

Extended Foster Care (EFC) – Re-Entry

NOTE: Our case management system is moving from Child Welfare Services/Case Management System (CWS/CMS) to Child Welfare Services-California Automated Response and Engagement System (CWS-CARES). This policy includes language, forms/templates, and resources that will be reviewed and updated as we transition into CWS-CARES.

(Revised 06/26/26)

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Related Policies

Additional information can be found in the following policies:

- Contacts – SW and Child
- EFC - General
- Courtesy Supervision - General

Forms

The following forms are referenced in this policy:

- 07-65 Placement Info and Payment Authorization (CWS/CMS template)
 - [EA 1 CWS](#) Emergency Assistance Application for Child Welfare Services
 - [FC2 NM](#) Statement of Facts Supporting Eligibility for AFDC-Extended Foster Care (EFC)
 - [JV-466](#) Request to Return to Juvenile Court Jurisdiction and Foster Care
 - [JV-468](#) Confidential Information- Request to Return to Juvenile Court Jurisdiction and Foster Care
 - [SOC 161](#) Six-Month Certification of Extended Foster Care Participation
 - [SOC 163](#) Voluntary Re-entry Agreement for Extended Foster Care
 - [TILP1](#) Transitional Independent Living Plan and Agreement (TILP)
 - [SOC 157A](#) Supervised Independent Living Placement (SILP) Approval and Placement Agreement
 - [SOC 157B](#) SILP Inspection: Checklist of Facility Health and Safety Standards
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Background

Nonminor Dependents (NMDs) are legal adults that may choose to exit foster care at any time after reaching age 18. NMDs may also be terminated from Extended Foster Care (EFC) by their social worker (SW) due to non-compliance with meeting the participation conditions (criteria) for the EFC program. When an NMD under the age of 21 is terminated from the EFC program, at the termination hearing court will order to maintain general jurisdiction. By maintaining general jurisdiction, the former NMD may file a petition per Welfare & Institutions Code (WIC) 388(e) for the court to resume dependency jurisdiction at a later date if the former NMD is under the age of 21.

For youth who were placed in a guardianship, either with a relative or a nonrelated/extended family member or adopted, WIC 388.1 outlines the criteria for them to re-enter dependency. Per ACL 19-31, the SW may confer with the guardians and/or adoptive parents to assess the type of support, or lack thereof, that the guardians and/or adoptive parents provided to the youth. If no safety issues are identified, the SW shall attempt to reconcile any differences between the youth and their guardian and/or assist in maintaining an intact family unit with the youth and their adoptive parents. These conversations can include age-appropriate expectations and referral to community resources, if applicable. If there are safety issues, see the [WIC 388.1 Overview and Eligibility](#) section.

There is no limit on the number of times an NMD may exit and return to Juvenile Court jurisdiction and foster care up to age 21. The former NMD may re-enter foster care in the county in which the NMD lives, which may not be the same county where they exited foster care. For more information go to [Determining Jurisdiction for NMDs](#) section.

388 (e) Re-entry Overview & Eligibility

In order for a nonminor to be eligible to re-enter foster care and be eligible for foster care benefits, WIC 388 (e) section must be applied:

(e)(1)(A) A nonminor who attained 18 years of age while subject to an order for foster care placement and who has not attained 21 years of age, or as described in Section 10103.5, for whom the court has dismissed dependency jurisdiction pursuant to Section 391, or delinquency jurisdiction pursuant to Section 607.2, or transition jurisdiction pursuant to Section 452, but has retained general jurisdiction under subdivision (b) of Section 303, or the county child welfare services, probation department, or tribal placing agency on behalf of the non-minor, may petition the court in the same action in which the child was found to be a dependent or delinquent child of the juvenile court, for a hearing to resume the dependency jurisdiction over a former dependent or to assume or resume transition jurisdiction over a former delinquent ward pursuant to Section 450.

A former NMD is eligible to re-enter Extended Foster Care (EFC) if they had a foster care placement on their 18th birthday and court retained general jurisdiction, if it was a court case. NMDs who left placement without permission or were in an ineligible placement on their 18th birthday may be eligible for re-entry, if they were subject to a foster care placement order. SW staff are strongly encouraged to check with an Eligibility Human Support Specialist (HSS) to determine AFDC eligibility and will document in the Re-entry report if there is potential AFDC non-eligibility.

