

## Extended Jurisdiction (10 Del. C. §929) Best Practices for Professionals and Youth

*The purpose of this document is to provide professionals with accurate information relating to Extended Jurisdiction in an effort to better explain the process to their represented youth. Extended Jurisdiction allows the Family Court and AGAL/CASA to remain involved until the youth turns twenty-one years old. Extended Jurisdiction provides additional support to help a youth transition to adulthood. In bringing AGAL/CASAs, Family Court Judges, DFS, IL Providers and the youth together, the system can ensure that the youth is receiving all appropriate services and progressing well in their development.*

Party	Responsibilities
<b>Attorney Guardian ad litem (AGAL) and Court Appointed Special Advocate (CASA)</b>	<ul style="list-style-type: none"> <li>→ Lead discussion on Extended Jurisdiction</li> <li>→ File for Extended Jurisdiction with youth’s consent at least thirty days, if possible, prior to final Court review hearing</li> <li>→ File to terminate Extended Jurisdiction when deemed appropriate</li> <li>→ Ensure receipt of Court notices and orders and remind youth of upcoming Court hearings as such hearings approach</li> <li>→ Review Court order with youth upon receipt and answer any questions</li> <li>→ Support youth through the process</li> <li>→ Represent youth’s wishes</li> <li>→ Maintain at least monthly meaningful contact with youth</li> <li>→ Maintain regular contact with IL Providers. Any documentation must be requested well in advance of upcoming hearings</li> <li>→ Identify any gaps in services and assist in acquiring such services</li> <li>→ Attend all Court hearings and ensure the youth is present if at all possible and has the chance to meaningfully participate in the Court proceedings</li> <li>→ Ensure transportation has been arranged for the youth prior to the hearing</li> <li>→ Provide all parties with youth’s current contact information</li> <li>→ CASA Coordinator: submit order of appointment that reflects new case and petitions numbers for Judge’s signature</li> </ul>
<b>Family Court Judges (Court)</b>	<ul style="list-style-type: none"> <li>→ Grant Extended Jurisdiction only if determined that it is youth’s interest and attain youth’s consent</li> <li>→ Terminate parent attorney appointments and any appointed <i>Frazier</i> attorney appointments</li> <li>→ Clarify parental involvement and notification, both of which are at the youth’s discretion</li> <li>→ Discuss with youth their interest to come back for the following hearing prior to scheduling.</li> <li>→ Arrange schedule together in Court and print notice to be directly given to youth at the conclusion of hearing, if possible.</li> <li>→ Hold Court hearings at least annually, preferably more frequently if appropriate</li> <li>→ Ask youth to express their interest to have and to continue Extended Jurisdiction</li> <li>→ Review the six statutory elements of Extended Jurisdiction at each hearing.</li> <li>→ Ensure that all necessary paperwork is complete, including Extended Jurisdiction Consent To Obtain/Release Information form</li> <li>→ Pose questions directly to youth to engage their input and involve them in Court processes</li> <li>→ Identify any gaps in services and impose necessary orders pursuant to 10 Del. C. §929. If all services are active and adequate, hold discussion on the necessity of Extended Jurisdiction with all parties present</li> </ul>

