SET FORTH IN A VOLUNTARY
20 SERVICES AGREEMENT DEVELOPED AND ENTERED INTO PURSUANT TO
21 SECTION 19-7-306 AND OVERSEEN BY THE JUVENILE COURT IN A YOUTH IN
22 TRANSITION PROCEEDING BROUGHT PURSUANT TO THIS PART 3.

23 **19-7-304. Eligibility and enrollment.** (1) AN ELIGIBLE YOUTH IS
24 AN INDIVIDUAL WHO:

25 (a) IS AT LEAST EIGHTEEN YEARS OF AGE OR OLDER, BUT LESS
26 THAN TWENTY-ONE YEARS OF AGE, OR SUCH GREATER AGE OF FOSTER
27 CARE ELIGIBILITY AS REQUIRED BY FEDERAL LAW;

1 (b) HAS RECENT PRIOR FOSTER CARE OR KINSHIP CARE
2 INVOLVEMENT IN ONE OF THE FOLLOWING WAYS:

3 (I) THE YOUTH WAS IN FOSTER CARE, AS DEFINED IN SECTION
4 19-1-103 (51.3), ON OR AFTER THE YOUTH'S SIXTEENTH BIRTHDAY; OR

5 (II) THE YOUTH WAS IN NONCERTIFIED KINSHIP CARE, AS DEFINED
6 IN SECTION 19-1-103 (78.7), ON OR AFTER THE YOUTH'S SIXTEENTH
7 BIRTHDAY AND WAS ADJUDICATED DEPENDENT AND NEGLECTED
8 PURSUANT TO ARTICLE 3 OF THIS TITLE 19;

9 (c) (I) EXCEPT AS PROVIDED IN SUBSECTION (1)(c)(II) OF THIS
10 SECTION, OR EXCEPT AS SUCH REQUIREMENTS MAY BE WAIVED BY
11 FEDERAL LAW, IS ENGAGED IN, OR INTENDS TO ENGAGE IN, AT LEAST ONE
12 OF THE FOLLOWING:

13 (A) COMPLETING SECONDARY EDUCATION OR AN EDUCATIONAL
14 PROGRAM LEADING TO AN EQUIVALENT CREDENTIAL;

15 (B) ATTENDING AN INSTITUTION THAT PROVIDES POSTSECONDARY
16 OR VOCATIONAL EDUCATION;

17 (C) WORKING PART- OR FULL-TIME FOR AT LEAST EIGHTY HOURS
18 PER MONTH; OR

19 (D) PARTICIPATING IN A PROGRAM OR ACTIVITY DESIGNED TO
20 PROMOTE EMPLOYMENT OR REMOVE BARRIERS TO EMPLOYMENT.

21 (II) THE REQUIREMENT DESCRIBED IN SUBSECTION (1)(c)(I) OF THIS
22 SECTION DOES NOT APPLY TO A YOUTH WHO IS INCAPABLE OF ENGAGING
23 IN ANY OF THE ACTIVITIES DESCRIBED IN SUBSECTION (1)(c)(I) OF THIS
24 SECTION AS A RESULT OF A MEDICAL OR BEHAVIORAL HEALTH CONDITION
25 THAT IS SUPPORTED BY REGULARLY UPDATED DOCUMENTATION IN THE
26 YOUTH'S CASE PLAN; AND

27 (d) SEEKS TO ENTER INTO OR HAS ENTERED INTO AND IS

1 SUBSTANTIALLY FULFILLING THE YOUTH'S OBLIGATIONS PURSUANT TO A
2 VOLUNTARY SERVICES AGREEMENT WITH THE APPROPRIATE COUNTY
3 DEPARTMENT.

4 (2) (a) AN INDIVIDUAL WHO IS NO LONGER UNDER THE
5 JURISDICTION OF THE JUVENILE COURT AND BELIEVES HE OR SHE MAY BE
6 AN ELIGIBLE YOUTH MAY REQUEST TO PARTICIPATE IN THE TRANSITION
7 PROGRAM BY MAKING A WRITTEN REQUEST TO THE JUVENILE COURT OR
8 COUNTY DEPARTMENT WHERE THE YOUTH SELF-ATTESTS THAT THE YOUTH
9 RESIDES. THE REQUEST MUST INCLUDE DOCUMENTATION OF THE YOUTH'S
10 LEGAL NAME AND DATE OF BIRTH, IF AVAILABLE. IF THE YOUTH DOES NOT
11 HAVE SUCH DOCUMENTATION, THE YOUTH MAY SIGN AN AFFIDAVIT
12 ATTESTING TO THE YOUTH'S LEGAL NAME AND DATE OF BIRTH. THE YOUTH
13 SHALL PROVIDE CURRENT CONTACT INFORMATION AND A BRIEF
14 STATEMENT REGARDING WHY THE YOUTH BELIEVES HE OR SHE IS ELIGIBLE
15 FOR THE TRANSITION PROGRAM.

16 (b) WHEN A YOUTH MAKES A REQUEST TO THE JUVENILE COURT
17 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, THE JUVENILE COURT
18 SHALL NOTIFY THE COUNTY DEPARTMENT WHERE THE YOUTH
19 SELF-ATTESTS THAT THE YOUTH RESIDES. NO LATER THAN TEN COURT
20 DAYS AFTER RECEIPT OF THE JUVENILE COURT'S NOTIFICATION, THE
21 COUNTY DEPARTMENT SHALL FILE A RESPONSE WITH THE JUVENILE COURT
22 CONCERNING THE DETERMINATION OF THE YOUTH'S ELIGIBILITY. SUCH
23 DETERMINATION OF ELIGIBILITY MAY BE INCLUDED IN A PETITION FILED
24 WITH THE JUVENILE COURT PURSUANT TO SECTION 19-7-307.

25 (3) THE COUNTY DEPARTMENT SHALL DETERMINE WHETHER A
26 YOUTH IS ELIGIBLE AND, IF SO, EXPLAIN THE TRANSITION PROGRAM AND
27 THE VOLUNTARY SERVICES AGREEMENT TO THE ELIGIBLE YOUTH. IF THE

1 ELIGIBLE YOUTH DECIDES TO PARTICIPATE IN THE TRANSITION PROGRAM,
2 THE COUNTY DEPARTMENT SHALL PREPARE AND EXECUTE, IN
3 COLLABORATION WITH THE ELIGIBLE YOUTH, A VOLUNTARY SERVICES
4 AGREEMENT, AS DESCRIBED IN SECTION 19-7-306; PROVIDE A COPY OF THE
5 VOLUNTARY SERVICES AGREEMENT TO THE ELIGIBLE YOUTH; AND, WITHIN
6 SEVEN DAYS, FILE A PETITION WITH THE JUVENILE COURT PURSUANT TO
7 SECTION 19-7-307 THAT INCLUDES THE VOLUNTARY SERVICES
8 AGREEMENT. IF THE COUNTY DEPARTMENT DETERMINES THAT THE YOUTH
9 IS NOT ELIGIBLE, THE COUNTY DEPARTMENT SHALL NOTIFY THE YOUTH
10 AND THE JUVENILE COURT, IF THE REQUEST ORIGINATED FROM THE
11 JUVENILE COURT, OF THE COUNTY DEPARTMENT'S DETERMINATION AND
12 THE REASONS FOR SUCH DETERMINATION.

13 (4) AN ELIGIBLE YOUTH MAY VOLUNTARILY PARTICIPATE IN THE
14 TRANSITION PROGRAM FOR ANY LENGTH OF TIME UNTIL THE LAST DAY OF
15 THE MONTH OF THE INDIVIDUAL'S TWENTY-FIRST BIRTHDAY, OR SUCH
16 GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED BY FEDERAL
17 LAW.

18 (5) A PARTICIPATING YOUTH RETAINS ALL THE RIGHTS AND
19 RESPONSIBILITIES THE INDIVIDUAL WOULD NORMALLY HAVE, REGARDLESS
20 OF WHETHER THE PARTICIPATING YOUTH IS IN THE LEGAL CUSTODY OF THE
21 COUNTY DEPARTMENT FOR THE PURPOSES OF RECEIVING CHILD WELFARE
22 SERVICES.