**388 (e)
Re-entry
Overview &
Eligibility (cont.)**

The former NMD can re-enter foster care if they are under the age of 21 and if they are willing to meet at least one of the EFC five participation conditions (See [EFC – General](#)) within a reasonable time and:

- Be under juvenile court jurisdiction
- Be under the supervision of the county
- Sign the SOC 163 Voluntary Re-entry Agreement for EFC
- Meet with the SW monthly

The SOC 163 Voluntary Re-entry Agreement for EFC:

- provides the initial authority for placement.
- does not automatically make the former NMD eligible for AFDC and will require a new eligibility determination.

NOTE: The court must make the best interest finding before the 180 days expiration of the SOC 163 Voluntary Re-entry Agreement for EFC or continued federal or state EFC eligibility.

A former NMD who re-enters EFC has the same placement options that were available to them previously. Placement in Group Homes/Short-Term Residential Therapeutic Programs (STRTP) are limited up to age 19 and/or for the completion of high school (unless, the young adult has a disability in which case a group home placement can be considered long term).

**388.1 Re-entry
Overview &
Eligibility**

Nonminors who are in a juvenile court guardianship, relative or nonrelated/extended family, and Adoptions Assistance Program (AAP) placements re-entering EFC under WIC 388.1 are subject to the following criteria and eligibility:

(a) A nonminor who has not attained 21 years of age may petition the court in which he or she was previously found to be a dependent or delinquent child of the Juvenile Court for a hearing to determine whether to assume dependency jurisdiction over the non-minor, if they meet any of the following descriptions:

1. A nonminor former dependent, who received or, but for the receipt of Supplemental Security Income benefits or other aid from the federal Social Security Administration, would have received aid after attaining 18 years of age under Kin-GAP, and whose former guardian or guardians died after the nonminor attained 18 years of age, but before they attain 21 years of age.
 2. A nonminor former dependent, who received or, but for the receipt of Supplemental Security Income benefits or other aid from the federal Social Security Administration, would have received aid after attaining 18 years of age under Kin-GAP and whose former guardian or guardians no longer provide ongoing support to, and no longer receive aid on behalf of, the non-minor after the nonminor attained 18 years of age, but before they attain 21 years of age.
 3. A nonminor who received adoption assistance payments after attaining 18 years of age and his or her adoptive parent or parents died after the nonminor attained 18 years of age, but before they attain 21 years of age.
 4. A nonminor who received adoption assistance payments after attaining 18 years of age and his or her adoptive parent or parents no longer provide ongoing support to, and no longer receive benefits on behalf of, the nonminor after the nonminor attained 18 years of age, but before they attain 21 years of age.
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**388.1 Re-entry
Overview &
Eligibility (cont.)**

To be eligible for EFC re-entry under WIC 388.1, the nonminor must meet all EFC requirements and meet **all** of the following descriptions:

- The guardian parent must have received payment for the nonminor (Kin-GAP, or guardianship payment) for the month the nonminor turned 18.
- The adoptive parent must have received payment for the nonminor (AAP payment) for the month the nonminor turned 18, meaning that an AAP extension packet must have been submitted and approved.
- The guardian or adoptive parent must have stopped receiving payment for the nonminor (AAP, Kin-GAP, or guardianship payment) after the nonminor turned 18, meaning they could not be receiving aid at the time of application for re-entry.
- The guardian or adoptive parent must have stopped providing ongoing financial support to the nonminor after they attained 18 years of age.
- The nonminor would have otherwise been eligible to continue to receive extended AAP, Kin-GAP, or guardianship payments if applicable documentation was completed.

NOTE: To be approved for an AAP extension the adoptive parents must submit the AAP extension packet to Eligibility.

Before assisting the nonminor with re-entry, the SW must contact an Eligibility Human Support Specialist (HSS) to verify that the youth:

- was active to Kin-GAP/AAP/guardianship. The last date of payment to the guardian/adoptive parent.
- is not receiving support from the caregivers by speaking with the nonminor and guardian/adoptive parent.
- received an approved extension to continue to receive extended AAP, Kin-GAP, or guardianship payments.

Have payments to the guardian/ adoptive parent stopped?	Then...
Yes	Proceed with re-entry.
No	Stop. Inform the nonminor that they are not eligible for re-entry as the payments to the caregiver continue.

**Re-Entry
Procedure**

Former NMDs or nonminors, as defined by WIC 388.1 (referred to as nonminor for the rest of this section), interested in re-entering foster care in the County of San Diego, can call the County of San Diego Extended Foster Care Inquiry/Re-Entry line or send an email inquiry. See the table below for more information.

**Re-Entry
Procedure (cont.)**

The SW has 60 days from the date of resumption of jurisdiction to develop the case plan, including the Transitional Independent Living Plan and Agreement (TILP) with the NMD or nonminor. It is best practice to complete the TILP with the NMD or nonminor when the re-entry forms are completed, as the TILP is a required attachment to the re-entry court report.

