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Youth Diversion and Development (YDD) Provider Toolkit: Supporting Young People in Group Home Settings

Prepared by the Vera Institute of Justice

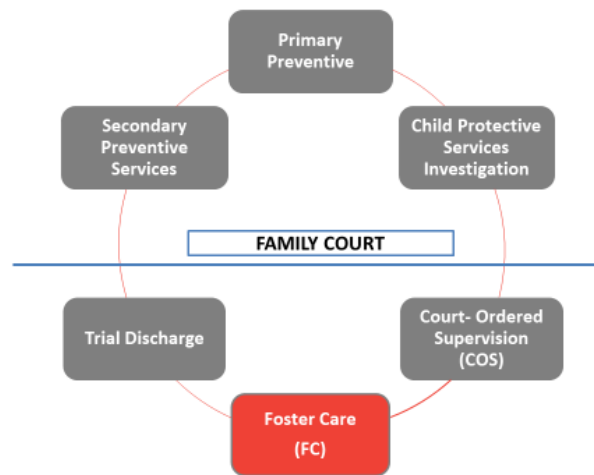
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Brief Overview of Child Welfare Involvement and Out-of-Home Placements

Child welfare systems are charged with responding to and addressing concerns of child abuse and neglect. These systems deploy an array of protocols and interventions when handling allegations of abuse and neglect, beginning with an investigation into any allegations and culminating in a range of responses. This means that families and young people engage with child welfare systems in different ways and to different degrees. Most interactions with child welfare systems do not result in a child being removed from their home. And many families receive services via the child welfare system on a voluntary basis, although families may also be mandated by the court to participate in specific services. See the graphic below for an overview of different levels of child welfare involvement and which types of interactions include court involvement.

Child Welfare Involvement



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In Los Angeles, the Department of Children and Family Services (DCFS) is the county agency responsible for responding to reports of child abuse and neglect. If, over the course of an investigation, they determine that a young person is not safe in their home, they have the authority to remove that child and put them in an out-of-home placement. Young people are not removed from their homes because of, or as punishment for, their behavior, but rather due to concerns for their safety. Out-of-home placement options include a relative caregiver, a certified foster parent (also known as a Resource Family), or a communal living setting (also known as a group home or congregate care setting). *Note that this toolkit focuses on young people in communal out-of-home placements, which we refer to as congregate care settings, group homes, and/or Short-Term Residential Therapeutic Programs (STRTPs).*

Spotlight on Group Home Placements and California’s Continuum of Care Reform (CCR)

Beginning in 2012, California passed several pieces of legislation known collectively as Continuum of Care Reform (CCR).¹ The goal of these reforms was to decrease the use of congregate care and ensure that more young people had access to family settings if they could not safely remain at home. CCR was guided in part by the recognition that young people in foster care who experience congregate care placements are more likely to have poor outcomes, including dropping out of high school, becoming involved in the juvenile justice system, and experiencing multiple placements while in child welfare.

One important change created by CCR was the establishment of Short-Term Residential Therapeutic Programs (STRTPs), which are congregate settings intended to provide short-term, high-quality, intensive therapeutic intervention services in cases when young people are unable to receive the level of support they need in a family-based setting. All group homes in the child welfare system in Los Angeles have transitioned to STRTPs, and they are intended to be service-intensive settings used briefly and only as a last resort. It is important to remember that young people are placed in STRTPs because of their needs, not because of anything they have done wrong or as a consequence for behavioral challenges.

Intersections of Child Welfare and Juvenile Justice

Many young people will interact with both the child welfare and juvenile justice systems over the course of their childhoods. There are a variety of terms used to describe the population of youth who interact with both the child welfare and juvenile justice systems. You may be familiar with terms like crossover youth, dual-status youth, or dually involved youth. These terms can be overly broad or restrictive in defining the population and vary depending on whether youth interact with both systems concurrently, as well as the order of system contact. The table below provides an overview of different dual-system pathways and terms.²

¹ For more information on CCR, see these resources: California Department of Social Services. “CDSS Programs: Continuum of Care Reform.” Copyright 2022. <https://www.cdss.ca.gov/inforesources/continuum-of-care-reform>; Bay Area Legal Aid. *Safety at Home: Demanding Child Welfare Services for Youth in the Juvenile Justice System*. 2019. <https://baylegal.org/wp-content/uploads/2020/03/Bay-Area-Legal-Aid-Safety-at-Home-Demanding-Child-Welfare-Services-for-Youth-in-the-Juvenile-Justice-System-Final.pdf>

² This chart is copied from: Herz, Denise C., Andrea Lane Eastman, Emily Putnam-Hornstein, and Jacquelyn McCroskey. “Dual system youth and their pathways in Los Angeles County: A replication of the OJJDP Dual System Youth Study.” *Child Abuse & Neglect*, no. 118 (2021), 105160. <https://www.datanetwork.org/wp-content/uploads/Herz-2021.pdf>

TABLE 1
Definitions of Dual System Pathways

Dual System Pathways	Brief Description	time →
Dual Contact Child Welfare First (DCCW)	Touch both systems non-concurrently & first contact is with child welfare	DCCW
Dually-Involved Child Welfare First (DICW)	Touch both systems concurrently & first contact is with child welfare (may also have a historical child welfare case)	DICW
Dually-Involved Juvenile Justice First + a Historical Child Welfare Case (DIJJH)	Touch both systems concurrently and this contact is with the juvenile justice system first; however, there is historical contact with child welfare	DIJJH
Dual System Juvenile Justice First (DSJJ)	For both non-concurrent and concurrent contact, touch juvenile justice system before child welfare	DSJJ

Child Welfare Involvement
Juvenile Justice Involvement

This toolkit primarily focuses on dually involved young people, that is, young people who are in out-of-home child welfare placements while receiving diversion services. However, the toolkit uses the term “dual-status youth” to refer to this population broadly.

Interactions with the child welfare system place young people at greater risk of coming into contact with the juvenile justice system. Nationally, young people with child welfare involvement are 47 percent more likely to become justice involved than their peers without child welfare involvement, and dual-status youth account for approximately half of the young people in the juvenile justice system.³

Data from Los Angeles mirrors national trends. A recent study found that between 2014 and 2016, 64 percent of young people receiving their first juvenile justice petition in Los Angeles

³ Ryan, Joseph P., and Mark F. Testa. “Child maltreatment and juvenile delinquency: Investigating the role of placement and placement instability.” *Children and Youth Services Review*, no. 27 (2005), 227-249; Thomas, Douglas, et al. *When Systems Collaborate: How Three Jurisdictions Improved Their Handling of Dual-Status Cases*. Pittsburgh, PA: National Center for Juvenile Justice, 2015.
<http://www.ncjj.org/pdf/Juvenile%20Justice%20Geography,%20Policy,%20Practice%20and%20Statistics%202015/WhenSystemCollaborateJJPSCaseStudyFinal042015.pdf>

County were dual-system youth with at least one prior child welfare investigation.⁴ A variety of factors contribute to this disproportionality. Young people in the child welfare system are under frequent supervision and attention as a result of their child welfare involvement, which means that illegal behaviors are more likely to be noticed and reported. In addition, child welfare systems across the country have struggled to fully address young people’s needs following experiences of trauma. When young people are not connected to the resources they need or want, they may engage in survival behaviors to meet their basic needs, which can also result in contact with the juvenile justice system.

Too often, systems rely on punitive responses, including engaging law enforcement, in response to normal trauma responses. For example, young people who have experienced sexual violence may cope with that trauma by using substances or alcohol, skipping school, or running away. When these behaviors go unrecognized as trauma responses, they can be categorized as disorderly or harmful behaviors that result in arrest and/or detention.

This is especially true in congregate settings, where staff often rely on law enforcement to respond to concerning behaviors, including running away or interpersonal conflict. National research has found that youth with at least one congregate care placement are more than twice as likely to be arrested as youth in family-based foster care placements.⁵

Importantly, the impact of youth crossing over to the juvenile justice system has lasting effects. Dual-status youth tend to stay in care longer, face education challenges, need more government support, and have increased contact with the adult criminal justice system.⁶

Child Welfare Involvement Leads to Deeper Juvenile Justice Involvement

Young people in the child welfare system are not only more likely to enter the juvenile justice system, they are also more likely to stay in the system. Nationally, youth at the deepest end of the juvenile justice continuum (i.e., secure placement) are 42 times more likely to be dually involved than their peers who receive diversion.⁷ In Los Angeles, a study found that dual-system

⁴ Herz et al., 2021.

⁵ Ryan, Joseph P., Jane Marie Marshall, Denise Herz, and Pedro M. Hernandez. “Juvenile delinquency in child welfare: Investigating group home effects.” *Children and Youth Services Review*, no. 30 (2008), 1088-1099.