23 **19-7-305. Available services and supports.** (1) EACH COUNTY
24 DEPARTMENT SHALL OFFER, AT A MINIMUM, THE FOLLOWING SERVICES
25 AND SUPPORTS TO PARTICIPATING YOUTH IN THE TRANSITION PROGRAM:

26 (a) ASSISTANCE WITH ENROLLING IN THE APPROPRIATE CATEGORY
27 OF MEDICAID FOR WHICH THE PARTICIPATING YOUTH IS ELIGIBLE;

1 (b) (I) ASSISTANCE WITH SECURING SAFE AND STABLE HOUSING.
2 IF A PARTICIPATING YOUTH IS IN THE LEGAL CUSTODY OF A COUNTY
3 DEPARTMENT:

4 (A) THE PARTICIPATING YOUTH'S HOUSING IS FUNDED THROUGH
5 FOSTER CARE MAINTENANCE PAYMENTS;

6 (B) WITH THE PARTICIPATING YOUTH'S CONSENT, THE
7 PARTICIPATING YOUTH'S HOUSING MAY BE IN ANY PLACEMENT FOR WHICH
8 THE PARTICIPATING YOUTH IS OTHERWISE ELIGIBLE AND THAT IS THE
9 LEAST RESTRICTIVE OPTION TO MEET THE PARTICIPATING YOUTH'S NEEDS;

10 OR

11 (C) IF THE PARTICIPATING YOUTH NEEDS PLACEMENT IN A
12 QUALIFIED RESIDENTIAL TREATMENT PROGRAM, THEN SUCH PLACEMENT
13 MUST FOLLOW ALL RELEVANT PROCEDURES PURSUANT TO SECTION
14 19-1-115 CONCERNING THE PLACEMENT OF A CHILD OR YOUTH IN A
15 QUALIFIED RESIDENTIAL TREATMENT PROGRAM.

16 (II) IF A PARTICIPATING YOUTH IS NOT IN THE LEGAL CUSTODY OF
17 A COUNTY DEPARTMENT, THE PARTICIPATING YOUTH MAY:

18 (A) RESIDE ANYWHERE THAT THE PARTICIPATING YOUTH IS
19 OTHERWISE ELIGIBLE TO RESIDE, INCLUDING A LICENSED HOST FAMILY
20 HOME, AS DEFINED IN SECTION 26-5.7-102 (3.5); AND

21 (B) ACCESS ANY FINANCIAL SUPPORT FOR HOUSING THAT THE
22 PARTICIPATING YOUTH IS OTHERWISE ELIGIBLE TO RECEIVE.

23 (c) CASE MANAGEMENT SERVICES, INCLUDING THE DEVELOPMENT
24 OF A CASE PLAN WITH A ROADMAP TO SUCCESS FOR THE PARTICIPATING
25 YOUTH, AS WELL AS ASSISTANCE IN THE FOLLOWING AREAS, AS
26 APPROPRIATE, AND WITH THE AGREEMENT OF THE PARTICIPATING YOUTH:

27 (I) PROVISION OF RESOURCES TO ASSIST THE PARTICIPATING YOUTH

- 1 IN THE TRANSITION TO ADULTHOOD;
- 2 (II) OBTAINING EMPLOYMENT OR OTHER FINANCIAL SUPPORT AND
3 ENHANCING FINANCIAL LITERACY;
- 4 (III) OBTAINING A DRIVER'S LICENSE OR OTHER
5 GOVERNMENT-ISSUED IDENTIFICATION CARD;
- 6 (IV) OBTAINING APPROPRIATE COMMUNITY RESOURCES AND
7 PUBLIC BENEFITS;
- 8 (V) SATISFYING ANY JUVENILE OR CRIMINAL JUSTICE SYSTEM
9 REQUIREMENTS AND ASSISTING WITH EXPUNGING THE PARTICIPATING
10 YOUTH'S COURT RECORDS, AS APPROPRIATE, PURSUANT TO SECTION
11 19-1-306;
- 12 (VI) PURSUING EDUCATIONAL GOALS AND APPLYING FOR
13 FINANCIAL AID, IF NECESSARY;
- 14 (VII) OBTAINING THE NECESSARY STATE COURT FINDINGS AND
15 APPLYING FOR SPECIAL IMMIGRANT JUVENILE STATUS PURSUANT TO
16 FEDERAL LAW, AS APPLICABLE, OR APPLYING FOR OTHER IMMIGRATION
17 RELIEF FOR WHICH THE PARTICIPATING YOUTH MAY BE QUALIFIED;
- 18 (VIII) OBTAINING COPIES OF HEALTH AND EDUCATION RECORDS;
- 19 (IX) MAINTAINING AND BUILDING RELATIONSHIPS WITH
20 INDIVIDUALS WHO ARE IMPORTANT TO THE PARTICIPATING YOUTH,
21 INCLUDING SEARCHING FOR INDIVIDUALS WITH WHOM THE PARTICIPATING
22 YOUTH HAS LOST CONTACT; AND
- 23 (X) ACCESSING INFORMATION ABOUT MATERNAL AND PATERNAL
24 RELATIVES, INCLUDING ANY SIBLINGS.

25 **19-7-306. Voluntary services agreement.** (1) A VOLUNTARY
26 SERVICES AGREEMENT ENTERED INTO PURSUANT TO THIS PART 3 IS A
27 BINDING AGREEMENT, WRITTEN IN A CLIENT-DRIVEN AND

1 DEVELOPMENTALLY APPROPRIATE MANNER, BETWEEN THE COUNTY
2 DEPARTMENT AND A PARTICIPATING YOUTH. THE AGREEMENT SPECIFIES
3 THE TERMS OF THE YOUTH'S PARTICIPATION IN THE TRANSITION PROGRAM,
4 INCLUDING, AT A MINIMUM:

5 (a) THE PARTICIPATING YOUTH'S LEGAL STATUS, INCLUDING THAT
6 THE PARTICIPATING YOUTH RETAINS THE RIGHTS OF A LEGAL ADULT OF
7 THE PARTICIPATING YOUTH'S CHRONOLOGICAL AGE, REGARDLESS OF
8 WHETHER OR NOT THE PARTICIPATING YOUTH IS IN THE COUNTY
9 DEPARTMENT'S LEGAL CUSTODY;

10 (b) THE PARTICIPATING YOUTH'S RIGHTS AND OBLIGATIONS WHILE
11 THE AGREEMENT IS IN EFFECT, INCLUDING THE RIGHT TO COUNSEL;

12 (c) A STATEMENT CONCERNING THE VOLUNTARY NATURE OF THE
13 TRANSITION PROGRAM AND THE PARTICIPATING YOUTH'S RIGHT TO
14 TERMINATE THE AGREEMENT AT ANY TIME AND THE PROCEDURES FOR
15 SUCH TERMINATION;

16 (d) THE COUNTY DEPARTMENT'S RIGHTS AND OBLIGATIONS WHILE
17 THE AGREEMENT IS IN EFFECT;

18 (e) THE SERVICES THAT WILL BE AVAILABLE TO THE PARTICIPATING
19 YOUTH THROUGH THE TRANSITION PROGRAM; AND

20 (f) THE CIRCUMSTANCES UNDER WHICH A COUNTY DEPARTMENT
21 MAY REQUEST THAT THE COURT TERMINATE THE AGREEMENT AND THE
22 COURT'S JURISDICTION OVER THE OBJECTION OF THE PARTICIPATING
23 YOUTH.

24 **19-7-307. Petition - form and content.** (1) NO LATER THAN TEN
25 COURT DAYS AFTER A VOLUNTARY SERVICES AGREEMENT IS EXECUTED
26 PURSUANT TO SECTION 19-7-306, A COUNTY DEPARTMENT SHALL FILE A
27 PETITION WITH THE COURT INITIATING A PROCEEDING PURSUANT TO THIS

1 PART 3 TITLED "THE PEOPLE OF THE STATE OF COLORADO, IN THE MATTER
2 OF _____, A YOUTH IN TRANSITION". THE PETITION MUST BE VERIFIED AND
3 THE STATEMENTS MAY BE MADE UPON INFORMATION AND BELIEF.

4 (2) THE PETITION MUST PLAINLY SET FORTH THE FACTS THAT
5 BRING THE PARTICIPATING YOUTH UNDER THE COURT'S JURISDICTION. THE
6 PETITION MUST ALSO STATE THE PARTICIPATING YOUTH'S NAME, AGE, AND
7 COUNTY WHERE THE PARTICIPATING YOUTH SELF-ATTESTS THE
8 PARTICIPATING YOUTH RESIDES.

9 (3) IN EACH CASE WHERE REMOVAL OF A PARTICIPATING YOUTH
10 FROM THE HOME IS SOUGHT, THE PETITION MUST EITHER STATE THAT
11 REASONABLE EFFORTS WERE MADE TO PREVENT FOSTER CARE, INCLUDING
12 A SUMMARY OF THOSE EFFORTS, OR, IF NO SERVICES TO PREVENT
13 OUT-OF-HOME PLACEMENT WERE PROVIDED, THE PETITION MUST CONTAIN
14 AN EXPLANATION OF WHY SUCH SERVICES WERE NOT PROVIDED OR A
15 DESCRIPTION OF THE EMERGENCY THAT PRECLUDED THE USE OF SERVICES
16 TO PREVENT FOSTER CARE OR OUT-OF-HOME PLACEMENT. ASSIGNMENT OF
17 LEGAL CUSTODY OF A PARTICIPATING YOUTH TO A COUNTY DEPARTMENT
18 FOR PURPOSES OF PLACEMENT IN A SUPERVISED INDEPENDENT LIVING
19 PLACEMENT CONSTITUTES A REMOVAL AND IS FOSTER CARE.

