

NATIONAL EXTENDED FOSTER CARE REVIEW

50-State Survey of Extended Foster Care Law and Policy

More than 45 states extend foster care to serve youth who are over age 18. Continued support during the late teens and early twenties is critical for youth during this period of “emerging adulthood.” [Brain science](#) demonstrates that older youth are in the process of establishing greater autonomy, developing a personal identity, and learning greater impulse control. They need continued assistance, connections to embedded networks of caring adults, and safety nets as they learn and practice adult responsibilities.

Most young people today continue to receive extensive support from their families well into their twenties, in the form of financial help, housing, educational assistance, and emotional support. **We know extended care helps youth in the child welfare system—who do not always have built-in support networks—[achieve better outcomes in adulthood](#).**

BACKGROUND ON EXTENDED FOSTER CARE

Prior to 2010, most states ended foster care services for youth at age 18. However, the [Federal Fostering Connections to Success and Increasing Adoptions Act of 2008](#) allowed states to use federal funding to extend care up until age 21.

Today, many states are taking advantage of federal funding and following federal guidelines to offer extended care to youth who would otherwise exit at age 18. Under the [federal law](#), these states can utilize Title IV-E funds to provide care to young people who are:

- completing secondary school or its equivalent
- attending a post-secondary or vocational program;
- working;
- participating in a program or activity that promotes or removes barriers to employment; or
- are incapable of meeting the school and work requirements due to a medical condition.

Other states were already using state funds to provide care after age 18—some expansively, allowing youth to remain in care until age 21 without any conditions; others narrowly, providing care only if youth were finishing high school or if they had a special need or disability. Some states continue to provide extended foster care without federal support. These differences create a complex patchwork of extended foster care practices across the country.

NATIONAL EXTENDED FOSTER CARE REVIEW: WHAT WE DID

To understand what states are doing, Juvenile Law Center created the National Extended Foster Care Review. This is a tool for advocates and policymakers to explore how states are implementing extended care with their laws, policies, and procedures.

We surveyed state rules on eligibility, re-entry for youth over age 18, case management services, court oversight, and subsidies that encourage permanency for older youth. **We found diverse extended care practices across the country.**

Eligibility criteria still vary from state to state, even among states that implemented extended care plans approved under Title IV-E. States have also established differing services, supports, and limitations for youth who choose to participate in extended care—sometimes in ways that recognize and respect the increasing independence older youth display; sometimes changing very little in how they provide care once a youth reaches age 18.

Court oversight may look different for youth in extended care, or it may end altogether. Some states require young people to show why they are entitled to receive extended care, while others create an affirmative obligation that case workers maintain youth eligibility.

HOW TO USE THIS TOOL

We recommend using this tool alongside other valuable resources, such as the National Conference of State Legislatures' webpage on [Supporting Older Youth in Foster Care](#) and Child Trends' publication, [Supporting Young People Transitioning from Foster Care: Findings from a National Survey](#). Together, these resources provide valuable information to help enhance how we serve and support transition-aged youth in the child welfare system. The Review and these existing publications reveal that there is much work to be done to ensure our systems are engaging young people and are serving emerging adults in age- and developmentally-appropriate ways.

DOING EXTENDED FOSTER CARE RIGHT: WHAT'S NEXT

The National Extended Foster Care Review tells a piece of the extended care story. Legal requirements are one of many components of a successful extended care program. **To do extended care right, states must create a comprehensive system valuable to youth, of which they choose to be a part.**

Practices, including communicating the benefits of continued support, must be responsive to the developmental needs of emerging adults. Agencies, service providers, courts, and other stakeholders must recognize that youth in extended care are adults who are electing to receive support at a critical developmental juncture—supports that are a normal part of their transition to adulthood.

While most states have extended care in some form, youth over 18 are not choosing to stay in care in the numbers or for the duration we originally anticipated. We continue to see poor adult outcomes for youth aging out at 18. These realities tell us young people need support as they transition, but we have not figured out how to serve older youth in a way that engages them or that they find effective.

Our next steps include releasing a guide on core components for effective extended care systems that details the practices good law must support. We will also release an issue brief on how to leverage federal funding to support effective extended care systems.