

§ 929. Extended jurisdiction -- Child abuse, dependency and neglect.

(a) Upon motion filed by DSCYF, the youth, or the youth's attorney or former guardian ad litem, the Court may enter an order to extend jurisdiction over a youth who was an abused, dependent or neglected child in DSCYF custody at the time the youth attained 18 years of age. The motion seeking extended jurisdiction shall be filed not later than 6 months prior to the youth's twenty-first birthday.

(b) The purpose of extended jurisdiction is to enable youth who are provided developmentally appropriate, comprehensive independent living services from age 14 to 21 to assist with their successful transition into adulthood under the John H. Chafee Independence Act (P.L. 106-169) or the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) to have a legal mechanism for Family Court review of the appropriateness of such services. Extended jurisdiction may continue until the youth attains 21 years of age. Notwithstanding extended jurisdiction, the youth shall attain the age of majority at age 18, and DSCYF custody shall terminate at that time by operation of law.

(c) The reasonableness of the services to be offered and coordinated by the DSCYF to the youth, including financial, housing, medical, employment, training, education and other appropriate services, shall be contingent upon the limits of the appropriations made to or by the State for this purpose. If funding for a particular service has not been appropriated, or has been exhausted, there shall be no requirement that DSCYF provide the service. The DSCYF Secretary, or the Secretary's designee, shall certify to the Court by affidavit the availability of funding for the particular youth.

(d) Where the Court has extended jurisdiction over a youth, the Court may conduct reviews upon motion of any party, or sua sponte, and prior to termination of the order extending jurisdiction; however, reviews must occur at least annually. The appointment of the youth's attorney or Court Appointed Special Advocate shall also be extended, and the representation of the youth shall be client-directed. At each review, notice shall be provided by DSCYF to any contracted providers serving the youth. At each review, the Court shall, at a minimum, evaluate the youth's independent living services, and make findings, where applicable, regarding:

- (1) Financial stability;
- (2) Housing;
- (3) Medical benefits, including access to health care and other public benefits;
- (4) Employment and training;
- (5) Education; and
- (6) Community and individual connections to help support the youth.

(e) An order for extended jurisdiction terminates by operation of law when the youth attains 21 years of age. An order for extended jurisdiction may be terminated sooner upon a finding that:

- (1) The youth no longer consents to the Court's extended jurisdiction;
- (2) The youth no longer consents to the continued assistance of DSCYF;
- (3) The youth has failed to cooperate with DSCYF; or
- (4) For other good cause shown.

(f) Nothing herein shall be construed to require DSCYF to provide foster care board extension payments or stipends to the youth. However, where a youth meets the DSCYF requirements for a foster care board extension payment or stipend, the provisions of this section shall apply.