20 (4) EACH PETITION FILED FOR A FOSTER YOUTH IN TRANSITION
21 PURSUANT TO THIS PART 3 MUST INCLUDE THE FOLLOWING STATEMENTS:

22 (a) THAT THE PARTICIPATING YOUTH RETAINS ALL THE ADULT
23 RIGHTS AND RESPONSIBILITIES THAT THE PARTICIPATING YOUTH WOULD
24 OTHERWISE HAVE, REGARDLESS OF WHETHER THE PARTICIPATING YOUTH
25 IS IN THE LEGAL CUSTODY OF THE COUNTY DEPARTMENT FOR PURPOSES OF
26 RECEIVING CHILD WELFARE SERVICES; AND

27 (b) THAT BY CONSENTING TO THE FACTS SET FORTH IN THE

1 PETITION AND THE JURISDICTION OF THE COURT, THE PARTICIPATING
2 YOUTH MAY BE REQUIRED TO ATTEND COURT AT LEAST ONCE EVERY SIX
3 MONTHS PURSUANT TO SECTION 19-3-702. THE PARTICIPATING YOUTH
4 MAY REQUEST THAT THE CASE BE DISMISSED AT ANY TIME, FORGOING THE
5 BENEFITS AND OBLIGATIONS OF THE TRANSITION PROGRAM.

6 (5) UPON RECEIPT OF INFORMED, WRITTEN CONSENT OF THE
7 PARTICIPATING YOUTH, A PERSON MAY BE NAMED AS A SPECIAL
8 RESPONDENT ON THE GROUNDS THAT SUCH PERSON RESIDES WITH, HAS
9 ASSUMED A PARENTING ROLE TOWARD, OR MAINTAINS A SIGNIFICANT
10 RELATIONSHIP WITH THE PARTICIPATING YOUTH. PERSONAL JURISDICTION
11 IS OBTAINED OVER A SPECIAL RESPONDENT ONCE THE SPECIAL
12 RESPONDENT IS GIVEN NOTICE BY SERVICE OF SUMMONS AND A COPY OF
13 THE PETITION OR MOTION DESCRIBING THE REASONS FOR THE SPECIAL
14 RESPONDENT'S JOINDER. A SPECIAL RESPONDENT MUST BE AFFORDED AN
15 OPPORTUNITY FOR A HEARING TO CONTEST JOINDER AND THE
16 APPROPRIATENESS OF ANY ORDERS THAT AFFECT THE SPECIAL
17 RESPONDENT, AND HAS THE RIGHT TO BE REPRESENTED BY COUNSEL AT
18 ANY SUCH HEARING. AT ANY OTHER STAGE OF THE PROCEEDINGS, A
19 SPECIAL RESPONDENT MAY BE REPRESENTED BY COUNSEL AT THE SPECIAL
20 RESPONDENT'S OWN EXPENSE.

21 (6) IN ADDITION TO PROVIDING NOTICE TO THE PARTICIPATING
22 YOUTH, THE COURT SHALL ENSURE THAT NOTICE OF ALL HEARINGS AND
23 REVIEWS HELD REGARDING THE PARTICIPATING YOUTH IS PROVIDED TO
24 LICENSED FOSTER PARENTS WITH WHOM A PARTICIPATING YOUTH IS
25 PLACED, NOT INCLUDING ADULTS WITH WHOM A PARTICIPATING YOUTH
26 LIVES THROUGH A SUPERVISED INDEPENDENT LIVING PLACEMENT.
27 LICENSED FOSTER PARENTS HAVE THE RIGHT TO BE HEARD AT SUCH

1 HEARINGS AND REVIEWS BUT MUST NOT BE MADE A PARTY TO THE ACTION
2 SOLELY ON THE BASIS OF NOTICE AND THE RIGHT TO BE HEARD.

3 (7) THE PETITION MUST BE ACCOMPANIED BY A COPY OF THE
4 VOLUNTARY SERVICES AGREEMENT EXECUTED PURSUANT TO SECTION
5 19-7-306 AND, FOR A PARTICIPATING YOUTH ENTERING THE TRANSITION
6 PROGRAM DIRECTLY FROM AN OPEN CASE PURSUANT TO ARTICLE 3 OF THIS
7 TITLE 19, THE PETITION MUST ALSO INCLUDE A CURRENT COPY OF THE
8 PARTICIPATING YOUTH'S ROADMAP TO SUCCESS.

9 **19-7-308. Right to counsel - guardian ad litem - representation**
10 **of petitioner.** (1) A PARTICIPATING YOUTH MUST BE APPOINTED COUNSEL
11 FROM A LIST OF ATTORNEYS APPROVED BY THE OFFICE OF THE CHILD'S
12 REPRESENTATIVE. THE OFFICE OF THE CHILD'S REPRESENTATIVE SHALL
13 DEVELOP PRACTICE STANDARDS AND GUIDELINES FOR REPRESENTING
14 PARTICIPATING YOUTH IN PROCEEDINGS BROUGHT PURSUANT TO THIS PART
15 3.

16 (2) A PARTICIPATING YOUTH WHO IS EIGHTEEN YEARS OF AGE OR
17 OLDER AND, DUE TO DIMINISHED CAPACITY, NEEDS A GUARDIAN AD LITEM
18 MAY ALSO HAVE A GUARDIAN AD LITEM APPOINTED FROM THE LIST
19 APPROVED BY THE OFFICE OF THE CHILD'S REPRESENTATIVE.

20 (3) IN ALL PROCEEDINGS BROUGHT PURSUANT TO THIS PART 3, THE
21 PETITIONER MUST BE REPRESENTED BY A COUNTY ATTORNEY, A SPECIAL
22 COUNTY ATTORNEY, OR AN ATTORNEY OF A CITY OR CITY AND COUNTY.

23 **19-7-309. Supervised independent living placements -**
24 **background checks not required.** A COUNTY DEPARTMENT IS NOT
25 REQUIRED TO CONDUCT BACKGROUND CHECKS FOR OTHER RESIDENTS OF
26 A SUPERVISED INDEPENDENT LIVING PLACEMENT AS A CONDITION OF
27 APPROVING A PARTICIPATING YOUTH'S INDEPENDENT LIVING SETTING.

1 **19-7-310. Emancipation discharge hearings - emancipation**

2 **transition plan.** (1) AT THE DIRECTION OF A PARTICIPATING YOUTH, WITH
3 ASSISTANCE AND SUPPORT FROM A COUNTY DEPARTMENT, AN
4 EMANCIPATION TRANSITION PLAN THAT IS PERSONALIZED FOR THE
5 PARTICIPATING YOUTH MUST BE DEVELOPED AND FINALIZED NO MORE
6 THAN NINETY DAYS PRIOR TO THE PARTICIPATING YOUTH'S EMANCIPATION
7 DISCHARGE HEARING. THE EMANCIPATION TRANSITION PLAN INCLUDES
8 SPECIFIC OPTIONS CONCERNING HOUSING, HEALTH INSURANCE,
9 EDUCATION, LOCAL OPPORTUNITIES FOR MENTORS AND CONTINUING
10 SUPPORT SERVICES, AND WORKFORCE SUPPORTS AND EMPLOYMENT
11 SERVICES. THE EMANCIPATION TRANSITION PLAN MUST ALSO INCLUDE
12 INFORMATION CONCERNING THE IMPORTANCE OF DESIGNATING ANOTHER
13 INDIVIDUAL TO MAKE HEALTH CARE TREATMENT DECISIONS ON THE
14 PARTICIPATING YOUTH'S BEHALF IF THE YOUTH BECOMES UNABLE TO
15 PARTICIPATE IN SUCH DECISIONS AND THE PARTICIPATING YOUTH DOES
16 NOT HAVE, OR DOES NOT WANT, A RELATIVE OR LEGAL GUARDIAN WHO
17 WOULD OTHERWISE BE AUTHORIZED TO MAKE SUCH DECISIONS. THE
18 EMANCIPATION TRANSITION PLAN MUST PROVIDE THE PARTICIPATING
19 YOUTH WITH THE OPTION TO EXECUTE A HEALTH CARE POWER OF
20 ATTORNEY AND INCLUDE DETAILS AT THE PARTICIPATING YOUTH'S
21 DISCRETION.

22 (2) IF A PARTICIPATING YOUTH REMAINS IN THE TRANSITION
23 PROGRAM UNTIL THE PARTICIPATING YOUTH TURNS TWENTY-ONE YEARS
24 OF AGE, OR SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED
25 BY FEDERAL LAW, AT LEAST NINETY DAYS PRIOR TO THE PARTICIPATING
26 YOUTH'S LAST DAY OF ELIGIBILITY FOR THE TRANSITION PROGRAM, THE
27 COUNTY DEPARTMENT SHALL PROVIDE THE PARTICIPATING YOUTH WITH:

1 (a) A CLEAR AND DEVELOPMENTALLY APPROPRIATE WRITTEN
2 NOTICE OF THE DATE THAT THE PARTICIPATING YOUTH'S VOLUNTARY
3 SERVICES AGREEMENT WILL TERMINATE;

4 (b) THE PARTICIPATING YOUTH'S EMANCIPATION TRANSITION PLAN;
5 AND

6 (c) INFORMATION ABOUT AND CONTACT INFORMATION FOR
7 COMMUNITY RESOURCES THAT MAY BENEFIT THE PARTICIPATING YOUTH,
8 SPECIFICALLY INCLUDING INFORMATION REGARDING PROGRAMS THAT
9 HAVE BEEN ESTABLISHED PURSUANT TO SECTION 19-7-314 OR TO FEDERAL
10 LAW THAT PROVIDE TRANSITIONAL FOSTER CARE ASSISTANCE TO YOUNG
11 ADULTS.