⁶ Miller, Alexandra, and Lisa Pilnik. *Never Too Early: Moving Upstream to Prevent Juvenile Justice, Child Welfare, and Dual System Involvement*. Georgetown University: McCourt School for Public Policy, Center for Juvenile Justice Reform, 2021. <https://georgetown.app.box.com/s/u8lznq3kuyw4kpiqzqpd12ar7wuma701>

⁷ Herz, Denise, Philip Lee, Lorrie Lutz, Macon Stewart, John Tuell, Janet Wiig, Shay Bilchik, and Edward Kelley. *Addressing the Needs of Multi-System Youth: Strengthening the Connection between Child Welfare and Juvenile Justice*. Washington, DC: Center for Juvenile Justice Reform and the Robert F. Kennedy Children’s Action Corps, 2012. <https://www.njjn.org/uploads/digital-library/Addressing-the-Needs-of-MultiSystem-Youth-Strengthening-the-Connection-between-Child-Welfare-and-Juvenile-Justice-CJJR-3.1.12.pdf>; Halemba, Gregory L., Gene C. Siegel, Rachael D. Lord, and Susanna Zawacki. *Arizona Dual Jurisdiction Study*. Pittsburgh, PA: National Center for Juvenile Justice, 2004. http://www.ncjj.org/pdf/azdual_juri.pdf.

youth were more likely to be detained following arrest compared to youth without child welfare involvement.⁸

Once young people come into contact with the juvenile justice system, there are a number of reasons why child welfare involvement can exacerbate the consequences and prolong system involvement. These reasons include:

- **Biases prevent young people from accessing diversion.** Confinement decisions are influenced by system actors' perceptions of a young person's support network and stability within their community. Young people in child welfare, particularly those in out-of-home placements, are often less likely to have parents or guardians show up to support them in court, contributing to a narrative that young people in child welfare lack the stability necessary for community supervision or diversion.
- **Available programming in the diversion continuum assumes or requires a certain level of stability.** Diversion programming often assumes or requires that young people have stable housing and/or consistent parental involvement. For example, certain therapeutic models require young people to comply with fixed service schedules or frequency of program contact that is difficult for young people who are unstably housed or moving between child welfare placements. Others may require consistent engagement from parents, which can be difficult to coordinate for young people not living at home.
- **Inability to comply with court orders.** The lack of stability youth experience when in out-of-home child welfare placements and while experiencing frequent placement changes can make it difficult to keep a consistent schedule and can result in disruption of school, programming, and other court and probation requirements, including court appearances. This can lead to confinement for violations of probation or court orders.

Spotlight on Girls of Color and Gender-Expansive Youth

Girls and gender-expansive youth, particularly those of color, are disproportionately likely to cross over into the juvenile justice system once they are in child welfare. Nationally, girls make up less than 25 percent of the juvenile justice population, but they are 37-47 percent of youth who cross over from child welfare. In Los Angeles, girls are twice as likely as boys to be dual-status, and girls of color are at particular risk: 80 percent of Black girls and 75 percent of Latinx girls receiving their first juvenile justice petition had at least one child welfare investigation, compared to 69 percent of white girls and 69 percent of Black boys.⁹ Data on sexual orientation, gender identity and expression (SOGIE) are not often systematically collected. But lesbian, gay, bisexual, queer, trans, and gender non-conforming (LGBQ/TGNC) youth are overrepresented in foster care and are at higher risk of

⁸ Herz et al., 2021. Dual system youth were more likely to be detained following their arrest than all juvenile justice only youth (43.1% compared to 32.3%).

⁹ Ibid

family rejection, running away, and homelessness—all factors in increasing their likelihood of incarceration.

Gender, sexuality, and race are important factors that affect how girls and gender-expansive youth of color interact with systems, as well as their pathways into the juvenile justice system:

- Child welfare systems often struggle to find supportive placements for adolescents, but gender and sexuality create additional challenges. For girls of color and LGBTQ/TGNC youth in particular, this can result in frequent placement changes or long stays in settings that are intended to be temporary, which can be further destabilizing.
- Research shows that adults view Black girls as more knowledgeable about sex, less likely to experience pain, and in less need of comfort than their white peers. These perceptions can and do influence staff responses to girls' behaviors, especially in residential settings, leading girls of color to experience less support and more punitive responses.¹⁰
- Paternalism across systems can also influence confinement decisions for girls and gender-expansive youth. When child welfare systems feel that they can't keep girls safe, they may rely on the juvenile justice system to provide a higher level of care and restriction of movement. This is particularly true when there are concerns regarding trafficking.
- For youth who are pregnant or parenting, minor missteps can result in child welfare staff threatening to remove young parents from their children.¹¹

Understanding the Unique Context and Challenges Facing Young People in Congregate Care Settings

Congregate Care Places Barriers on Self-Determination

Congregate care settings can cause harm and pose significant barriers to self-determination. As a diversion provider, you have an opportunity to support young people in developing the skills

¹⁰ Epstein, Rebecca, Jamilia J. Blake, and Thalia González. *Girlhood Interrupted: The Erasure of Black Girls' Childhood*. Washington, DC: Georgetown Law Center on Poverty and Inequality, 2017.

<https://genderjusticeandopportunity.georgetown.edu/wp-content/uploads/2020/06/girlhood-interrupted.pdf>.

¹¹ For more information, see: Wall-Wieler, Elizabeth, Marni Brownell, Deepa Singal, Nathan Nickel, and Leslie L. Roos. "The cycle of child protection services involvement: A cohort study of adolescent mothers." *Pediatrics*, vol. 141, 6 (2018); Courtney, Mark. E., Amy Dworsky, Gretchen Ruth, Tom Keller, Judy Havlicek, and Noel Bost. *Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 19*. Chicago: Chapin Hall, 2005. https://www.chapinhall.org/wp-content/uploads/Courtney_Midwest-Evaluation-Adult-Functioning_Report_2005.pdf

and strategies they need to advocate for themselves and achieve their goals. System-involved youth can feel disempowered as decision makers in their lives, especially in systems that do not regularly consider their input. This is particularly true for young people in congregate care. The act of removing a child from their home without input or notice is fundamentally traumatizing and negates their ability to have a say in where they live, reducing their autonomy over their school, communities, and relationships. For youth of color, LGBQ/TGNC youth, and youth experiencing commercial sexual exploitation or trafficking, congregate placements can be of particular concern, as staff in congregate care are not always well trained to provide specialized supports to these specific populations. Other staff-related issues, including high turnover rates, also serve as unique challenges for youth in congregate settings. Staffing changes lead to a lack of continuity in case management, disrupt rapport, and create opportunities for young people to lose their chance at having input in the decisions affecting their lives.

Common Goals for Young People in Congregate Care

Allowing young people to make decisions about their lives—including where they live, what programs they attend, and what goals they have for their future—signals that their thoughts, needs, and wants are important. It creates opportunities for them to build confidence, leadership, and decision-making skills, and allows them to meet their goals and improve their overall wellbeing. Although every young person will have different goals, there are several themes that commonly emerge when setting goals with young people in congregate settings.¹²

Normalcy

Young people often describe how congregate care settings and child welfare involvement prevent them from having normal childhood and adolescent experiences. Common elements of barriers include:

- **Limited access to new and positive activities.** Adolescence is a time when young people develop greater autonomy and critical skills related to balancing fun and personal time with work and school. Youth in congregate care, however, face significant systemic barriers to fully participating in extracurricular activities, after-school jobs, dating, and going out with friends, activities that can expose youth in congregate care to new, positive experiences and introduce skills like conflict resolution, teamwork, critical thinking, and time management.
- **Rigid rules and schedules.** Congregate care settings typically require young people to follow a schedule with limited flexibility, significantly limiting the spheres of their lives

¹² These themes are compiled based on Vera’s experiences working directly with young people across the country. These themes are reinforced and echoed in publications, including: Dierkhising, Carly B., Kate Walker Brown, Mae Ackerman-Brimberg, and Allison Newcombe. *Commercially Sexually Exploited Girls and Young Women Involved in Child Welfare and Juvenile Justice in Los Angeles County: An Exploration of Evaluation of Placement Experiences and Services Received*. Los Angeles, CA: California State University and National Center for Youth Law, 2018. https://youthlaw.org/wp-content/uploads/2018/11/CSEC-Research-Report_Placement-Exp-Svcs-Recd_NCYL-Cal-State.pdf

over which young people have basic decision-making autonomy. They may have little to no say about what food they eat, when they shower, what hygiene products they can use, when or whether they can go to a friend's house or have friends come over, or when they can talk to or visit their family and other natural support networks.