The case plan must document which of the participation conditions the NMD or nonminor is meeting or plans to participate in, this should include a back-up plan, should the NMD or nonminor become unable to participate in the first activity.

It is strongly advised that the SW confirm AFDC-FC eligibility with the HSS prior to completing the re-entry process. The following table outlines the general re-entry process.

Step	Who	Action
1	Youth	• Send a completed JV 466 Request to Return to Juvenile Court Jurisdiction and Foster Care to the Business Offices at Meadowlark Juvenile Court or give to the SW who assisted with the completion of the document, if applicable. • Contact their previous EFC SW, call the County of San Diego Extended Foster Care Inquiry/Re-Entry line or send an email to discuss re-entry. ○ Include their name, date of birth, contact information, and the reason for the call or email so the person responding can provide the correct information.
2	Juvenile Court	• Receives and reviews the JV 466 to determine whether a prima facie showing has been made • If prima facie showing is made, then email the EFC PSS to inform them of a WIC 388 Re-Entry Hearing date, which will be within 15 court days from the date the JV 466 Return to Juvenile Court Jurisdiction and Foster Care form is filed with the court of general jurisdiction • If prima facie showing is not made, enter a written order denying the request and provide a copy to the nonminor and placing agency
3	SW	• Review WIC 388 or 388.1 eligibility to determine whether the former NMD or nonminor is eligible to re-enter • Check with an Eligibility HSS to confirm AFDC eligibility • Meet with the former NMD or nonminor in-person or via telephone to discuss current situation and eligibility criteria

**Re-Entry
Procedure
(cont.)**

Step	Who	Action
3 (cont.)	SW	- Assist the NMD or nonminor in completing the following forms: SOC 163 Voluntary Re-entry Agreement for EFC FC2 NM Statement of Facts Supporting Eligibility for AFDC-EFC TILP1 Transitional Independent Plan and Agreement JV-466 Request to Return to Juvenile Court Jurisdiction and Foster Care EA 1 Emergency Assistance Application for CWS, if applicable JV-468 Confidential Information- Request to Return to Juvenile Court Jurisdiction and Foster Care, if applicable SOC 157A Supervised Independent Living Placement (SILP) Approval and Placement Agreement, if applicable SOC 157B SILP Inspection Checklist, if applicable - Complete the EFC Re-Entry Hearing Court report(Interim Hearing template) that includes all the above information. - Work with the former NMD or nonminor to locate suitable housing and complete the placement agreement prior to the Re-Entry Hearing NOTE: If the JV-466 has not been filed at the time the former NMD or nonminor completes the voluntary re-entry agreement described in WIC 11400(z), the placing agency must file the JV-466 on their behalf within 15 court days of the date the voluntary reentry agreement is signed, unless the former NMD or nonminor files the JV-466 prior to the expiration of the 15 court days.
4	EFC Protective Services Supervisor (PSS)	File the Re-Entry/388.1 Hearing report, including attachments with the Business Office at Meadowlark Juvenile Court, at least 2 business days before the set hearing date.
5	Juvenile Court	The court will determine whether to resume dependency jurisdiction if the former NMD or nonminor meets the criteria and if re-entry and remaining in foster care is in their best interest.

**Re-Entry
Procedure (cont.)**

Step	Who	Action
5 (cont.)	Juvenile Court	The petition to resume jurisdiction will be forwarded, within five days of submission when filed in the county of residence, to the juvenile court that retained general jurisdiction and filed with that court.
6	SW	Did the court resume jurisdiction? If no, STOP. Inform the former NMD or nonminor of the court's outcome if they were not present. If yes, go to Step 7
7	SW	Send the following documents to the program Registrar: • 07-65 Placement info and Payment Authorization • SOC 163 Voluntary Re-entry Agreement for EFC • The termination of jurisdiction court order pursuant to WIC 391, 452, or 607.2 • Re-Entry Hearing minute order • FC2 NM Statement of Facts Supporting Eligibility for AFDC-EFC • SOC 161 Six-Month Certification of EFC Participation • SOC 157A Supervised Independent Living Placement (SILP) Approval and Placement Agreement & SOC 157B SILP – Inspection Checklist, if applicable

**450 Hearing/Re-
entry Overview**

Youth entering Dependency EFC from Juvenile Justice (Probation), as former 602 wards, by having an open placement order at age 18 upon termination of the juvenile justice petition(s). The youth will have completed their rehabilitative goals or successfully completed their probation for them to have a 450 Hearing. The 450 Hearing will happen in conjunction with the successful termination of their juvenile justice petition(s). The Probation Officer will complete the 450 Hearing report and 450 packet sending the report to court and the packet to Child & Family Well-Being (CFWB) Eligibility. After the 450 Hearing, the youth's juvenile justice case is terminated, and they are declared a dependent.