12 (3) PRIOR TO A PARTICIPATING YOUTH'S EMANCIPATION, THE
13 COURT SHALL:

14 (a) REVIEW THE PARTICIPATING YOUTH'S EMANCIPATION
15 TRANSITION PLAN AND CONSULT WITH THE PARTICIPATING YOUTH ON THE
16 PARTICIPATING YOUTH'S READINESS;

17 (b) DETERMINE WHETHER THE COUNTY DEPARTMENT HAS MADE
18 REASONABLE EFFORTS TOWARD THE PARTICIPATING YOUTH'S
19 PERMANENCY GOALS AND TO PREPARE THE PARTICIPATING YOUTH FOR A
20 SUCCESSFUL TRANSITION TO ADULTHOOD;

21 (c) DETERMINE WHETHER THE PARTICIPATING YOUTH HAS BEEN
22 PROVIDED WITH ALL NECESSARY RECORDS AND DOCUMENTS AS DESCRIBED
23 IN SUBSECTION (4)(b) OF THIS SECTION;

24 (d) DETERMINE WHETHER THE PARTICIPATING YOUTH HAS BEEN
25 ENROLLED IN MEDICAID AND ADVISE THE PARTICIPATING YOUTH ON THE
26 PARTICIPATING YOUTH'S ELIGIBILITY FOR FORMER FOSTER CARE MEDICAID
27 UP TO THE PARTICIPATING YOUTH'S TWENTY-SIXTH BIRTHDAY PURSUANT

1 TO SECTION 25.5-5-101 (1)(e); AND

2 (e) ADVISE THE PARTICIPATING YOUTH THAT IF THE YOUTH
3 CHOOSES TO EMANCIPATE BUT LATER DECIDES SUPPORT IS NEEDED, THE
4 YOUTH HAS THE RIGHT TO BEGIN RECEIVING CHILD WELFARE SERVICES
5 AGAIN THROUGH THE FOSTER YOUTH IN TRANSITION PROGRAM, CREATED
6 IN SECTION 19-7-303, UNTIL THE YOUTH'S TWENTY-FIRST BIRTHDAY, OR
7 SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED BY
8 FEDERAL LAW; AND ADVISE THE YOUTH OF THE NECESSITY OF KEEPING THE
9 PARTICIPATING YOUTH'S CONTACT INFORMATION UP TO DATE WITH THE
10 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING OR THE
11 APPROPRIATE COUNTY DEPARTMENT.

12 (4) AT LEAST SEVEN DAYS PRIOR TO A PARTICIPATING YOUTH'S
13 EMANCIPATION DISCHARGE HEARING, THE COUNTY DEPARTMENT SHALL
14 FILE A REPORT WITH THE COURT THAT INCLUDES:

15 (a) A DESCRIPTION OF THE COUNTY DEPARTMENT'S REASONABLE
16 EFFORTS TOWARD ACHIEVING THE PARTICIPATING YOUTH'S PERMANENCY
17 GOALS AND A SUCCESSFUL TRANSITION TO ADULTHOOD;

18 (b) AN AFFIRMATION THAT THE COUNTY DEPARTMENT HAS
19 PROVIDED THE PARTICIPATING YOUTH WITH ALL NECESSARY RECORDS AND
20 DOCUMENTS, INCLUDING COPIES OF ALL DOCUMENTS LISTED IN SECTION
21 19-3-702 (4)(d), HEALTH RECORDS, EDUCATION RECORDS, AND WRITTEN
22 INFORMATION CONCERNING THE PARTICIPATING YOUTH'S FAMILY HISTORY
23 AND CONTACT INFORMATION FOR SIBLINGS, IF APPROPRIATE; AND

24 (c) A COPY OF THE PARTICIPATING YOUTH'S EMANCIPATION
25 TRANSITION PLAN, FINALIZED NO MORE THAN NINETY DAYS PRIOR TO THE
26 PARTICIPATING YOUTH'S EMANCIPATION DISCHARGE HEARING.

27 (5) WITH THE PARTICIPATING YOUTH'S CONSENT, THE COURT MAY

1 CONTINUE THE EMANCIPATION DISCHARGE HEARING FOR UP TO ONE
2 HUNDRED NINETEEN DAYS, BUT NOT PAST THE LAST DAY OF THE MONTH
3 IN WHICH THE PARTICIPATING YOUTH TURNS TWENTY-ONE YEARS OF AGE,
4 OR SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED BY
5 FEDERAL LAW. THE CONTINUANCE MUST BE TO ALLOW TIME TO IMPROVE
6 THE PARTICIPATING YOUTH'S EMANCIPATION TRANSITION PLAN, GATHER
7 NECESSARY DOCUMENTS AND RECORDS FOR THE PARTICIPATING YOUTH,
8 OR ANY OTHER REASON NECESSARY TO ALLOW FOR THE PARTICIPATING
9 YOUTH TO HAVE A SUCCESSFUL TRANSITION TO ADULTHOOD.

10 **19-7-311. Permanency planning hearings.** A PERMANENCY
11 PLANNING HEARING MUST BE HELD FOR A PARTICIPATING YOUTH UNDER
12 THE COURT'S JURISDICTION PURSUANT TO THIS PART 3 IN THE SAME
13 MANNER AS PROVIDED IN SECTION 19-3-702.

14 **19-7-312. Periodic reviews.** (1) THE COURT SHALL HOLD A
15 PERIODIC REVIEW HEARING FOR EACH PARTICIPATING YOUTH AT LEAST
16 ONCE EVERY SIX MONTHS. THE REVIEW HEARING AND PERMANENCY
17 HEARING MUST BE HELD TOGETHER IN THE SAME HEARING.

18 (2) THE PRIMARY PURPOSE OF THE REVIEW HEARING IS TO ENSURE
19 THAT THE TRANSITION PROGRAM IS PROVIDING THE PARTICIPATING YOUTH
20 WITH THE NECESSARY SERVICES AND SUPPORTS TO HELP THE
21 PARTICIPATING YOUTH MOVE TOWARD PERMANENCY AND A SUCCESSFUL
22 TRANSITION TO ADULTHOOD.

23 (3) PRIOR TO A PERIODIC REVIEW HELD PURSUANT TO THIS
24 SECTION, THE COUNTY DEPARTMENT SHALL FILE A REPORT WITH THE
25 COURT THAT INCLUDES:

26 (a) A COPY OF THE PARTICIPATING YOUTH'S ROADMAP TO SUCCESS;

27 (b) A STATEMENT OF THE PARTICIPATING YOUTH'S PROGRESS ON

1 THE PARTICIPATING YOUTH'S GOALS AND WHETHER THE PARTICIPATING
2 YOUTH IS MEETING THE PARTICIPATING YOUTH'S OBLIGATIONS PURSUANT
3 TO THE VOLUNTARY SERVICES AGREEMENT, INCLUDING ANY REQUIRED
4 ACTIVITIES;

5 (c) A STATEMENT OF THE COUNTY DEPARTMENT'S REASONABLE
6 EFFORTS TO SUPPORT THE PARTICIPATING YOUTH IN MEETING THE
7 PARTICIPATING YOUTH'S GOALS; AND

8 (d) A STATEMENT OF ANY BARRIERS TO THE PARTICIPATING YOUTH
9 IN MEETING THE PARTICIPATING YOUTH'S GOALS AND ANY PLANS TO
10 ADDRESS SUCH BARRIERS.

11 (4) THE COURT MAY ORDER THE COUNTY DEPARTMENT TO
12 PROVIDE ADDITIONAL SERVICES AND SUPPORTS TO HELP THE
13 PARTICIPATING YOUTH ACHIEVE THE GOALS OUTLINED ON THE
14 PARTICIPATING YOUTH'S ROADMAP TO SUCCESS OR COMPLY WITH STATE
15 OR FEDERAL LAW.

16 (5) IF THE COURT FINDS THE PARTICIPATING YOUTH IS NOT
17 SUBSTANTIALLY FULFILLING THE PARTICIPATING YOUTH'S OBLIGATIONS
18 PURSUANT TO THE VOLUNTARY SERVICES AGREEMENT, THE COURT MAY
19 ENTER ORDERS FOR THE PARTICIPATING YOUTH TO FOLLOW IN ORDER TO
20 CONTINUE TO BE ELIGIBLE FOR THE TRANSITION PROGRAM.