- **Lack of privacy.** Privacy can be difficult to find in communal living settings. With a mix of so many personalities and individual past experiences in one shared space, some level of privacy is even more important for young people to relax and have a form of respite. Lack of consistent access to private spaces or being able to decide when to be alone can contribute to a chaotic environment that acts as a pressure cooker for conflict and stress, further adding to the already uniquely stressful living environment of congregate care.
- **Lack of unstructured or fun time.** Child welfare systems often place a strong emphasis on therapy and participation in time-consuming clinical treatment models aimed at addressing trauma and mental health. However, less emphasis is placed on facilitating normal adolescent development activities that can be very powerful in combatting mental health symptoms and creating positive connections. For youth in care, coordinating the rigid schedules of group home life with other service-related appointments can be tedious and create the overwhelming feeling of being engaged in programming around the clock. Helping youth find a balance between traditional forms of care and healing and normative connections to community is essential.

Building Authentic Relationships

Authentic relationships both with peers and adult mentors is a commonly held goal and protective factor for young people in child welfare placements. Barriers to building these types of relationships in congregate settings include:

- **Feeling that staff are not invested in their lives.** A study focused on girls experiencing commercial sexual exploitation found that many young people in Los Angeles speak fondly about their positive relationships with staff in congregate care settings, and some report still being in contact with staff with whom they built supportive, healthy relationships.¹³ However, congregate settings are not always conducive to fostering meaningful, supportive relationships with adults. That same study found that young people in congregate placements reported feeling that staff interest in their lives and success was limited and that staff were “in it for a paycheck.”¹⁴
- **Placements are intended to be time-limited.** Out-of-home care, particularly in STRTPs, is intended to be time-limited and aimed at facilitating a return to family-based care. Although young people may develop strong relationships with staff while they are in group home placements, it can be difficult to maintain those relationships as they transition out of placement.

¹³ Dierkhising et al., 2018.

¹⁴ Ibid

Independence

Being prepared to live independently is a common goal, particularly among older youth, and depending on the placement type, a necessity for housing stability. Foundational barriers for youth accomplishing this goal while in congregate care include:

- **Lack of Preparation for Living Independently.** Transitioning to independent living requires some level of preparation and skill development. For older youth, it is critically important to develop these skills and reach financial independence, since they typically exit care through independent living placements or aging out. Young people need to navigate obtaining IDs and other important documents, registering for school, managing money, securing a lease, and maintaining an independent living placement. Supporting youth in obtaining their independence can help reduce a young person's inclination to seek support from harmful sources like an exploiter and/or engage in survival crimes.
- **Lack of support as young people transition out of congregate settings.** Youth in congregate care settings often rely on the individual knowledge and support of the congregate care staff and their DCFS case worker. Ideally, staff would provide guidance and mentorship, helping youth identify resources and navigate systems. However, this does not always happen. For example, a survey of girls in Los Angeles congregate care placements found that they consistently felt they were left to fend for themselves.¹⁵

Completing Education

Young people in congregate care face unique barriers to completing their education, including:

- **Punitive threats and reactions.** Some young people have reported feelings of isolation and humiliation in response to harassment from school staff due to their dependency cases. In some instances, schools may threaten to contact child welfare case managers as a means to control young people's behavior in school.
- **Youth are not considered experts in their lives.** Child welfare case workers may push young people toward certain higher education tracks (e.g., vocational school vs. community college vs. four-year college programs) that may or may not align with the young person's goals.

Practical Tips for Youth Diversion Providers to Consider When Advocating for Young People in Congregate Care

As diversion providers, you have the opportunity to support young people in achieving their goals and help them navigate some of the unique barriers created by congregate care settings. Below are several practical tips regarding engaging with young people, considering a range of programs and services, engaging with congregate care staff, and connecting young people to existing resources.

¹⁵ Ibid

Youth Engagement

- Be transparent with young people about the structure and duration of the diversion program so they know what to expect from the relationship. This is particularly important if access to your case manager will end when diversion services end. Maintaining accountability for yourself and the youth will be important in developing a trustworthy relationship with them. You should keep agreements made with youth and clearly communicate about changes to the plan. It's important to establish consistent lines of communication while creating an operating rhythm.
- Youth in congregate care have likely experienced many adults entering and leaving their lives. Case workers and care managers may have treated them like a problem in need of a solution or as just another case file. Showing up differently by expressing genuine interest in their lives, actively listening, asking questions, and remembering details can help foster a more positive connection.
- Often, youth are told what they have done wrong or where they need to improve. You can take a strength-based approach, highlighting what young people are doing well and collaborating with them to identify ways to use their strengths to solve challenges that continue to surface.
- Keep in mind that youth are more than their dependency or justice case(s), and they should receive holistic, unbiased support. Regularly examine and practice removing your expectations of where youth should be emotionally, academically, behaviorally, conversationally, and/or mentally to help you to meet youth at their level.

Service Offerings

- Young people in congregate care settings typically have access to traditional clinical mental health interventions, but there may still be gaps in support around basic grounding or decompressing techniques that you can help fill. For example, you can work with a young person to use deep breathing exercises, journaling, or identifying anchoring phrases to support them in de-escalating or grounding during moments of stress. This is particularly important in cases where there is not an opportunity for the young person to create their own personal or private space within a congregate care setting.
- Child welfare should be providing basic needs for young people in STRTPs, including physical health care and caretaker support, but you should still check in with young people about those services. For example, a young person might be on a waitlist for a mental health service, but you can offer similar services immediately.
- Child welfare will work with parents and relative caregivers who may be able to serve as placement locations, but they do not actively work to keep young people in contact with other extended relatives or support systems, such as chosen family members, supportive teachers, or other adult mentors. In addition, although DCFS offers family or caregiver supports, they may have difficulties engaging with parents and family members due to family concerns or skepticism around engaging with the child welfare system. You may

be better suited to provide some level of support, and you can work with young people if they identify a goal of building or maintaining relationships with specific adults or peers in their lives.

- Many system-involved young people, particularly girls and gender-expansive youth, disclose not only physical or sexual abuse, but also the complicity of public systems in either perpetuating the abuse or failing to respond in a way that was meaningful. For some young people, organizing around these issues can be healing and therapeutic. You can support young people by connecting them with opportunities to engage in organizing and advocacy work pushing for meaningful systemic change. For example, young people may be interested in lobby days to support legislation that would impact young people in the child welfare system. If a young person is actively experiencing discrimination within a congregate setting, you can also contact the [foster care ombudsman](#).
- In partnership with youth, you can create maintainable, independent financial goals for youth to work toward to build confidence, experience, self-sufficiency, and agency. For youth with longer-term savings goals, this can include creating smaller weekly saving goals or opening a bank account.
- In addition to traditional academic support services, youth may benefit from having an adult who can call the school or advocate on their behalf. Just make sure you do not inadvertently reveal that you are engaged with the young person due to law enforcement contact, as that can create bias. For instance, instead of identifying yourself as a diversion provider, you may opt to identify as a mentor to the youth.
- Small changes can make a big difference. For example, you can consider changing the time or frequency of services to allow more free time for everyday recreational activities and hanging out with friends. Flexibility and free time are often hard to come by for youth in congregate care due to the logistics of managing school, service participation, facility rules and schedules, and other requirements.

Engaging with Congregate Care Staff

- Young people in congregate care settings are highly dependent on staff discretion or decision authority to be able to participate in activities. You can help manage information sharing and build rapport by reaching out to staff to remind them when you are meeting with a young person, especially if the meeting will take place outside the group home.
- If young people are facing significant challenges in advocating for themselves, or if staff respond negatively or punitively to their advocacy, you can support the young person in exploring avenues of accountability. This may include helping youth file a complaint against a staff member or getting an investigation started. If they are unsure of where to start, you can talk to their Children's Law Center (CLC) attorney or reach out to the [foster care ombudsman](#).
- As your relationship with staff in the group home grows and strengthens, you can identify potential opportunities to collaborate with staff and youth to increase youth input in basic decisions about the facility. Wherever possible, you can remind congregate care staff that participation in normal adolescent activities should not be considered a

privilege and therefore shouldn't be granted as a reward for good behavior or immediately removed as a form of punishment.

- You can support the young person in advocating for changes within the facility, particularly around requests for increased privacy. Actions as simple as putting a room divider or curtain up to divide beds in a shared space, designating a space that youth can use to decompress or relax (for example, a tranquility or mediation room), or allowing access to phones and headphones in youth's rooms so they can "tune out," are all strategies you can support youth in presenting to congregate care staff. It's helpful to emphasize to staff that these types of small interventions or changes may help young people self-regulate and address trauma responses before they have an external reaction, reducing conflict and preventing future contact with law enforcement. This approach squarely places these suggestions within the purview of a diversion provider.

Understanding Existing Resources

- California offers various grants and protection of rights to youth who have gone through the child welfare system; however, these resources come with some limitations and restrictions. Appendix A includes an overview of the major resources available and links to websites with additional information.
- Some funding is available to cover independent living expenses, including security deposits, apartment application fees, and other housing-related expenses.
- There are also resources to cover costs associated with education, but funding will not necessarily cover full tuition for college. More information is available in Appendix A.