**Probate Court
Guardianships**

Nonminors in a guardianship established through probate court are not eligible for EFC.

NOTE: Nonminors in a guardianship established through probate court who are eligible for state-only AFDC-FC benefits may continue to receive the state-only benefits only up to age 19 if they continue to meet the high school completion rule.

**Determining
Jurisdiction for
Non-Minor
Dependents
(NMDs)**

A former NMD can re-enter EFC regardless of where they are residing so long as they meet the eligibility for EFC. The county that maintained general jurisdiction over the former NMD immediately prior to them exiting foster care maintains payment and case management responsibility/court jurisdiction upon re-entry. However, if the former NMD has lived in another county for at least one year and has expressed the intent to remain in that county, the court may transfer the case to the youth's county of residence.

Out of County

Former NMDs who reside in a county outside of their most recent county of general jurisdiction may petition for re-entry in accordance with their county of residence.

It is the county of jurisdiction's responsibility to assess the circumstances of the youth's request for re-entry and get the completed forms from the non-minor in a timely manner. The county of jurisdiction must fax or scan and return the fully executed copy of the SOC 163 Voluntary Re-entry Agreement for EFC back to the county of residence. This information can be found at the County Welfare Directors Association (CWDA)'s AB 12 contact list linked in the table below. The county of residence must maintain a courtesy copy of the re-entry forms.

The following table outlines the process of assisting out of county youth with re-entering EFC:

If...	Then...
the County of residence does provide courtesy supervision, See Courtesy Supervision - General for more information.	the County of residence will assess the circumstances of the youth's request for placement, assist the nonminor with completion of the re-entry forms and fax/scan and email the re-entry forms that same day to the County of jurisdiction. NOTE: The following is a link to the CWDA Courtesy Supervision for Foster Children County Information .
the County of residence does not provide courtesy supervision,	the County of residence must still assist the nonminor in determining the County of jurisdiction and allow the nonminor to phone the point of contact in the county of jurisdiction in order to begin the re-entry process. NOTE: The following is a link to the CWDA AB12 County Contact List for Re-Entries .
NOTE: The SOC 163 Voluntary Re-entry Agreement for EFC form represents the earliest possible beginning date of aid (BDOA) and MUST be signed by the county of jurisdiction. It is imperative that the county of residence transmit this form to the payment county (county of jurisdiction) immediately.	

Compliance Visits

Monthly compliance visits start with former NMDs or WIC 388.1 nonminor as soon as they are in an approved placement or signs the SOC 163 Voluntary Re-entry Agreement for EFC, whichever occurs first.

The same monthly contact visit requirements for minors in foster care apply to NMDs in foster care. SWs are required to visit NMDs monthly; the federal requirement is that the majority (51 percent) of visits must be conducted in the place of residence. See [Contacts – SW and Child](#) for more information.

NOTE: Since placement options for NMDs may involve roommates, SWs should be flexible in when and where they will visit the NMDs, to the extent possible, to help respect the NMDs privacy, while still meeting the federal requirement of visitation in the place of residence.

CWS/CMS

When a former NMD or WIC 388.1 nonminor re-enters EFC, the re-entry will be documented by reopening the closed case from which they exited using the existing case suspension functionality. The case will be documented with a suspension reason that reflects their legal status.

There are three suspension values:

- NMD Re-entry as 300: A former dependent who exited as a WIC 300.
- NMD Re-entry as 450: A non-minor who was a WIC 602 delinquent or was a non-minor who was a 602 and made a WIC 450 NMD prior to exit.
- Nonminor Non-Related Legal Guardian Re-entry: A non-minor who exited from a Juvenile Court created non-related guardianship and returns to that non-related guardian's home.

NOTE: After an adoption has been finalized in CWS/CMS a WIC 388.1 nonminor who re-enters will do so under a new client notebook using the nonminor's adoptive name. The information associated to their former client notebook should not be linked to the new client notebook. A new case without a referral will need to be created by the Hotline when proceeding with an adopted nonminor re-entry.

Alignment with SET

This policy aligns with SET [Value 1](#) ensuring the youth's voice is gathered/represented at every meeting to inform key decisions and focus on safety, permanency and well-being and by engaging the nonminor in safety planning by utilizing respectful, honest and transparent communication.

This policy also aligns with [Value 3](#) and the guiding principle to identify living situations that support nonminor and their relationships and the agency practice of ensuring the voice of the nonminor is heard.