21 (6) THE COURT SHALL CONDUCT A PERIODIC REVIEW HEARING IN
22 A MANNER THAT SEEKS THE PARTICIPATING YOUTH'S MEANINGFUL
23 PARTICIPATION, INCLUDING OFFERING REMOTE OPTIONS FOR
24 PARTICIPATION TO ACCOMMODATE THE PARTICIPATING YOUTH'S WORK,
25 SCHOOL, OR TREATMENT COMMITMENTS.

26 (7) DURING THE PERIODIC REVIEW HEARING, THE COURT SHALL
27 FIND WHETHER:

1 (a) THE COUNTY DEPARTMENT MADE REASONABLE EFFORTS TO
2 IMPLEMENT THE PARTICIPATING YOUTH'S CASE PLAN, INCLUDING THE
3 PARTICIPATING YOUTH'S ROADMAP TO SUCCESS; AND

4 (b) THE PARTICIPATING YOUTH CONTINUES TO NEED FOSTER CARE
5 AND WHETHER SUCH PLACEMENT IS THE LEAST RESTRICTIVE TO MEET THE
6 PARTICIPATING YOUTH'S NEEDS.

7 **19-7-313. Continuing jurisdiction.** (1) THE COURT HAS
8 CONTINUING JURISDICTION OVER THE PARTICIPATING YOUTH UNTIL ANY OF
9 THE FOLLOWING OCCURS:

10 (a) THE PARTICIPATING YOUTH MOVES THE COURT, AT ANY TIME,
11 TO WITHDRAW THE YOUTH'S PARTICIPATION IN THE TRANSITION PROGRAM
12 AND TO TERMINATE THE COURT'S JURISDICTION. THE COURT SHALL HOLD
13 AN EMANCIPATION DISCHARGE HEARING WITHIN THIRTY-FIVE DAYS AFTER
14 RECEIPT OF THE PARTICIPATING YOUTH'S MOTION TO REVIEW THE
15 PARTICIPATING YOUTH'S EMANCIPATION TRANSITION PLAN AND ADVISE
16 THE PARTICIPATING YOUTH AS PROVIDED IN SECTION 19-7-310.

17 (b) A COUNTY DEPARTMENT MOVES THE COURT AT LEAST NINETY
18 DAYS PRIOR TO A PARTICIPATING YOUTH'S TWENTY-FIRST BIRTHDAY, OR
19 SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED BY
20 FEDERAL LAW, TO REQUEST AN EMANCIPATION DISCHARGE HEARING BE
21 HELD PRIOR TO THE LAST DAY OF THE MONTH IN WHICH THE
22 PARTICIPATING YOUTH TURNS TWENTY-ONE YEARS OF AGE. THE COURT
23 SHALL HOLD AN EMANCIPATION DISCHARGE HEARING TO REVIEW THE
24 PARTICIPATING YOUTH'S EMANCIPATION TRANSITION PLAN AND ADVISE
25 THE PARTICIPATING YOUTH AS PROVIDED IN SECTION 19-7-310.

26 (c) A COUNTY DEPARTMENT MOVES THE COURT TO TERMINATE A
27 PARTICIPATING YOUTH'S VOLUNTARY SERVICES AGREEMENT AND THE

1 COURT'S JURISDICTION BECAUSE THE PARTICIPATING YOUTH NO LONGER
2 MEETS THE ELIGIBILITY REQUIREMENTS DESCRIBED IN SECTION 19-7-304
3 FOR THE TRANSITION PROGRAM. THE COUNTY DEPARTMENT SHALL
4 INCLUDE IN THE MOTION ITS EFFORTS TO REENGAGE THE PARTICIPATING
5 YOUTH, INCLUDING:

6 (I) THE PROVISION OF WRITTEN NOTICE TO THE PARTICIPATING
7 YOUTH IN A CLEAR AND DEVELOPMENTALLY APPROPRIATE MANNER THAT
8 INFORMS THE PARTICIPATING YOUTH OF THE COUNTY DEPARTMENT'S
9 INTENT TO REQUEST THAT THE COURT TERMINATE THE PARTICIPATING
10 YOUTH'S VOLUNTARY SERVICES AGREEMENT WITH AN EXPLANATION OF
11 THE REASONS; AND

12 (II) DOCUMENTATION OF THE COUNTY DEPARTMENT'S
13 REASONABLE EFFORTS TO MEET IN PERSON WITH THE PARTICIPATING
14 YOUTH TO EXPLAIN THE INFORMATION IN THE WRITTEN TERMINATION
15 NOTICE AND TO ASSIST THE PARTICIPATING YOUTH IN REESTABLISHING
16 ELIGIBILITY IF THE PARTICIPATING YOUTH WISHES TO CONTINUE TO
17 PARTICIPATE IN THE TRANSITION PROGRAM.

18 (2) THE COURT SHALL HOLD THE EMANCIPATION DISCHARGE
19 HEARING PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION AT LEAST
20 THIRTY-FIVE DAYS AFTER RECEIPT OF THE COUNTY DEPARTMENT'S MOTION
21 TO DETERMINE WHETHER THE PARTICIPATING YOUTH STILL MEETS THE
22 ELIGIBILITY REQUIREMENTS FOR THE TRANSITION PROGRAM, INCLUDING
23 SUBSTANTIALLY FULFILLING THE PARTICIPATING YOUTH'S OBLIGATIONS
24 SET FORTH IN THE PARTICIPATING YOUTH'S VOLUNTARY SERVICES
25 AGREEMENT. IF THE PARTICIPATING YOUTH NO LONGER MEETS THE
26 REQUIREMENTS OF THE TRANSITION PROGRAM AND THE COUNTY
27 DEPARTMENT HAS MADE REASONABLE BUT UNSUCCESSFUL EFFORTS TO

1 REENGAGE THE PARTICIPATING YOUTH, THEN THE COURT SHALL HOLD AN
2 EMANCIPATION DISCHARGE HEARING TO REVIEW THE PARTICIPATING
3 YOUTH'S EMANCIPATION TRANSITION PLAN AND ADVISE THE
4 PARTICIPATING YOUTH AS PROVIDED IN SECTION 19-7-310. THE COURT
5 MAY ACCOMPLISH ALL OF THESE ELEMENTS IN THE SAME EMANCIPATION
6 DISCHARGE HEARING IF ALL OF THE NECESSARY INFORMATION HAS BEEN
7 FILED IN A TIMELY FASHION.

8 **19-7-314. Foster youth successful transition to adulthood**
9 **grant program - creation - standards - application - fund - advisory**
10 **board - duties.** (1) (a) THE FOSTER YOUTH SUCCESSFUL TRANSITION TO
11 ADULTHOOD GRANT PROGRAM IS CREATED WITHIN THE STATE
12 DEPARTMENT. THE PURPOSE OF THE GRANT PROGRAM IS TO CREATE AND
13 ADMINISTER PROGRAMS THAT SUPPORT ELIGIBLE YOUTH IN MAKING A
14 SUCCESSFUL TRANSITION TO ADULTHOOD.

15 (b) THE STATE DEPARTMENT SHALL ENSURE THAT SERVICES ARE
16 AVAILABLE TO ELIGIBLE YOUTH THROUGHOUT COLORADO AND, IN ORDER
17 TO DO SO, ADMINISTER A MERIT-BASED APPLICATION PROCESS TO SELECT
18 SERVICE PROVIDERS AS FOLLOWS:

19 (I) AN APPLICATION FROM A COUNTY DEPARTMENT MUST RECEIVE
20 PREFERENCE OVER APPLICATIONS FROM OTHER TYPES OF ENTITIES; AND

21 (II) AN APPLICATION FOR A PROPOSED PROGRAM MUST RECEIVE
22 PREFERENCE IF IT INCLUDES THE PROVISION OF EVIDENCE-BASED SERVICES.

23 (c) YOUTH WHO MEET THE FOLLOWING CRITERIA ARE ELIGIBLE FOR
24 SERVICES FROM A PROGRAM THAT HAS RECEIVED A GRANT FROM THE
25 GRANT PROGRAM:

26 (I) THE YOUTH IS EIGHTEEN YEARS OF AGE OR OLDER BUT LESS
27 THAN TWENTY-THREE YEARS OF AGE, OR THE UPPER AGE LIMIT

1 ESTABLISHED IN THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC.
2 677 (a), WHICHEVER IS GREATER;

3 (II) THE YOUTH WAS IN FOSTER CARE OR ADJUDICATED DEPENDENT
4 AND NEGLECTED ON OR AFTER THE YOUTH'S FOURTEENTH BIRTHDAY; AND

5 (III) THE YOUTH VOLUNTARILY AGREES TO PARTICIPATE IN THE
6 PROGRAM THAT IS RECEIVING A GRANT FROM THE GRANT PROGRAM.