Pregnant and Parenting Youth in Congregate Care

It is not uncommon for youth to enter the child welfare system while pregnant and/or parenting, or to become pregnant while in care. For these youth, there are additional factors to consider when providing support. For instance, some pregnant and parenting youth face additional obstacles, ranging from unsolicited parenting advice from staff to being threatened with dependency cases. Parent-child placements may also operate very differently than other placement options. These factors are particularly salient for youth in girls' placements, who are more likely to have children with them while in care or to be in specialized parent-child group home settings.

It is important to note that in 2018, the Los Angeles Board of Supervisors approved a motion committing the county to reducing and ultimately ending the incarceration of all pregnant girls. If you are working with a pregnant youth at risk of being placed in detention, there may be additional points of advocacy you can discuss with your YDD program manager and CLC attorneys.

Recommendations for YDD Providers on Increasing Participation and Success of Child Welfare-Involved Youth in Diversion Programming

Increasing Referrals from Law Enforcement and Congregate Care Partners

Among law enforcement and congregate care providers, bias coupled with lack of knowledge about diversion programming can result in fewer diversion referrals for young people with child welfare involvement.¹⁶ Although Los Angeles's current diversion protocol specifies that law enforcement officers are not required to and should not ask young people for their child welfare status, law enforcement may still become aware of a young person's status. This is particularly likely for young people in congregate care settings. Law enforcement often has frequent interactions with congregate care providers in their precincts and have likely responded to calls from staff in the past. Conflict within congregate care settings is a leading cause of law enforcement contact for young people living in those settings, and local officers may recognize the names of young people in congregate care from previous interactions at the group home. Building a strong relationship with congregate care providers in your geographic area may help bolster relationships and increase referrals.

Note: Law enforcement diversion protocols vary by geographic region. If your partner law enforcement agency requires consent from a guardian prior to making a referral, this strategy will be particularly important. In these cases, law enforcement will reach out to congregate care staff to discuss diversion options before making referrals to you, and you won't be able to engage in direct outreach to young people or staff to advocate for participation in diversion programming. If congregate care providers are aware of diversion services and understand their effectiveness, they will be more likely to encourage young people to consider diversion, provide consent when required, and provide contact information to law enforcement.

Proactive Outreach to Congregate Settings

Congregate care providers are more likely to use and cooperate with service providers they know and trust, and this is particularly true for programming offered outside of the group home. Staff who are unaware of the program or the provider, or who lack information on the effectiveness of diversion for youth in child welfare, may be less likely to cooperate with or consent to diversion services. A layer of complexity is added when law enforcement contact was initiated by the group home in response to an incident in the home or due to runaway behavior.

¹⁶ Conger, Dylan, and Timothy Ross. *Reducing the Foster Care Bias in Juvenile Detention Decisions: The Impact of Project Confirm*. New York, NY: Vera Institute of Justice, 2001.

https://www.vera.org/downloads/Publications/reducing-the-foster-care-bias-in-juvenile-detention-decisions-the-impact-of-project-confirm/legacy_downloads/Foster_care_bias.pdf; Ryan, Joseph P., Denise Herz, Pedro M. Hernandez, and Jane Marie Marshall. "Maltreatment and delinquency: Investigating child welfare bias in juvenile justice processing." *Children and Youth Services Review*, no. 29 (2007), 1035-1050.

Take steps to ensure that all levels of congregate care staff in your region are aware of the YDD diversion program, the types of support your organization offers to diverted youth, and the impact of the program. In addition to providing congregate staff with an overview of YDD diversion and the services you offer, it will benefit staff to hear basic information on the harms of juvenile justice involvement for youth in child welfare and to learn about YDD's role in mitigating these impacts and why community-based services are more effective than court involvement or incarceration.¹⁷

It is particularly important to emphasize that diversion services are tailored and designed with the intent of reducing future system involvement. Congregate care providers will want to hear the ways in which diversion programming can improve outcomes for young people in congregate settings and help improve relationships among youth and staff by adding capacity to support young people's development, which ultimately reduces stress for everyone. You can point specifically to programming and services that can support young people in developing de-escalation and self-regulation skills that can prevent future incidents in the group home.

Strategies you can use for outreach to congregate care include:

- For initial outreach, contact the executive director of the organization that runs the group home in your region. If the organization is a large social service agency with many types of programs, you may want to consider outreach to the program director responsible for residential programming in lieu of the executive director. Note that one organization may operate multiple group homes. In these cases, YDD can support you in working with your counterparts in other regions to conduct outreach together, prevent duplicate requests, and support collaborative efforts. If you have had challenges working with the congregate care provider in your region but another provider has had a positive experience, you may decide to have the other provider conduct the initial outreach. Remember to emphasize how you can improve outcomes for young people and better support staff by reducing stress and improving their relationships with young people.
- Consider asking the executive director to develop a clear protocol for line staff detailing who is responsible for providing consent for diversion services and emphasizing that the default should be to provide consent if the young person is interested in participating.
- Set up recurring meetings at least twice per year to maintain relationships and create space to discuss how things are going on the ground. Although line staff in congregate settings experience high levels of turnover, executive director roles are typically more stable, and developing a strong relationship will allow for continued engagement.
- Since executive directors often have limited involvement in the day-to-day operations of congregate care settings, you can also request to meet with supervisors and staff in the group home in your region. You can request these meetings directly with staff or go

¹⁷ Note that YDD is also considering a recommendation to develop a basic training document that providers can customize.

through the executive director of the organization. One strategy is to inquire about upcoming professional development, trainings, or community outreach days and request to join to share an overview of your programming. Given the turnover among direct service staff and possible changes in your own service offerings, try to connect with each congregate care placement in your area twice per year.

- In addition to meetings and presentations directly to staff, or if you are experiencing delays or challenges in setting up meetings, share YDD flyers with congregate care staff and ask them to post these in staff rooms and in other places where programming brochures are displayed.

Joint Outreach to Law Enforcement

Because law enforcement often has frequent contact with congregate care providers, an outreach strategy to law enforcement in tandem with congregate care providers to advocate for increased referrals may be more effective than raising these conversations with your law enforcement partners alone.

If you have already established positive relationships with congregate care providers and determined that staff are aligned with your approach, they can be strong champions for diversion. You can invite congregate care providers to join one of your regular meetings with law enforcement to co-present on the diversion process as it relates to young people in congregate care. In this discussion, emphasize your willingness to work with youth in congregate settings, as well as the willingness of congregate care providers to support diversion services for young people in their care.

Open Communication with Law Enforcement

Having transparent conversations with your law enforcement partners about any hesitations they have in making referrals can begin a dialogue and help you identify points of advocacy. Consider adding a standing item to your quarterly partnership meetings to specifically discuss referrals for young people with child welfare involvement. Some law enforcement partners have agreed to share data on the young people they determined were unsuitable for diversion. But whether or not your law enforcement partner is willing to share data, you can use this as an opportunity for a deeper conversation around how suitability decisions are being made and whether child welfare involvement plays a role in those decisions.

Conversations with some YDD providers indicate that law enforcement may be worried that placement disruptions or runaway/absent without official leave (AWOL) from congregate care settings will make diversion services more challenging. Let law enforcement know YDD will work closely with child welfare providers to support continuing diversion services following placement changes. This is a place where joint presentations with congregate care staff can be particularly effective to foster stronger relationships and collaboration among law enforcement, congregate care staff, and YDD providers.

Spotlight: Los Angeles Commercial Sexual Exploitation of Children (CSEC) Protocol

In 2013, a multi-agency taskforce comprised of the Probation Department, Department of Child and Family Services, Department of Mental Health, Department of Public Health, Department of Health Services, Los Angeles County Sheriff's Department, and Public Services developed the Law Enforcement First Responder Protocol for CSEC. The goal of this protocol is to create a quick, coordinated, service-based response whenever law enforcement encounters a young person suspected or at risk of trafficking (also known as commercial sexual exploitation). The protocol was piloted with the Los Angeles County Sheriff's Department and a subset of local police departments and has now been expanded to all local police departments, fire departments, and medical first responders. The protocol requires law enforcement to report the case to the Child Protection Hotline and, within 90 minutes, connect the young person to a community-based advocate and specially trained staff with either Probation or DCFS, who identify emergency housing and provide case management for at least 90 days.

Non-Diversion Programming for Young People in Congregate Settings

YDD contracts do not currently allow funding for providers to offer services to young people without a law enforcement referral. However, if you have alternative funding, you can consider offering services to young people in your local congregate care settings outside of the context of diversion. This can help build trust and rapport with line staff, setting the groundwork for increased diversion referrals. Through this approach, you can develop relationships with young people that will be beneficial if they do have contact with law enforcement.