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<b>Independent Living Providers (IL)</b>	<ul style="list-style-type: none"> <li>→ Provide current service plan to youth, AGAL/CASA, and Family Court at the initiation of Extended Jurisdiction with the consent of the youth</li> <li>→ Obtain a signed Extended Jurisdiction Consent/Release Information form from the youth</li> <li>→ Follow Service Plan and ensure that all available services are offered to youth</li> <li>→ Maintain contact with youth and remind youth of upcoming hearings</li> <li>→ Review Extended Jurisdiction Report with youth, when available and possible, at least two weeks prior to hearing. The Extended Jurisdiction Report must be agreed upon with the IL Provider and youth prior to being shared with DAG as it pertains to what elements will be disclosed and discussed. Elements will include: financial stability, housing, medical benefits, employment and training, education, and community and individual connections</li> <li>→ Notify DFS if youth no longer wishes to have Extended Jurisdiction</li> <li>→ Identify any gaps in services and make adjustments to plan accordingly</li> <li>→ Provide all parties with youth's current contact information</li> <li>→ Participate in all Extended Jurisdiction Hearings</li> </ul>
<b>Division of Family Services (DFS)</b>	<ul style="list-style-type: none"> <li>→ Provide oversight and support to IL Providers</li> <li>→ File to terminate Extended Jurisdiction through counsel when deemed appropriate</li> <li>→ Report deadlines to IL Providers</li> <li>→ Maintain Extended Jurisdiction database</li> <li>→ Supply Extended Jurisdiction form to DAG</li> <li>→ Ensure that DSCYF representative attends each Extended Jurisdiction Hearing</li> </ul>
<b>Deputy Attorney General for DFS (DAG)</b>	<ul style="list-style-type: none"> <li>→ File motions to grant and terminate Extended Jurisdiction</li> <li>→ Communicate regularly with DFS</li> <li>→ Respond to inquiries from AGAL/CASA and other parties</li> <li>→ Provide parties and Court with youth's current contact information</li> </ul>
<b>Youth</b>	<ul style="list-style-type: none"> <li>→ Attend Court hearings</li> <li>→ Sign consent to Extended Jurisdiction</li> <li>→ Sign Extended Jurisdiction Consent To Obtain/Release Information form and designate what information can be shared and with whom it can be shared</li> <li>→ Advise Court of whom they would like present at their Extended Jurisdiction hearings</li> <li>→ Maintain communication with AGAL/CASA</li> <li>→ Maintain contact with IL Providers</li> <li>→ Inform AGAL/CASA and/or IL Provider of ability to attend Court. If unable to attend in person, provide notice of need to attend by phone and provide the best contact phone number for the Court to call</li> <li>→ Keep AGAL/CASA, IL provider, and Family Court informed of current contact information</li> <li>→ File to terminate Extended Jurisdiction when desired or contact AGAL, CASA or IL to terminate</li> <li>→ Self-Advocate: speak up for wishes</li> </ul>

### Timeline

<b>Responsibility to File</b>	Filing shall be the responsibility of the AGAL/CASA, DFS via the DAG, or youth
<b>When to file</b>	Filing should preferably occur at least thirty days prior to final review hearing. Discussion with youth to determine interest must be held prior to filing (by AGAL/CASA). However, filing can take place up to six months prior to the youth's 21st birthday.

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### Handling a Youth's Receipt of Court Notices and Court Orders

<b>Family Court</b>	<ul style="list-style-type: none"> <li>→ Ensure youth becomes the focal point of Extended Jurisdiction and orders shall be termed similar to "In the Interest of John Doe"</li> <li>→ Mail out all hearing notices and Court orders to identified parties</li> </ul>
<b>AGAL/CASA</b>	<ul style="list-style-type: none"> <li>→ Ensure that youth receive notices and Court orders</li> <li>→ Ensure that youth becomes a listed party within the Family Court information system</li> <li>→</li> </ul>

### Determining a Youth's Desire for Extended Jurisdiction

<b>AGAL/CASA</b>	Meet with youth prior to filing to explain Extended Jurisdiction benefits
<b>AGAL/CASA</b>	Provide literature/pamphlet
<b>Independent Living Providers</b>	Speak to youth to also determine their interest for Extended Jurisdiction and provide literature
<b>Family Court Judge</b>	Ask youth directly about their interest for or to continue Extended Jurisdiction

### Court Requirements

<b>Court Notices</b>	Mailed to all parties, including youth
<b>Participants</b>	<ul style="list-style-type: none"> <li>→ Youth</li> <li>→ AGAL/CASA</li> <li>→ CASA Attorney</li> <li>→ IL Provider</li> <li>→ DFS representative</li> <li>→ DFS attorney</li> <li>→ Anyone else requested by youth</li> </ul>
<b>Location &amp; Logistics</b>	<ul style="list-style-type: none"> <li>→ Must be electronically recorded</li> <li>→ Set up Courtroom in accordance to comfort level of Judge and others involved (Ex: seating arrangements, informal proceedings, etc.)</li> </ul>
<b>Components of Extended Jurisdiction 10 Del. C. § 929(d)</b>	<ul style="list-style-type: none"> <li>→ Financial Stability</li> <li>→ Housing</li> <li>→ Medical benefits, including access to health care and other public benefits</li> <li>→ Employment and training</li> <li>→ Education</li> <li>→ Community and individual connections</li> </ul>
<b>What to Include</b>	<ul style="list-style-type: none"> <li>→ Review all six Extended Jurisdiction elements (10 Del. C. §929(d))</li> <li>→ Add youth's input as asked directly by Family Court Judge</li> <li>→ Reflect recommendations from all interested parties</li> <li>→ Where services are not presently meeting the youth's needs, the Court can Order what IL Services that need to be implemented along with a deadline for meeting the youth's needs.</li> </ul>
<b>Next Court Hearing</b>	→ Determine next Court hearing date and time (discuss directly with youth)