7 (2) THERE IS CREATED IN THE STATE TREASURY THE COLORADO
8 FOSTER YOUTH SUCCESSFUL TRANSITION TO ADULTHOOD GRANT PROGRAM
9 FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND CONSISTS
10 OF ANY MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE
11 FUND. MONEY IN THE FUND IS SUBJECT TO ANNUAL APPROPRIATION BY THE
12 GENERAL ASSEMBLY TO THE STATE DEPARTMENT FOR THE PURPOSE OF
13 PROVIDING GRANTS PURSUANT TO THIS SECTION AND FOR THE DIRECT AND
14 INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS
15 SECTION. ANY MONEY IN THE FUND NOT EXPENDED FOR THE PURPOSE OF
16 THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED
17 BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND
18 DEPOSIT OF MONEY IN THE FUND MUST BE CREDITED TO THE FUND. ANY
19 UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AT
20 THE END OF A STATE FISCAL YEAR MUST REMAIN IN THE FUND AND
21 AVAILABLE FOR EXPENDITURE BY THE STATE DEPARTMENT IN THE NEXT
22 FISCAL YEAR WITHOUT FURTHER APPROPRIATION. IN ADDITION TO MONEY
23 IN THE FUND, THE STATE DEPARTMENT MAY USE MONEY AWARDED
24 THROUGH THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 677, FOR
25 THE PURPOSES OF THE GRANT PROGRAM.

26 (3) (a) THE STATE DEPARTMENT SHALL CONVENE AN ADVISORY
27 BOARD, WHICH SHALL MEET AT LEAST TWO TIMES PER YEAR, TO REVIEW

1 THE GRANT PROGRAM AND PROVIDE RECOMMENDATIONS TO THE STATE
2 DEPARTMENT INCLUDING THE FOLLOWING ITEMS:

- 3 (I) IMPLEMENTATION OF THE GRANT PROGRAM;
- 4 (II) FUNDING MODELS AND ALLOCATION METHODOLOGIES;
- 5 (III) CONTENT FOR GRANT PROGRAM APPLICATIONS; AND
- 6 (IV) SCORING METHODOLOGY FOR GRANT PROGRAM APPLICATION
7 REVIEW.

8 (b) THE EXECUTIVE DIRECTOR SHALL APPOINT MEMBERS OF THE
9 ADVISORY BOARD FOR TWO-YEAR TERMS. THE BOARD MUST INCLUDE:

10 (I) TWO DIRECTORS OF COUNTY DEPARTMENTS OF HUMAN OR
11 SOCIAL SERVICES, OR THEIR DESIGNEES;

12 (II) TWO DIRECTORS OF RUNAWAY HOMELESS YOUTH PROVIDERS,
13 OR THEIR DESIGNEES;

14 (III) ONE STAFF MEMBER FROM THE STATE DEPARTMENT WITH
15 ADMINISTRATIVE RESPONSIBILITY FOR PROGRAMMING FUNDED THROUGH
16 THE FEDERAL "JOHN H. CHAFEE FOSTER CARE PROGRAM FOR SUCCESSFUL
17 TRANSITION TO ADULTHOOD", 42 U.S.C. SEC. 677;

18 (IV) THE MANAGING DIRECTOR OF THE COLORADO WORKFORCE
19 DEVELOPMENT COUNCIL, OR THE DIRECTOR'S DESIGNEE;

20 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER
21 EDUCATION OR THE DIRECTOR'S DESIGNEE; AND

22 (VI) TWO YOUTH WHO HAVE PREVIOUSLY PARTICIPATED IN THE
23 TRANSITION PROGRAM OR THE FEDERAL "JOHN H. CHAFEE FOSTER CARE
24 PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD", 42 U.S.C. SEC.
25 677.

26 (c) THE ADVISORY BOARD SHALL HAVE ITS FIRST MEETING ON OR
27 BEFORE OCTOBER 1, 2022.

1 **19-7-315. Rules.** THE STATE DEPARTMENT SHALL PROMULGATE
2 RULES FOR THE IMPLEMENTATION OF THIS PART 3, INCLUDING BUT NOT
3 LIMITED TO RULES CONCERNING ELIGIBILITY DETERMINATIONS,
4 ADMINISTRATIVE APPEALS OF ELIGIBILITY DETERMINATIONS, ENROLLMENT
5 INTO THE TRANSITION PROGRAM, EMANCIPATION TRANSITION PLANS AND
6 ROADMAPS TO SUCCESS, AND EXPEDITED PROCEDURES FOR SECURING
7 TEMPORARY SHELTER FOR YOUTH WHO ARE CURRENTLY HOMELESS OR AT
8 IMMINENT RISK OF HOMELESSNESS.

9 **SECTION 2.** In Colorado Revised Statutes, 19-1-103, **amend**
10 (51.3) and (89) as follows:

11 **19-1-103. Definitions.** As used in this title 19 or in the specified
12 portion of this title 19, unless the context otherwise requires:

13 (51.3) "Foster care" means the placement of a child OR YOUTH
14 into the legal custody or legal authority of a county department of human
15 or social services for physical placement of the child OR YOUTH in a
16 kinship care placement; SUPERVISED INDEPENDENT LIVING PLACEMENT,
17 AS DEFINED IN SECTION 19-7-302; or certified or licensed facility or the
18 physical placement of a juvenile committed to the custody of the state
19 department of human services into a community placement.

20 (89) "Reasonable efforts", as used in articles 1, 2, ~~and~~ 3, AND 7 of
21 this ~~title~~ TITLE 19, means the exercise of diligence and care throughout the
22 state of Colorado for children AND YOUTH who are in FOSTER CARE OR
23 out-of-home placement, or are at imminent risk of FOSTER CARE OR
24 out-of-home placement. In determining whether it is appropriate to
25 provide, purchase, or develop the supportive and rehabilitative services
26 that are required to prevent unnecessary placement of a child OR YOUTH
27 outside of a child's OR YOUTH'S home or to foster the safe reunification of

1 a child OR YOUTH with a child's OR YOUTH'S family, as described in
2 section 19-3-208, or whether it is appropriate to find and finalize an
3 alternative permanent plan for a child OR YOUTH, and in making
4 reasonable efforts, the child's OR YOUTH'S health and safety ~~shall be~~ IS the
5 paramount concern. Services provided by a county or city and county in
6 accordance with section 19-3-208 are deemed to meet the reasonable
7 effort standard described in this subsection (89). Nothing in this
8 subsection (89) shall be construed to conflict with federal law.

9 **SECTION 3.** In Colorado Revised Statutes, 19-1-104, **amend** (7);
10 and **add** (1)(n) as follows:

11 **19-1-104. Jurisdiction.** (1) Except as otherwise provided by law,
12 the juvenile court has exclusive original jurisdiction in proceedings:

13 (n) CONCERNING ANY YOUTH WHO IS VOLUNTARILY
14 PARTICIPATING IN THE FOSTER YOUTH IN TRANSITION PROGRAM
15 ESTABLISHED IN SECTION 19-7-303.

16 (7) Upon motion of the city or county attorney, guardian ad litem,
17 COUNSEL FOR YOUTH, or respondent parent counsel, the district or the
18 juvenile court has jurisdiction to enter a civil protection order pursuant to
19 article 14 of title 13 in actions brought pursuant to article 3 of this title 19
20 OR PART 3 OF ARTICLE 7 OF THIS TITLE 19. The court shall use the
21 standardized forms developed by the judicial department pursuant to
22 section 13-1-136 and shall follow the standards and procedures for the
23 issuance of civil protection orders set forth in article 14 of title 13,
24 including but not limited to personal service upon the restrained person.
25 Once issued, the clerk of the issuing court shall enter the civil protection
26 order into the computerized central registry of protection orders created
27 pursuant to section 18-6-803.7. If the person who is the subject of the

1 civil protection order has not been personally served pursuant to section
2 13-14-107 (3), a peace officer responding to a call for assistance shall
3 serve a copy of the civil protection order on the person who is subject to
4 the order. If the civil protection order is made permanent pursuant to the
5 provisions of section 13-14-106, the civil protection order remains in
6 effect upon termination of the juvenile court action. The clerk of the court
7 issuing the order shall file a certified copy of the permanent civil
8 protection order into an existing case in the district court, if applicable,
9 or with the county court in the county where the protected party resides.
10 Civil protection orders issued by the district or the juvenile court pursuant
11 to article 14 of title 13 have the same force and effect as protection orders
12 issued pursuant to article 14 of title 13 by a court with concurrent
13 jurisdiction.

14 **SECTION 4.** In Colorado Revised Statutes, 19-3-203, **add** (4)
15 and (5) as follows:

16 **19-3-203. Guardian ad litem.** (4) A GUARDIAN AD LITEM
17 ALREADY APPOINTED TO REPRESENT A YOUTH'S BEST INTERESTS
18 PURSUANT TO THIS ARTICLE 3 SHALL BEGIN ACTING AS COUNSEL AND
19 PROVIDING CLIENT-DIRECTED REPRESENTATION IMMEDIATELY UPON THE
20 YOUTH'S EIGHTEENTH BIRTHDAY AND SHALL ACT IN THIS ROLE UNTIL
21 EITHER THE CASE IS DISMISSED OR NEW COUNSEL IS APPOINTED.