When offering services, consider that young people in congregate care often prefer programs that can be offered off-site in the community so they have opportunities for a change of scenery and can create needed boundaries between programming and their living environment. Services and programming that can be offered onsite, especially fun recreational supports or supports focused on building community in the group homes, can also be valuable. Offering onsite services during evening hours may be especially helpful, as the night shift tends to be when congregate settings are understaffed and when many conflicts arise.

Proactive services may also prevent law enforcement contact in the first place by providing strengthening protective factors and offering advocacy and services to youth most at risk of contact with law enforcement. Restorative services that build the skills and ability of staff and young people to work through conflict can be particularly effective at improving culture in the group home, preventing runaway behavior, and preventing the type of conflict among young people and staff that commonly leads to law enforcement contact.¹⁸

¹⁸ YDD is considering a recommendation to expand existing contracts to allow services to be provided to young people in congregate care without requiring a law enforcement referral, as well as expanding services for staff, including de-escalation and restorative training and support.

Considerations for the Screening and Intake Process

Making initial contact, obtaining consent, and completing the intake assessment can be more challenging for young people in congregate care settings. The Los Angeles County Office of Child Protection's Dual-Status Youth Workgroup and its Delinquency Prevention Subcommittee created a protocol called the Dual-Status Youth Protocol, which governs procedures for youth who are referred to YDD who may be involved with child welfare. The full protocol, as well as a YDD-developed policy and procedures handbook, is available [here](#). Be sure to fully familiarize yourself with the protocol and have it on hand to use for any referral in which you think there might be child welfare involvement.

As noted in the Dual-Status Youth Protocol, there are two places on the diversion referral form that could indicate that the young person is currently in a congregate setting: the location of the stop listed on the referral form (e.g., "group home" or "STRTP") and the parent or guardian relationship listed on the referral form (e.g., congregate care staff, such as a "group home counselor"). As you get to know the young person, ask about DCFS involvement during intake and note any potential signs of DCFS involvement. Once you've identified that a young person has, or is likely to have, active child welfare involvement, contact CLC within 24 hours.

Some additional considerations for applying the Dual-Status Youth Protocol and conducting screening and intake with youth in congregate care include:

Additional Effort for Initial Contact

You may need to engage in additional advocacy to arrange initial screening calls with young people in congregate care settings. In these settings, phone access can be limited and may be at the discretion of staff or leveraged as an incentive for complying with rules and requirements within the group home. Know that if you are unable to reach a young person on their cell phone, their phone may have been taken away, and you will need to contact the group home directly to get in touch with them. You may need to make multiple attempts to reach the young person, including calling at different times of day when new staff are on duty. Furthermore, young people in child welfare custody may experience placement disruption with little or no warning, and the location information provided on a referral form may no longer be accurate. The CLC attorney can be a valuable resource in assisting with arranging an initial call and strategizing on more intensive outreach strategies.

YDD encourages allowing at least 30 days to enroll the young person in the diversion program, and protocol notes that you should refer the case back to law enforcement if you and the CLC attorney are unable to get in touch with the young person. However, successful engagement of youth in child welfare placements may require additional effort. Expect that contacting and enrolling young people with child welfare involvement, particularly those in congregate settings, will take more time. Consider working with the CLC attorney to ensure multiple attempts are made to contact the young person. If the CLC attorney is unable to contact the young person because they are AWOL, consider allowing some additional time to pass before referring the

case back to law enforcement, as this will give the young person more time to return to care and establish contact again.

Partnering with CLC Attorneys Before Conducting Intake

CLC attorneys are well positioned to serve as a resource for engaging young people. Prioritize speaking with a CLC attorney prior to completing an intake in cases where a young person is in congregate care. There may be additional concerns or dynamics you should be aware of that could influence your intake conversation or approach. When speaking with the CLC attorney prior to conducting the intake, consider asking the following questions to get some additional information:

Note that these questions are intended to help you strategize with the CLC attorney about challenges and different approaches to working with staff. Do not use this as an opportunity to get details on the young persons' child welfare history.

- How long has the young person been at this group home? Do they anticipate a placement change soon?
- Does the CLC attorney anticipate any challenges in partnering with group home staff? Red flags might include a previous history of conflicts or incidents in the group home, particularly those involving staff or that have resulted in law enforcement contact.
- Does the CLC attorney anticipate any challenges in partnering with the DCFS case worker if the young person requests to include them?
- What types of services is the young person already receiving through their DCFS case plan?
- What are the young person's goals?
- What does the CLC attorney think are the young person's strengths and challenges?
- Are there any interpersonal tips or considerations for engaging with this young person that the CLC attorney can share to support relationship building?

Advocating for Informal Referrals Where Possible

On December 7, 2020, Los Angeles County District Attorney George Gascon issued a special directive implementing new protocols for deputy district attorneys in youth justice cases. The directive instructs prosecutors not to file charges in cases involving property damage or minor altercations with group home staff and foster parents.¹⁹ If you receive a formal referral for a charge that falls into this category, advocate with your law enforcement partners to convert this to an informal referral, citing this new directive. Your YDD program manager can support you in this process.

¹⁹ See Special Directive 20-09: <https://da.lacounty.gov/sites/default/files/pdf/SPECIAL-DIRECTIVE-20-09.pdf>; The Maryland Department of Juvenile Services has taken a similar approach, instituting a rule that youth would no longer be charged for incidents that occurred at residential treatment placements. Since establishing this rule, the department has decreased opportunities for crossover. For more information, see Miller, Alexandra, and Lisa Pilnik. *Never Too Early: Moving Upstream to Prevent Juvenile Justice, Child Welfare, and Dual System Involvement*. Georgetown University: McCourt School for Public Policy, Center for Juvenile Justice Reform, 2021. <https://georgetown.app.box.com/s/u8lznq3kuyw4kpiqzqpd12ar7wuma701>

Consider Limited Privacy for Screening and Follow Up Meetings

For youth in congregate care settings, it is highly unlikely that they will be participating in a diversion screening call without the group home staff being aware of it. In most cases, staff will be responsible for facilitating and setting up the phone call, Zoom, or in-person meeting space. In many cases, a representative from the group home will be the caregiver representative during the meeting. If staff are not present during the meeting, they may still be within hearing distance. You will need to be aware of and attuned to these dynamics and adjust screening questions with care, knowing that privacy is not guaranteed.

Conversations with young people in Los Angeles and across the country show that there is variability in rule enforcement and relationships with staff within congregate care settings. The young person you are working with may or may not have a close or trusted relationship with staff, and relationships will look different with different staff members. Remember that in some cases, the incident resulting in contact with law enforcement may have happened at the group home and/or been initiated by staff. One way to know that ahead of time is if the referral form from law enforcement lists “group home” or “STRTP” as the location of the stop.

Before conducting screening calls and intake meetings, ask the young person whether the conversation is private. They may not feel comfortable sharing information over the phone or during in-person meetings within the group home. If the young person is unable to complete the call in a private space, offer to complete the screening conversation in person at a location convenient for them where confidentiality can be assured.

Remember that young people in child welfare are often asked to tell their stories over and over again, particularly if there has been turnover in their case worker. This can be traumatic. To avoid retraumatizing young people, be sure to focus on the person’s current life and future goals, rather than on previous placements and why they became involved with the child welfare system in the first place—unless the young person indicates that they would like to discuss this history.

Challenges with Consent

Participation in diversion services requires consent from the young person and their caregiver. For youth in congregate settings, their designated caregiver will typically be congregate care staff. Note that guardians for youth in child welfare placements, including congregate care settings, may not be able to withhold consent for the young person to participate in diversion. In any case where the young person consents but the caregiver does not, immediately contact YDD and the CLC attorney to discuss next steps and a strategy to obtain consent.

In cases where the CLC attorney is unable to assist with consent, you can reach out directly to the DCFS caseworker and/or the Court-Appointed Special Advocates (CASA). Be sure to discuss this option with the CLC attorney and the young person before reaching out. In any cases where consent is a challenge, even in cases where you are able to find a solution without involving YDD, notify YDD so that staff can track the frequency of these challenges and raise it with their counterparts at DCFS.

Spotlight: Court Appointed Special Advocates (CASA)

Court Appointed Special Advocates are volunteers who receive intensive training and support to advocate for the best interests of children going through dependency proceedings and make recommendations to the court regarding decisions for the child. CASAs work to connect the young people they work with to support and advocacy services to address specific needs, including education, mental health, and physical health needs. In Los Angeles, CASAs can also advocate for youth in the juvenile justice system

Navigating Placement Changes

Youth in congregate settings experience frequent placement disruptions and may change placements while receiving diversion services. Law enforcement contact can be a trigger for placement change and could be used to advocate for a more intensive placement option—for example, transitioning from a family foster home to a congregate care setting.²⁰ When a placement change happens, it is possible that neither you nor the young person will have advance notice. Whenever you are informed of a placement change, immediately contact the CLC attorney, who can provide new contact information and any details on the placement change. Note that you will likely need to get consent from the young person’s new placement location in order to continue services. If possible, ask the CLC attorney to flag any placement changes ahead of time so you may start forecasting and troubleshooting any potential case planning changes. If you know about an impending placement change, you can work with the staff of the group home to ensure that your services are included in the transition plan and shared with the new placement.

If the new placement is in a geographic area that would make it difficult to continue to provide services, contact your YDD program manager to discuss options. Also, consider the following questions to ensure that the young person is able to successfully complete diversion:

- Has the young person already substantially completed their care plan, even if there is some time remaining in the plan? If so, you can consider marking the case as complete and identifying referrals to community-based services closer to the young person’s new placement.
- Is it possible to complete the care plan virtually? If the young person is able to (and interested in) participate in most of the identified programming and services virtually, you can advocate with new placement staff to continue to provide services on a virtual basis.
- Is there another YDD provider who serves the area where the new placement is located? Although provider continuity is always preferable, it may not be possible in all cases. If a placement change will make it impossible for you to continue diversion services, contact

²⁰ Recent research in Los Angeles has suggested that moving young people to congregate settings from family foster homes following an arrest is associated with an increased risk of recidivism. See Huang, Hui, Joseph P. Ryan, Antoinette Sappleton, and Yu-Ling Chiu. “Crossover youth post arrest: Placement status and recidivism.” *Children and Youth Services Review*, no. 57 (2015), 193-200

your YDD program manager to inquire about a transfer to another diversion provider. You can work closely with the new provider and the young person to coordinate a smooth transition.

- Can you secure funding for transportation? If the young person would like to continue working on their care plan with you in person but transportation will be a barrier, discuss different options for transportation with your supervisor and the CLC attorney to see if you can identify funding and options. If the young person is working with a CASA, the CASA may be able to provide transportation. Group homes may also have a budget for transportation.

Identifying Existing Supportive Adults

Young people's relationships with the adults in their lives will vary significantly case by case. Some DCFS-involved young people will have strong relationships with their DCFS case worker, others with group home staff, and others with CLC attorneys or CASAs. Talk with the young person about their relationships, with the goal of identifying who they are most comfortable with and view as their strongest ally and advocate. Question 6 on the intake assessment tool (Could you tell me about the people in your life? Who can you depend on for help and support?) can be a place to start. For young people in congregate care, it is important to explicitly ask about the different adults they interact with as a result of their system involvement to determine the strength of each relationship. CLC attorneys can be beneficial in brokering and coordinating these relationships to help ensure a robust support system is identified for the youth. This includes helping to ensure that the case manager listens to the young person's goals and needs and creates processes to ensure that case workers are accountable for following up.

The Dual-Status Youth Protocol encourages you to include the young person's CLC attorney in the intake meeting to serve as their advocate. You will also ask the young person if they want to invite their DCFS case worker or CASA if they have one.

Note: DCFS case workers and CASAs are required to include diversion referrals and program participation in their reports to the courts in dependency proceedings. CLC attorneys, however, have a duty of confidentiality to their clients and are not required to inform the court of the young person's participation in diversion services. Although CLC attorneys will be strong partners for you, it's always important to respect young people's boundaries regarding the level of involvement of other caring adults in their case planning. Once you've talked to the young person, let them decide how involved the various adults in their lives will be in the process going forward.

Spotlight: Screening for Sexual Orientation, Gender Identity, and Expression (SOGIE)

LGBQ/TGNC youth, particularly youth of color, are overrepresented in both the juvenile justice and child welfare systems. Be sure to examine your intake forms, policies, protocols, and case management practices with an eye toward inclusivity. There are several best practice resources available to support organizations and staff in collecting SOGIE data and how you can use that data to create more equitable reform and changes in policy and practice. These include:

- The [National Center for Lesbian Rights](#) developed the [Whole Youth Model](#) to guide youth justice stakeholders in California best practices on collecting SOGIE data and creating environments that are conducive to youth safety and development. Appendix B and Appendix C include a model questionnaire for case management systems, as well as a proposed script for asking questions.
- The [Center for Children & Youth Justice](#) developed the [Project Protocol for Safe & Affirming Care](#), a guide for professionals, volunteers, and caregivers on how to create safer and more affirming systems for care for LGBTQ+ youth in Washington State's child welfare and juvenile justice systems. The protocol includes basic information on best practices and links to additional tools and resources for staff.
- The [One Circle Foundation](#) developed the [SOGIE Handbook](#) to support staff in implementing youth-based programming or services that affirm SOGIE. The handbook was created specifically for educators who are implementing Girls Circle and Council for Boys and Young Men program models but can be used by all staff seeking to learn more about developing inclusive environments.

Pros and Cons of Including DCFS Caseworkers in Diversion-Related Meetings

The Dual-Status Youth Protocol requires you to ask young people if they want to include their DCFS case worker in the diversion process. Talk with the young person about the benefits and risks that come along with including their case worker.

Consider the following to guide you in these conversations:

- DCFS case workers are required to include diversion referrals and program participation in their reports to the courts in dependency proceedings. Including case workers in diversion conversations means that the courts will be aware of the young person's contact with law enforcement and participation in diversion programming.
- Young people will have varying relationships with their case workers. Because of high turnover in these positions, young people may have worked with multiple case workers,

especially if they have a lengthy history of child welfare involvement. The relationship and familiarity case workers have with young people's needs and circumstances will also vary from case to case.

- Deciding not to include case workers in intake or case conferencing meetings does not guarantee that the case worker will not be made aware of the young person's participation in diversion. For example, once congregate care staff are aware of the young person's participation in diversion programming, they may inform the courts and the case worker. In addition, if the young person has been referred to YDD programming after their case has already been formally processed, their caseworker will likely be aware.
- Deciding not to include case workers in intake meetings does not mean that young people can't change their mind and include their case worker in future meetings. Similarly, young people may decide not to include case workers in future meetings even if they invite them to initial intake meetings.

Potential risks of including DCFS case workers in these meetings include:

- DCFS case workers are required to report diversion referrals to dependency courts, which means a record of law enforcement contact will be shared with the court and included in the young person's child welfare files. This means a loss of confidentiality for the young person. Sharing this information can lead not only to bias in their current dependency proceeding, but it can also impact future delinquency proceedings.
 - Although successful completion of pre-booking diversion will result in no formal record of the interaction with law enforcement, DCFS caseworkers can share information on diversion with probation and delinquency courts during future delinquency proceedings and may use this information to advocate for harsher delinquency responses.
 - Some child advocates have reported situations in which DCFS case workers have advocated for detention placements in delinquency cases for youth even when no other party is doing so.
- If DCFS and the dependency courts become aware of law enforcement contact, they may view it as a reason to consider a loss of privileges or support. It may also be the trigger for a disruption in placement.
- If you learn that that the caseworker or court is aware of the young person's contact with law enforcement despite best efforts to stop the information from being shared, you can speak with the young person and their CLC attorney about submitting a letter to the court noting the young person's positive engagement with your program so that this information is also part of their file. Information about engagement with your program could be a mitigating factor when other parties are pushing for harsher treatment. For more information on court reporting, see page 28 of this toolkit.

Potential benefits of including DCFS case workers in these meetings include:

- Coordinating with a case manager can result in greater service integration and coordination, as well as reduced duplication of services (see the discussion below in the Case Planning section).
- Case workers and/or CASAs may be able to facilitate transportation, arrange payment for extracurricular activities, and provide other supports and benefits that may be available to the youth to support their goals.
- This can create an opportunity for you to support young people in advocating for needs as it relates to their child welfare involvement and services and/or troubleshoot when child welfare involvement is the proximate cause of law enforcement contact (for example, when placement staff have called the police).

Remember that the extent to which involvement of the case manager will be beneficial depends greatly on the strengths of the individual case worker, their relationship with the young person, and their motivation to help. When the case manager is not motivated to support the young person, you can play a role, alongside their CASA and CLC attorney, in helping to ensure that the case manager does listen to the young person's goals and needs, and in creating processes to ensure that case managers are accountable for following up.

Case Planning

Youth in congregate settings will already have case plans developed as a result of their child welfare involvement. Living in congregate care settings will also place significant restrictions on their free time due to curfews and mandated programming. Because of the new requirements put into place by the Continuum of Care Reform,²¹ congregate placements in STRTPs are intended to be short-term and intensive. This means that youth in these settings will likely have even more constraints on their time as a result of additional mandated programming and/or behavioral health interventions.

Work with young people and the supportive adults in their lives to understand all of the requirements placed on young people due to their involvement in the child welfare system to prevent redundancies or additional burdens. CLC attorneys, group home staff, DCFS case workers, and CASAs (if they are engaged in the process) can support you and the young person in identifying services. There are some considerations to consider if DCFS case workers and CASAs are included in the diversion process, which are highlighted below.

Begin by asking young people about current case plans and requirements put into place by the congregate care settings, what activities and programming they do and do not enjoy participating in, and what types of activities they wish they could participate in. You may want to

²¹ For more information on CLC and the appropriate contact information, refer to the [Los Angeles County Office of Child Protection and Youth Diversion and Development Protocol](#)

start by asking a young person to describe a typical week and its highs and lows. It may also be beneficial to cross-reference this with their DCFS case worker to confirm if all parties agree with the case plan. In developing a case plan, you will need to balance service overload with identifying gaps in service that can be filled by diversion programming. This balance will look different for every case. Consider the following:

- The CLC attorney and the DCFS case worker can be assets in preventing duplication of services and identifying where YDD can fit into existing case planning. Revisit the pros and cons of including the DCFS case worker with the young person and their CLC attorney in cases where the care plan is complex and where including the case worker may help with coordination. Remember that youth must consent to case workers being a part of their diversion process, and they can change this decision at any point in the process.
- Case workers and group home staff do not need to attend all case planning meetings, but the young person may consent to you reaching out to coordinate with them. Always make clear that contacting the case worker at any point during the diversion process will result in the case worker including diversion referrals and program participation in their reports to the courts. It is important to highlight this for youth because DCFS case worker involvement means a record of law enforcement contact will be shared with the court and included in the young person's child welfare files, leading to a loss of confidentiality for the young person. Sharing this information can lead not only to bias in their current dependency proceeding, but it can also impact future delinquency proceedings.
- You may shorten the length of diversion case plans when young people are in congregate care, given the many requirements placed on their time.²² In these cases, you can consider offering short-term enrichment programming or time-bound skills development. You can still work with the young person to identify ongoing or long-term gaps in services or activities and leverage case-planning meetings or court reports as an opportunity to advocate with the young person to receive those services via DCFS. Case worker involvement in this process may be beneficial in gaining access to complementary and supportive services. For example, case workers and/or CASAs may be able to facilitate transportation, arrange payment for extracurricular activities, and provide other supports and benefits that may be available to the youth to support their goals.
- Child welfare services, particularly those offered in STRTPs, often emphasize clinical and therapeutic interventions. You can work with the young person to identify and offer programming that they are not currently receiving and/or would not be offered via child

²² The [YDD Policy Handbook](#) recommends this approach in cases where it is not possible to convert a formal referral to an informal referral even though the incident was more suited to an informal referral. You should use this approach in cases where the incident occurred in the group home, but law enforcement was not willing to convert to an informal referral.

welfare. For example, if the congregate care setting they are staying in does not have arts programming, you may be able to fill a gap by offering arts enrichment or art therapy.

- You may have a unique perspective and fresh eyes with which to view a young person's case plan. If in talking to the young person, you both identify service overload as a barrier to success, you can use case planning meetings, dependency hearings, and conversations with CLC attorneys as an opportunity to advocate for fewer child welfare services. Even small changes you can help advocate for may make a big difference. For example, changing the times or frequency of services can allow more free time for everyday recreational activities and hanging out with friends. Free time is often hard to come by for youth in congregate care due to the logistics of managing school, service participation, facility rules and schedules, and other requirements.
- Youth with child welfare involvement are highly mobile and often move between placements. YDD allows for after-care services in some cases for up to 90 days. You can consider this option in cases where young people are moving between child welfare placements or could benefit from stability in a relationship beyond the length of diversion services.

Note: Some congregate care providers and DCFS case workers may use YDD involvement to advocate for increased punitive responses, including additional scrutiny, reduced privileges, or even a new placement. This is particularly true for young people already labeled as “troublemakers” or “difficult” by congregate care staff. Gender and sexuality are additional factors: When girls and gender-expansive youth engage in rule breaking that defies gender norms, adults can be harsher and more punitive due to their own biases and expectations. YDD providers can emphasize their role in this process as providing the services and supports necessary to prevent further involvement with the justice system and can support young people in advocating for themselves in case planning meetings.

Consideration for Interactions with and Reporting to Dependency Courts

Although YDD primarily engages with young people prior to delinquency charges being filed, young people in congregate care settings will have active dependency cases. Congregate care staff and their DCFS case worker will be communicating with the courts managing the dependency case, and you may be asked to provide reports that can be shared with the court. Remember to always inform young people that DCFS case workers and CASAs are required to include diversion referrals and program participation in their reports to the courts in dependency proceedings. For young people living in child welfare placements, including in congregate settings, the designated caregiver may be legally required to report the young person's participation in diversion programming to the DCFS case worker, who will in turn inform the courts.

If the court is aware of the young person's participation in YDD programming, the judge will require regular updates on their participation, often through the case worker or the CASA.

Unlike your engagement with partner law enforcement agencies, you are not required to provide a report to the court. However, be aware that other people in the young person's life will provide regular updates, and court reporting presents an opportunity for you to offer a different perspective, advocate for the young person, and present a strengths-based assessment of their engagement. It is important to note that dependency judges are supposed to listen to young people's requests and include them in decision making. Your report can create another direct line of communication between the young person and the judge. Here are some things for providers to consider in reporting:

- Courts may be biased by knowledge of law enforcement contact. If they are already aware of the contact, reporting is an opportunity to advocate for the young person. If they are not aware of the contact, talk to the CLC attorney about whether raising their participation in services could have a positive or negative impact on their dependency case.
- Coordinate with CLC attorneys to submit your own reports in addition to the reports submitted by case workers or CASAs.
- You do not need to provide details about the specific type of services and support that the youth is receiving, unless the provider and the young person think the details would be beneficial and are important to highlight.
- Be transparent and open with young people about court reporting, Discuss and share the reports with young people so they are aware of what is being shared.
- Letters to the court should include information about the YDD program and the benefits of diversion for young people in the child welfare system.
- Dependency court proceedings are potential opportunities to coordinate with youth and their lawyers to advocate for youth's needs. Child welfare judges have the authority to remove barriers to youth's needs when presented with the right information.
- Young people often face a power imbalance in court, and you can support them in engaging directly with judges.

If you are not submitting a report or participating in dependency proceedings, you can still help the young person prepare for any court appearances that take place over the course of your work with them. Hearings can be an opportunity for the young person to speak directly to the judge about their goals and how their current child welfare case plan is (or is not) facilitating meeting those goals. Stay in contact with the CLC attorney to better understand court strategy, and include CLC attorneys in these conversations to ensure alignment if the young person agrees.

Serving as a Resource Hub for Your Region

YDD has already asked its providers to do a landscape analysis to identify and understand the resources in your area. You can consider taking that a step further by facilitating a regular meeting for providers in your service area to support each other where there are gaps in services and/or programs. Some things to consider include:

- Most regions already have existing meeting with service providers in their area. YDD providers should join these meetings. If one does not exist in your area, consider

coordinating a meeting to share information on what services, programs, and support are available and to raise any common issues or challenges that service providers are seeing on a regular basis. The issues and challenges can be reported back to the larger YDD network of providers to brainstorm solutions during learning sessions.

- These meetings can be an opportunity to talk through any challenges in engaging congregate care providers, DFCS, CLC, and law enforcement or other systems, and to identify what concerns to address with YDD regarding youth in the child welfare system who have contact with law enforcement.

Developing a Resource Bank

Work with YDD to develop fact sheets, letters, and presentations geared toward different key stakeholders that clearly articulate the expectations, programming components, and benefits of diversion programming. Materials should include:

- A YDD 101 presentation for congregate care line staff and law enforcement patrol officers that includes information on the harms of justice involvement for youth in child welfare.
- A letter to DCFS case workers that introduces diversion programming and emphasizes collaboration with YDD providers.
- A letter to line staff at group homes that introduces diversion programming, emphasizes collaboration, and explains why participation in YDD programming should not be considered a privilege that can be revoked.
- A fact sheet for executive directors of organizations operating congregate care settings that includes an overview of diversion and a description of available services, and that expresses interest in collaboration.
- A letter to the courts that explains YDD programming and services and provides basic information on the benefits of diversion for youth in child welfare.

Appendix A: Understanding Resources Available to Youth in Congregate Care

Youth who are or have been in foster care are entitled to a range of benefits as a result of their child welfare involvement, but many youth do not access the full range of benefits available to them. You do not need to know the ins and outs of these benefits. However, it is helpful for you to understand the types of benefits available, as well as their limitations, so that you can best support young people in accessing and identifying them. Below is a brief overview of benefits and a list of resources with additional information for you and the young people you work with.

- **Health insurance.** Youth in foster care are automatically eligible for Medi-Cal and retain this eligibility through their 21st birthday.
- **Tuition assistance.** California has grant programs that can cover tuition costs for former foster youth (or current non-minor dependents). And college dorms can qualify as Supervised Independent Living Placement (SILP) placements for youth in Extended Foster Care (EFC).
- **Independent living assistance.** Independent Living Program (ILP) services are delivered by county offices. Los Angeles County's ILP office offers a range of services for current and former foster/probation youth, including:
 - financial assistance;
 - Individualized Transition Skills Program (ITSP), which provides one-on-one life coaching/life skills training for Los Angeles County youth ages 16-21;
 - a monthly "Teen Club" that allows for peer interaction and teaches youth life skills, such as financial literacy;
 - education about or support for accessing housing, health coverage, and other benefits, such as Medi-Cal;
 - connection to other services, such as legal assistance; and
 - information about or applications for Los Angeles-specific benefits, such as the Youth on the Move program, which provides free Metro TAP cards.
- **Support for young people ages 18-21.** California's Extended Foster Care (EFC) Program²³ allows eligible youth involved in the child welfare and probation systems to remain in foster care until age 21. Young people participating in the program must sign an agreement, work with a social worker or probation officer to develop a transition plan, and work toward the plan's goals, including meeting monthly with their social worker or probation officer. They must also meet specific requirements regarding work and school (for example, be enrolled in school or college, working at least 80 hours per month) or be exempted due to a medical condition. Participation in the program allows for placements in the following locations:

²³ EFC was created by Assembly Bill 12 (AB 12) and took effect in 2012. Additional later legislation refined and expanded the program.

- certain categories of family homes, such as a licensed foster family, relative, or Non-Related Extended Family Member (NREFM), or other legal guardianships;
 - Short-Term Residential Therapeutic Program (STRTP) or a group home (in very limited circumstances);
 - Transitional Housing Placement Program for Nonminor Dependents; and
 - Supervised Independent Living Placement.
- **California Foster Youth Bill of Rights.** This law ensures that youth in foster care have rights regarding their living situation, health, education, communications and privacy, as well as access to family members, court cases, and other matters. The foster care ombudsman can help youth with these rights and also provides assistance to organizations working with youth (for example, trainings, handouts to share with youth). You should be aware of these resources and the process for filing complaints and can support young people in accessing the ombudsman if necessary.

Additional Benefits Information on Resources for Youth in Child Welfare

Independent Living Program (ILP)

- Los Angeles County [ILP website](#). Provides information about services and resources available to current and former foster or probation-involved youth (provided by ILP and other agencies). ***For youth***
- California [Independent Living Program](#) website. Provides a state-level overview of eligibility for ILP. It also has policy guidance for counties relevant to ILP.

Extended Foster Care (EFC)

- CDSS [AB 12 Extended Foster Care Program and Benefits](#) website. Briefly describes the history and impact of AB 12 and shares links to useful resources regarding EFC, as well as state policy guidance for counties. Includes a [Fact Sheet](#) and [FAQ](#) from CDSS on EFC.
- [Videos for youth about EFC](#) (After 18 CA). Information for young people from young people about their options once their turn 18. Covers eligibility, placement types, and information for probation-involved youth. ***For youth***

Housing

- [Housing Options](#) (Know Before You Go) website. Provides a flyer for young people explaining what their housing options are if they choose to stay in (or re-enter) foster care beyond age 18, including the process and requirements for SILPs. ***For youth***
- CDSS Overview of [Facility Types](#). Information for minors and non-minor dependents, including definitions of different types of family foster care settings and placements, STRTPs, group homes, etc.

College and Career

- [College and Career Success](#) website from CDSS. Outlines college support programs, financial aid resources, and policies related to supporting education for youth.
- [CDSS website](#). Information for foster youth on their educational rights, such as resources about graduation and planning for higher education, including financial aid. ***For youth***
- [CDSS All County Information Notice 1-56-21](#). Provides reminders regarding postsecondary financial aid for foster youth, as well as information on local resources.
- [California Student Aid Commission's](#) website. Outlines financial aid information for youth who are or have been in foster care, including the Cal Grant B for Foster Youth program, which expands eligibility for aid for foster youth, the Chaffee Foster Youth Grant Program, and other resources.
- [Next Up](#). This program supports current and former foster youth attending California community colleges. Their website explains who is eligible, how to apply, how the program works, and what kinds of resources may be available (e.g., childcare, books, counseling, transportation, tutoring). ***For youth***
- [Know Before You Go](#). Comprehensive website for youth transitioning to adulthood that covers extended foster care, jobs, education, housing, health, legal, and other issues. ***For youth***
- [Chaffee Education and Training Voucher](#). Provides up to \$5,000 to any youth in foster care between the ages of 16 and 18. The website provides details on eligibility, the application and award processes, how funds can be used, and important dates.
- [WebGrants 4 Students website](#). A portal that allows youth to manage their financial aid; locate resources, information and tools; and update personal information.

Youth Rights

- [California Foster Care Ombudsperson](#) website. Includes information about the ombudsperson (e.g., their role in helping youth get appropriate services), foster youth rights, and information on how to file a complaint.
- [Foster Youth Rights flyer from CDSS](#). A one-page flyer outlining foster youth's rights and directions for contacting the Foster Care Ombudsperson if needed. ***For youth***
- [Foster Youth Rights Handbook](#). A detailed guide for foster youth about their rights, with tips for youth, activities, and worksheets. ***For youth***
- [Alliance for Children's Rights](#). Supports youth in foster care and those at risk by helping them obtain access to health care, education services, benefits, and housing.

Appendix B: Glossary

- **Congregate care placement:** A licensed or approved setting that provides 24-hour care for children in a group home (7-12 children) or an institution (12 or more children). These settings may include a child care institution, a residential treatment facility, or a maternity home.
- **Continuum of care reform:** In 2015, California enacted legislation that comprehensively reformed placement and treatment options for youth in foster care. This law draws together a series of existing and new reforms to the child welfare services program based on the understanding that children who must live apart from their biological parents do well when they are cared for in committed, nurturing family homes.
- **Dependency courts:** In California, a dependency court is part of the Superior Court. It hears cases about children (minors) who are abused or neglected.
- **Extended Foster Care-Assembly Bill 12:** This law created California's Extended Foster Care (EFC) Program, which allows eligible youth in the child welfare and probation systems to remain in foster care until age 21. Youth may leave extended foster care and later choose to re-enter the program up to age 21.
- **Family First Prevention Services Act:** This act was signed into law as part of the Bipartisan Budget Act in February 2018. It reforms the federal child welfare financing streams, Title IV-E and Title IV-B of the Social Security Act, to provide services to families who are at risk of entering the child welfare system.
- **Group home:** A privately operated residential home of any capacity, including a private childcare institution, that provides services in a group setting to children who need care and supervision, and is licensed as a community care facility by DCFS. In Los Angeles, all group home placements through DCFS are licensed as Short-Term Residential Treatment Programs (STRTP)
- **Independent Living Program:** A program designed to provide support and services to young people who are preparing to transition from foster care to life on their own. Services often include training for employment, education, housing, relationships, health, and other daily living skills.
- **Legal guardianship:** Placement with a person who is charged with the legal responsibility for the care and management of the child. A legal guardian is under the supervision of the court and is required to appear in court to give periodic reports about the status of the child and their estate.
- **LGBQ/TGNC youth:** Youth who identify as lesbian, gay, bisexual, queer, transgender, and/or gender non-conforming.
- **Licensed foster family:** Relative or nonrelative adults who have been approved by the state or an agency licensed by the state to provide children with shelter and care.
- **Proactive services:** Services put in place soon after a dependency case is opened to prevent removal or to achieve timely reunification. Working with the caseworker, Resource Parents must be aware of and participate in (where appropriate) the services available to the parents and the child in their care.

- **Relative or non-related extended family member (NREFMs):** An adult caregiver who has an established familial relationship with a relative of the child or a familial or mentoring relationship with the child. In California’s foster care system, this is often referred to as “fictive kin.” Formal kinship care is also included in California’s definition of NREFMs.
- **Resource bank:** A collection of resources, held in a centralized location that staff can easily access when needed.
- **Resource hub:** A centralized hub for content that is created by an organization, usually for use by target audiences.
- **Self-determination:** The process by which a person controls their own life. The ability to make choices fully understanding the outcome. In the context of YDD providers, this means respecting and honoring young people as experts in their own lives, celebrating their power and expression, and promoting their freedom.
- **Short-Term Residential Therapeutic Program (STRTP):** A residential facility operated by a public agency or private organization that provides an integrated program of specialized and intensive care and supervision; services and supports; treatment; and short-term, 24-hour care and supervision to children and non-minor dependents.
- **Supervised Independent Living Placement (SILP):** A flexible, non-licensed foster care placement that is available to non-minor dependents who participate in Extended Foster Care (EFC). It is intended to provide non-minor dependents with the opportunity for highly independent living experiences while they receive foster care payments and Supportive Transition services. SILP placements are for those dependents who are developmentally ready to live independently and in a less restrictive environment.
- **Transitional housing placement program for non-minor dependents:** Services, usually including housing, that are provided to young people who are aging out of foster care or have recently emancipated from the system.