

## POST TRANSITIONED YOUTH PROTOCOL

Pursuant to O.C.G.A. § 15-11-2(10) and 15-11-10(1)(G), a child has a right to judicial review of those services provided to her as relates her status in foster care or her eligibility for independent living services.

The following protocol is proposed to ensure that all eligible DeKalb County foster and former foster youth have the opportunity to avail themselves of this right.

### PROTOCOL

1. Pre- 18 Hearing
  - a. Exit foster care hearing at least 90 days before 18<sup>th</sup> Birthday.
  - b. Written Transitional Living Plan presented in Court.
  - c. Post – 18 Review set 6 months out
2. A Motion for Judicial Review Post Age 18 should be filed in conjunction with the youth's scheduled Exit Review hearing. (See *Motion.Request for Review Post 18.form*)
3. A Scheduling Order for three consecutive review hearings (to be held at six month intervals) should be submitted with the above referenced motion. (See *Order.Post 18 Review.Form*)
4. Whenever possible, the court should consider the motion and issue said scheduling order, including specific hearing dates, at the youth's final Exit Review hearing.
  - It is recommended that the Court detail specific issues / areas of concerns/ commitments by the Department to provide specific resources to be addressed at the Post 18 Judicial Review hearing; (An alternative order that contains a "checklist" of options is included for your consideration. (See *Order.Post 18 Review.Detailed Review Schedule.Form*))
5. All parties, including the youth, should be provided with written notice of the upcoming hearing dates and copies of the executed order at the Exit Review Hearing.
6. At each review the Court shall consider the status reports made by the parties; provide notice to all parties of the next previously scheduled hearing date and detail any specific matters to be addressed prior to or at the next hearing.
7. At the Third Judicial Review hearing, the court should determine whether future review hearings are warranted.

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## REPRESENTATION AGREEMENT

I, \_\_\_\_\_, have individually and voluntarily asked the Court to appoint a (GUARDIAN AD LIDEM) for legal representation in my post 18 reviews.

I give my permission for GUARDIAN AD LIDEM to obtain any information or documents necessary for the representation.

I understand that the scope of the representation is limited in nature. I understand that this means specifically that my appointed Guardian Ad Lidem will only represent me in order to assist me in accessing the Juvenile Court with regard to my right to a Judicial Review for the purpose of reviewing my status and services that I am entitled to receive as a result of my independent living plan or status as a child in foster care. This type of case comes from Georgia law written at O.C.G.A. § 15-11-10(1)(g).

I understand that any advocacy or legal representation that I may need beyond reviewing the aforementioned status and services in Juvenile Court is not included in the representation provided for me by GUARDIAN AD LIDEM. I understand that if I determine that I need legal representation for any matter beyond the referenced Juvenile Court reviews, I would have to retain another lawyer to assist me with other legal needs that I may have. For example, GUARDIAN AD LIDEM attorneys will not represent me in any adult criminal/civil/domestic or immigration matters.

I understand that circumstances may arise requiring GUARDIAN AD LIDEM to terminate my representation. Such circumstances may include but are not limited to: if I no longer receive services from the Department of Family and Children Service; if a conflict of interest should arise that affects the GUARDIAN AD LIDEM's legal representation on my behalf; if I fail to maintain contact with my GUARDIAN AD LIDEM attorney; if I fail to or refuse to assist my GUARDIAN AD LIDEM attorney with advocating, investigation on my behalf, or preparing in any other way to legally represent me. There may be other reasons that GUARDIAN AD LIDEM may withdraw from my representation.

I understand that I may end my authorization to GUARDIAN AD LIDEM for legal representation at any time.

I understand that GUARDIAN AD LIDEM makes no guarantees regarding the outcome of the representation. GUARDIAN AD LIDEM can neither promise that my case nor the issues in my case will be resolved the way that I want them to be.

I understand that I have responsibilities too. These are my duties:

1. To give my lawyer who is called a "Post Transition Attorney" (PTA) information that is true and complete, to the best of my knowledge.
2. To keep in touch with the PTA.
3. To tell the PTA of any change in my address or phone number within a reasonable time period.
4. To keep appointments with the PTA or to call PTA in advance to cancel an appointment or if I am going to be late.
5. To immediately tell the PTA if I receive any letters, notices, or correspondence regarding services I am receiving from DFCS.
6. To show up for any hearings or court appearances.

\_\_\_\_\_  
Full Name of Client

\_\_\_\_\_  
Signature of Client

\_\_\_\_\_  
Date

\_\_\_\_\_  
GUARDIAN AD LIDEM  
(Attorney)

\_\_\_\_\_  
Date

Post-Transition Attorney  
Job Duties and Responsibilities

1. Case Management: Post-Transition Attorney engages in Case Management as set forth in the Performance Plan.
2. Client Representation (Litigation): The Post-Transition Attorney represents Foster Youth ages 17 – 21 during at all Dependency Juvenile Court hearings. Representation continues after Youth turns 18 in Post-18 Review Hearings, and only if the Youth is receiving ILP services.
  - a. The standard for Client Representation (Litigation) is set forth in the Post-Transition Attorney's Performance Plan.
3. Client Representation (Advocacy):
  - a. PTA identifies needs of Youth using Post-Transitioned Youth Checklist.
    - i. PTA will meet face-to-face with Youth to determine Youth's needs.
    - ii. PTA will also consult Youth's education and medical records, mental health records, WTLP, Casey Life Skills Assessment, Transition Plan, and any other documentation that may be reasonably relied upon to identify Youth's specific needs.
  - b. Prepare, update and submit Post Transitioned Youth Report at Initial 6-month Post-18 Review and Final Post-18 Review.
  - c. Meet with clients on a quarterly basis, face-to-face (every three (3) months). Quarterly meetings should be scheduled within two (2) weeks of Review hearings.
    - i. PTA will go over WTLP with Youth at each meeting to determine Youth's progress.
    - ii. PTA will assist Youth by referring Youth to issue-specific resources.
    - iii. PTA will collaborate with Youth's Education Advocate and DFCS ILP Case Worker to assist Youth in education, scholarship, job, and other program and financial searches and applications as needs are identified.
    - iv. PTA will administer Casey Life Skills Assessment, or other equivalent Life Skills Assessment, if assessment has not been administered by DFCS, in order to identify needs of Youth.
    - v. Youth's progress will be discussed with Education Advocate, DFCS ILP Case Manager, ILP Supervisor, Court, and other members of Youth's Transition Team.
    - vi. PTA will request Review Hearings to modify WTLP as needed.
  - d. PTA provides other case management and ongoing advocacy as provided in the Performance Plan.
4. External Advocacy
  - a. PTA provides External Advocacy as set forth in the Performance Plan.
  - b. PTA will submit proposals to speak at conferences, CLEs, ILP meetings, and other forums to facilitate community education on Transitioning Youth and available resources.
  - c. PTA will research and document community and other social service resources for Transitional Youth on an ongoing basis.

- d. PTA will collaborate with ILP to provide educational and other opportunities for Youth.
    - i. PTA will attend ILP meetings when available.
  - e. PTA will meet and collaborate with placement providers (e.g. United Methodist Children's Home).
5. Teamwork & Collaboration
- a. PTA engages in Teamwork & Collaboration as set forth on the Performance Plan.
  - b. PTA assists Child Advocate Attorneys working with foster children receiving ILP services in identifying resources for Transitioning Youth.
6. Knowledge & Training
- a. PTA will following the Performance Plan standards for Knowledge & Training.
  - b. PTA will identify training and other opportunities for working with Transitioning Youth, including grants and scholarships.