22 (5) AT THE FIRST HEARING FOLLOWING A YOUTH'S EIGHTEENTH
23 BIRTHDAY, THE COURT SHALL ADVISE EACH YOUTH WHO HAS A CURRENT
24 GUARDIAN AD LITEM APPOINTED PURSUANT TO THIS SECTION OF THE
25 YOUTH'S OPTION TO EITHER CONSENT TO HAVE THE SAME PERSON
26 CONTINUE AS COUNSEL OR TO HAVE A NEW PERSON APPOINTED AS
27 COUNSEL. IF THE YOUTH ELECTS TO HAVE A NEW PERSON APPOINTED AS

1 COUNSEL, THE COURT SHALL APPOINT AN ATTORNEY FROM THE LIST OF
2 ATTORNEYS APPROVED BY THE OFFICE OF THE CHILD'S REPRESENTATIVE.

3 **SECTION 5.** In Colorado Revised Statutes, 19-3-205, **amend** (1);
4 and **add** (3) and (4) as follows:

5 **19-3-205. Continuing jurisdiction.** (1) Except as otherwise
6 provided in this ~~article~~ ARTICLE 19, the jurisdiction of the court over any
7 child OR YOUTH adjudicated as neglected or dependent shall continue
8 until ~~he~~ THE CHILD OR YOUTH becomes ~~twenty-one~~ EIGHTEEN AND
9 ONE-HALF years of age unless earlier terminated by court order; EXCEPT
10 THAT:

11 (a) IF A DETERMINATION IS PENDING OR THE YOUTH HAS BEEN
12 DETERMINED TO BE AN INCAPACITATED PERSON PURSUANT TO SECTION
13 15-14-102, THEN JURISDICTION CONTINUES UNTIL EITHER THE YOUTH HAS
14 MADE A COMPLETE TRANSITION INTO ADULT DISABILITY SERVICES AND IT
15 IS IN THE YOUTH'S BEST INTERESTS FOR THE JUVENILE COURT TO
16 TERMINATE JURISDICTION OR THE YOUTH REACHES TWENTY-ONE YEARS
17 OF AGE OR SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED
18 BY FEDERAL LAW, WHICHEVER COMES FIRST; OR

19 (b) IF A YOUTH IS MAKING THE TRANSITION TO ADULT SERVICES
20 PURSUANT TO SECTION 25.5-6-409.5, THEN THE COURT MAY EXTEND
21 JURISDICTION UNTIL SUCH TRANSITION IS COMPLETE.

22 (3) A PARTICIPATING YOUTH, AS DEFINED IN SECTION 19-7-302,
23 HAS THE RIGHT TO CHOOSE WHETHER TO PARTICIPATE IN THE FOSTER
24 YOUTH IN TRANSITION PROGRAM CREATED IN SECTION 19-7-303.

25 (4) (a) IF A YOUTH WHO IS SIXTEEN YEARS OF AGE OR OLDER BUT
26 LESS THAN EIGHTEEN YEARS OF AGE AND WHO IS IN THE CUSTODY OF A
27 COUNTY DEPARTMENT RUNS AWAY, AND THE YOUTH'S WHEREABOUTS

1 HAVE BEEN UNKNOWN FOR MORE THAN NINETY DAYS, THEN THE COUNTY
2 DEPARTMENT MAY FILE A MOTION TO TERMINATE JURISDICTION.

3 (b) THE COURT SHALL SET A HEARING NO LATER THAN THIRTY-FIVE
4 DAYS AFTER THE COUNTY DEPARTMENT FILES THE MOTION TO DETERMINE
5 WHETHER THE COUNTY DEPARTMENT HAS MADE REASONABLE EFFORTS TO
6 LOCATE THE YOUTH PRIOR TO TERMINATING JURISDICTION. THE HEARING
7 MAY BE WAIVED UPON STIPULATION BY ALL PARTIES.

8 (c) THE MOTION MUST BE WITHDRAWN AND THE HEARING MAY BE
9 VACATED OR CONVERTED TO A REVIEW HEARING IF THE YOUTH RETURNS.

10 **SECTION 6.** In Colorado Revised Statutes, 19-3-702, **amend**
11 (1)(a) and (4)(c) as follows:

12 **19-3-702. Permanency hearing.** (1) (a) In order to provide
13 stable, permanent homes for every child or youth placed out of the home,
14 in as short a time as possible, a court shall conduct a permanency
15 planning hearing. The court shall hold the permanency planning hearing
16 as soon as possible following THE INITIAL HEARING HELD PURSUANT TO A
17 PROCEEDING PURSUANT TO PART 3 OF ARTICLE 7 OF THIS TITLE 19 OR the
18 initial dispositional hearing pursuant to this article 3; except that the
19 permanency planning hearing must be held no later than ~~ninety~~
20 NINETY-ONE days after the initial decree of disposition. After the initial
21 permanency planning hearing, the court shall hold additional hearings at
22 least every six months while the case remains open or more often in the
23 discretion of the court, or upon the motion of any party. When possible,
24 the permanency planning hearing must be combined with the in-person
25 six-month review as provided for in section 19-1-115 (4)(c), ~~or~~ subsection
26 (6)(a) of this section, OR SECTION 19-7-312. The court shall hold all
27 permanency planning hearings in person, provide proper notice to all

1 parties, and provide all parties the opportunity to be heard. The court shall
2 consult with the child or youth in a developmentally appropriate manner
3 regarding the child's or youth's permanency goal.

4 (4) (c) Prior to closing a case before a ~~child's~~ YOUTH'S eighteenth
5 birthday, the court or the ~~child's~~ YOUTH'S guardian ad litem shall notify
6 the ~~child~~ YOUTH that ~~he or she~~ THE YOUTH will lose the right to receive
7 medicaid until the maximum age provided by federal law if the case is
8 closed prior to the ~~child's~~ YOUTH'S eighteenth birthday. PRIOR TO CLOSING
9 A CASE AFTER A YOUTH'S SIXTEENTH BIRTHDAY, THE COURT SHALL ADVISE
10 THE YOUTH OF THE YOUTH'S ELIGIBILITY FOR THE FOSTER YOUTH IN
11 TRANSITION PROGRAM, CREATED IN SECTION 19-7-303, SHOULD THE
12 YOUTH LATER DETERMINE HE OR SHE NEEDS CHILD WELFARE ASSISTANCE
13 FROM A COUNTY DEPARTMENT.

14 **SECTION 7.** In Colorado Revised Statutes, **add** 19-3-704 and
15 19-3-705 as follows:

16 **19-3-704. Youth with disabilities - incapacitated persons.**

17 (1) A PARTY MAY REQUEST THE COURT TO DETERMINE WHETHER A YOUTH
18 IS AN INCAPACITATED PERSON, AS DEFINED IN SECTION 15-14-102. THE
19 MOTION MUST BE FILED WITH THE COURT PRIOR TO THE YOUTH'S
20 EIGHTEENTH BIRTHDAY.

21 (2) IF THERE HAS BEEN A DETERMINATION, OR IF A DETERMINATION
22 IS PENDING, THAT A YOUTH IS AN INCAPACITATED PERSON, AS DEFINED IN
23 SECTION 15-14-102, THEN JURISDICTION CONTINUES AS PROVIDED IN
24 SECTION 19-3-205.

25 **19-3-705. Transition hearing.** (1) WHEN A YOUTH TURNS
26 EIGHTEEN YEARS OF AGE WHILE IN FOSTER CARE OR NONCERTIFIED KINSHIP
27 CARE, THE COURT SHALL HOLD A TRANSITION HEARING WITHIN

1 THIRTY-FIVE DAYS AFTER THE YOUTH'S EIGHTEENTH BIRTHDAY. THE
2 PURPOSE OF THE TRANSITION HEARING IS TO DETERMINE WHETHER THE
3 YOUTH WILL OPT INTO THE FOSTER YOUTH IN TRANSITION PROGRAM,
4 ESTABLISHED IN SECTION 19-7-303, OR, ALTERNATIVELY, CHOOSE TO
5 EMANCIPATE.

6 (2) AT LEAST SEVEN DAYS PRIOR TO A TRANSITION HEARING, A
7 COUNTY DEPARTMENT SHALL FILE A REPORT WITH THE COURT THAT
8 INCLUDES:

9 (a) A DESCRIPTION OF THE COUNTY DEPARTMENT'S REASONABLE
10 EFFORTS TOWARD ACHIEVING THE YOUTH'S PERMANENCY GOALS AND A
11 SUCCESSFUL TRANSITION TO ADULTHOOD;

12 (b) AN AFFIRMATION THAT THE COUNTY DEPARTMENT HAS
13 PROVIDED THE YOUTH WITH ALL NECESSARY RECORDS AND DOCUMENTS,
14 INCLUDING COPIES OF ALL DOCUMENTS LISTED IN SECTION 19-3-702 (4)(d),
15 HEALTH RECORDS, EDUCATION RECORDS, AND WRITTEN INFORMATION
16 CONCERNING THE YOUTH'S FAMILY HISTORY AND CONTACT INFORMATION
17 FOR SIBLINGS, IF AVAILABLE AND APPROPRIATE;

18 (c) AN AFFIRMATION THAT THE COUNTY DEPARTMENT HAS
19 INFORMED THE YOUTH, IN A DEVELOPMENTALLY APPROPRIATE MANNER,
20 OF THE BENEFITS AND OPTIONS AVAILABLE TO THE YOUTH BY
21 PARTICIPATING IN THE FOSTER YOUTH IN TRANSITION PROGRAM CREATED
22 IN SECTION 19-7-303 AND THE VOLUNTARY NATURE OF THAT PROGRAM;
23 AND

24 (d) A STATEMENT OF WHETHER THE YOUTH HAS MADE A
25 PRELIMINARY DECISION WHETHER TO EMANCIPATE OR TO ENTER THE
26 FOSTER YOUTH IN TRANSITION PROGRAM CREATED IN SECTION 19-7-303
27 AND EITHER OR BOTH OF THE FOLLOWING:

1 (I) IF IT IS ANTICIPATED THAT THE YOUTH WILL CHOOSE TO
2 EMANCIPATE, THE REPORT MUST INCLUDE A COPY OF THE YOUTH'S
3 EMANCIPATION TRANSITION PLAN EXECUTED PURSUANT TO SECTION
4 19-7-310, FINALIZED NO MORE THAN NINETY DAYS PRIOR TO THE YOUTH'S
5 TRANSITION; OR

6 (II) IF IT IS ANTICIPATED THAT THE YOUTH WILL CHOOSE TO ENTER
7 THE FOSTER YOUTH IN TRANSITION PROGRAM CREATED IN SECTION
8 19-7-303, THE COUNTY DEPARTMENT SHALL FILE A PETITION PURSUANT TO
9 SECTION 19-7-307.

10 (3) THE COURT SHALL ADVISE THE YOUTH THAT:

11 (a) EXCEPT AS PROVIDED IN SECTION 19-3-704, THE YOUTH HAS
12 THE RIGHT TO CHOOSE WHETHER TO EMANCIPATE OR TO VOLUNTARILY
13 CONTINUE RECEIVING SERVICES THROUGH THE FOSTER YOUTH IN
14 TRANSITION PROGRAM CREATED IN SECTION 19-7-303;

15 (b) TO PARTICIPATE IN THE FOSTER YOUTH IN TRANSITION
16 PROGRAM CREATED IN SECTION 19-7-303, THE YOUTH MUST ENTER INTO
17 A VOLUNTARY SERVICES AGREEMENT WITH THE COUNTY DEPARTMENT.
18 THE TRANSITION PROGRAM PROVIDES THE YOUTH WITH ACCESS TO
19 FINANCIAL SUPPORT WITH HOUSING AND OTHER SERVICES, AS OUTLINED
20 IN SECTION 19-7-305.

21 (c) SERVICES PROVIDED THROUGH THE FOSTER YOUTH IN
22 TRANSITION PROGRAM CREATED IN SECTION 19-7-303 ARE VOLUNTARY
23 FOR THE YOUTH, AND THE YOUTH MAY REMAIN IN THE TRANSITION
24 PROGRAM UNTIL THE LAST DAY OF THE MONTH IN WHICH THE YOUTH
25 TURNS TWENTY-ONE YEARS OF AGE, OR SUCH GREATER AGE OF FOSTER
26 CARE ELIGIBILITY AS REQUIRED BY FEDERAL LAW, SO LONG AS THE YOUTH
27 MEETS ALL OTHER PROGRAM ELIGIBILITY REQUIREMENTS PURSUANT TO

1 SECTION 19-7-304;

2 (d) IF THE YOUTH CHOOSES TO EMANCIPATE BUT LATER DECIDES
3 SUPPORT IS NEEDED, THE YOUTH HAS THE RIGHT TO BEGIN RECEIVING
4 CHILD WELFARE SERVICES AGAIN THROUGH THE FOSTER YOUTH IN
5 TRANSITION PROGRAM, CREATED IN SECTION 19-7-303, UNTIL THE YOUTH'S
6 TWENTY-FIRST BIRTHDAY OR SUCH GREATER AGE OF FOSTER CARE
7 ELIGIBILITY AS REQUIRED BY FEDERAL LAW; AND

8 (e) THE YOUTH HAS THE RIGHT TO COUNSEL WHO WILL REPRESENT
9 THE YOUTH'S OBJECTIVES, BEGINNING ON THE YOUTH'S EIGHTEENTH
10 BIRTHDAY. THE YOUTH HAS THE RIGHT TO CHOOSE WHETHER TO HAVE THE
11 YOUTH'S CURRENT GUARDIAN AD LITEM REAPPOINTED AS COUNSEL OR TO
12 HAVE A DIFFERENT INDIVIDUAL APPOINTED AS COUNSEL PURSUANT TO
13 SECTION 19-3-203. THE YOUTH HAS THE RIGHT TO CONSULT WITH THE
14 YOUTH'S COUNSEL ABOUT THE DECISION WHETHER TO EMANCIPATE. THE
15 COURT SHALL ADVISE THE YOUTH THAT THE CURRENT EMANCIPATION
16 TRANSITION HEARING MAY BE CONTINUED FOR UP TO ONE HUNDRED
17 NINETEEN DAYS IF THE YOUTH WOULD LIKE ADDITIONAL TIME TO MAKE A
18 DECISION OR TO PREPARE FOR EMANCIPATION. THE COURT SHALL ASK THE
19 YOUTH WHETHER THE YOUTH HAS HAD SUFFICIENT OPPORTUNITY TO
20 CONSULT WITH COUNSEL AND IF THE YOUTH IS READY TO MAKE A DECISION
21 AT THE CURRENT TIME OR, ALTERNATIVELY, IF THE YOUTH WOULD LIKE TO
22 REQUEST A CONTINUANCE OF UP TO ONE HUNDRED NINETEEN DAYS.

23 (4) PRIOR TO A YOUTH EMANCIPATING, THE COURT SHALL:

24 (a) REVIEW THE YOUTH'S EMANCIPATION TRANSITION PLAN
25 EXECUTED PURSUANT TO SECTION 19-7-310 AND CONSULT WITH THE
26 YOUTH ON READINESS FOR EMANCIPATION;

27 (b) DETERMINE WHETHER THE COUNTY DEPARTMENT HAS MADE

1 REASONABLE EFFORTS TOWARD THE YOUTH'S PERMANENCY GOAL AND A
2 SUCCESSFUL TRANSITION TO ADULTHOOD;

3 (c) DETERMINE WHETHER THE YOUTH HAS BEEN PROVIDED WITH
4 ALL NECESSARY RECORDS AND DOCUMENTS DESCRIBED IN SUBSECTION
5 (2)(b) OF THIS SECTION; AND

6 (d) DETERMINE WHETHER THE YOUTH HAS BEEN ENROLLED IN
7 MEDICAID AND ADVISE THE YOUTH ON THE YOUTH'S ELIGIBILITY FOR
8 FORMER FOSTER CARE MEDICAID UP TO TWENTY-SIX YEARS OF AGE
9 PURSUANT TO SECTION 26-5-113 AND OF THE NECESSITY OF KEEPING THE
10 YOUTH'S CONTACT INFORMATION UP TO DATE.

11 (5) THE COURT MAY CONTINUE THE EMANCIPATION TRANSITION
12 HEARING FOR UP TO ONE HUNDRED NINETEEN DAYS TO ALLOW TIME TO
13 IMPROVE THE YOUTH'S EMANCIPATION TRANSITION PLAN, GATHER
14 NECESSARY DOCUMENTS AND RECORDS, OR FOR ANY OTHER REASON
15 NECESSARY TO ALLOW THE YOUTH A SUCCESSFUL TRANSITION TO
16 ADULTHOOD. THE YOUTH'S WISHES AND WILLINGNESS TO REMAIN
17 ENGAGED IN THE PROCESS MUST BE A STRONG CONSIDERATION IN
18 WHETHER A CONTINUANCE IS GRANTED.

19 (6) IF A YOUTH IS OPTING INTO THE FOSTER YOUTH IN TRANSITION
20 PROGRAM CREATED IN SECTION 19-7-303 AND A PETITION HAS BEEN FILED
21 PURSUANT TO SECTION 19-7-307, THE COURT SHALL DISMISS THE CASE
22 PURSUANT TO THIS ARTICLE 3 OR DISMISS THE YOUTH FROM THE CASE
23 BROUGHT PURSUANT TO THIS ARTICLE 3, LEAVE THE CASE OPEN FOR
24 REMAINING SIBLINGS, AND OPEN A NEW CASE BROUGHT PURSUANT TO
25 PART 3 OF ARTICLE 7 OF THIS TITLE 19. SUCH AN ACTION MUST NOT RESULT
26 IN AN INTERRUPTION IN CASE MANAGEMENT SERVICES, HOUSING,
27 MEDICAID COVERAGE, OR IN FOSTER CARE MAINTENANCE PAYMENTS.

1 **SECTION 8. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety.