



The Our American States podcast—produced by the National Conference of State Legislatures—is where you hear compelling conversations that tell the story of America’s state legislatures, the people in them, and the policies, process and politics that shape them.

You can subscribe through iTunes, Google Play, Sticher or Spotify.

### **State, Federal Policies Aim to Ease Transition Out of Foster Care | Oct. 5, 2020 | OAS Episode 108**

Ed: Hello and welcome to “Our American States,” a podcast from the National Conference of State Legislatures. This podcast is all about legislatures: the people in them, the policies, process and politics that shape them. I’m your host, Ed Smith.

*“I came into care in March of 2009 due to my mother testing positive for crack cocaine and being diagnosed with schizophrenia.”*

That was Levi Smith, Jr., one of our guests today. Levi, who is 23, is a senior at Georgia State University studying social work and will graduate in May 2021. He also works with Georgia Empowerment, an advocacy organization for youth in foster care, and is an intern with Jewish Family and Career Services. Levi spent 10 years in foster care and is here today to discuss the challenges faced by older youth as they transition out of that system.

We’re also joined by Georgia Representative Katie Dempsey, who has been involved with various pieces of legislation affecting youth in foster care during her 13 years in the legislature.

Later in the program, I’ll talk with Lynn Johnson, who is the assistant secretary overseeing the Administration for Children and Families at the U.S. Department of Health and Human Services. Johnson will discuss the federal government’s role in aiding states as they work with young people transitioning out of foster care.

Now, let me welcome our guests on today’s podcast, Georgia Representative Katie Dempsey and Levi Smith, Jr.

Katie: Thank you.

Levi: Hi Ed, thank you for having me today. I am excited to be here with Representative Dempsey as we discuss normalcy for youth aging out of the foster care system.

*Time Marker (TM): 01:46*

Ed: On today's show, we're going to change our format a bit. Katie is going to ask Levi some questions about his transition out of foster care, how state policies affected that transition, and what more can be done to aid other young people in foster care. But first, I'd like to ask each of you to tell listeners a little bit more about yourself.

Levi, let's start with you. Can you tell us how you came to enter foster care and how long you were in foster care or in other facilities?

Levi: Thank you for that question, Ed. I came into care in March of 2009 due to my mother testing positive for crack cocaine and being diagnosed with schizophrenia. This ultimately led her to have an inability to care for me.

During my time in foster care, I have lived in foster homes, group homes, residential placements, psychiatric residential treatment facilities, and a juvenile detention center. All my time in these placements one thing was lacking, and that was normalcy.

*TM: 02:39*

Ed: Katie, how did you get involved in this policy area in the Georgia legislature?

Katie: Well, I was elected in 2006. About five years into my work, I was appointed to serve over this portion of our budget in the House. And so, working with Human Services basically, working with ... elder care, all varieties of abuse certainly, but also just the heartfelt issue.

My degree is in early childhood education, so I've certainly had a huge heart for children always. The numbers in Georgia have been compelling, and I think our whole chamber in the House cares deeply about this. So, I've been privileged to try to work to carry some of the legislation, but also to channel and champion many of the dollars that we try to send over to help our children and families.

*TM: 03:36*

Ed: Well, thanks to both of you for that background. Now let me hand the reins to Katie for some questions on this subject.

Katie: Thank you, Ed. Alright, Levi, it's great to see you today, a fellow Georgian I might add as well. So, Levi, can you talk about the ways that state foster care policies have helped you, especially as you aged out and made the transition into adulthood?

Levi: Sure. Thank you for that question. Two state policies or legislation that have helped my transition through foster care, of aging out of foster care, would have to be extending Medicaid to age 26; that has definitely been important to me as I have underlying health issues; and also, providing financial aid to students who wish to attend higher education.

*TM: 04:27*

Katie: That's wonderful to hear. You're one of the success stories, exactly what we intended to do with the legislation that we have passed. So, thank you.

Were there policies that you feel through your lived experience could have been improved, or new policies created to ease your transition?

Levi: Two policies that could have improved my transition throughout the foster care system would have to be a better partnership when it comes to youth and provider relations. And I say that because during my transition, I found it extremely hard to get in contact with my county to secure the necessary documents that I needed, such as my birth certificate, Social Security card, immunization records and court records.

It was extremely hard; no one was answering the phones; and, I mean, it took the intervention of my mentor to finally get to someone. And I don't think it should have come to that.

Another thing would definitely have to be allocating funds so that youth who choose to attend higher education out of state have access to those because I'm not sure if you're familiar, but ETV funds are only... you only get the full amount if you attend a Georgia school. However, once you leave the State of Georgia, your funding is cut in half.

*TM: 05:45*

Katie: That's great information to have. I appreciate it. It was certainly the intent of that legislation as well. Do you have any siblings that were also in care or might still be, and were you able to live with them or maintain contact with them and your biological parents and other relatives during your time in the foster system?

Levi: Representative Dempsey, I was the only one of my siblings to be brought into care. I was not placed with them. When I was brought into care, my case manager only looked for potential people who could take me in on my mother's side. People on my father's side were not vetted, nor were my siblings who were significantly older than me an option as well.

*TM: 06:25*

Katie: It's one of those frustrating, heartbreaking parts of your story I can tell. It concerns me greatly. I carried legislation on several of these matters over the years, so I know what we've intended to do. Sometimes the carrying forward is a little bit hard. So, you're telling me ways that we need to go back and improve.

So, we've just recently come through really some challenging times with COVID. How did this impact you and other people that you may know, young people transitioning from care? And by that, I mean in many areas: in your education and your finances and housing, employment and connections like you say possibly to some of those extended family members – how has it impacted you?

Levi: For me, COVID has pretty much affected all those areas that you just mentioned, from housing, college, finances, education, the whole nine yards. First, we were informed that we had to be out of our dorms by Friday on a Wednesday, so someone like me and other youth who

experienced this issue who don't really have anywhere to go, it's hard because it's like now, who do we reach out to? How do we get extensions just so we can buy some time to find somewhere to go?

For education, we had to go from this shift from in-person class to now being 100% virtual. To me that affects a whole different level of the educational experience. Then for jobs, people lost jobs. Fortunately, I was able to get help from many of the different organizations here around Atlanta. So, COVID kind of brought back those fears of instability, kind of like what I felt throughout the foster care system.

*TM: 08:14*

Katie: Thank you for sharing that, for your courage to keep moving forward too during this time.

What kinds of legislative policies going forward do you think would be most helpful for young people transitioning from care into adulthood? What are we missing? What can you help us with?

Levi: Representative Dempsey, policies that could be helpful for youth transitioning out of care could be definitely policies and legislation that champion normalcy. I felt as though during my time in care that I wasn't treated as most youth my age would be treated outside of care. I feel like my experience in care was very institutionalized, and as an adult, that has a profound effect on my life even today.

*TM: 09:04*

Katie: Excellent. That's something for us to strive for; I appreciate it. What else would you like the legislators and legislative staff and other policymakers that will listen to this podcast, what would you like for them to know?

Levi: Representative Dempsey, state policymakers and lawmakers should take into account that youth voices matter at the table. It's important to have youth who have lived experience at some of these decision-making hearings, whether it's testifying on proposed bills, listening in to a session, or just understanding the workings of passing legislation.

I think that youth care should be a priority for the State of Georgia, and I think that that includes genuine and authentic relationship.

Ed: Well, Levi, I think if I were looking for someone to sit at the table, you'd be at the top of the list. You have a clear and compelling way of describing the challenges young people face as they deal with this transition.

*TM: 10:00*

Ed: So, now let's switch roles. Levi, are there any questions you have for Katie?

Levi: I have a couple. I was wondering why, as a lawmaker, it was important to you that the state extend foster care beyond age 18.

Katie: Well, I think as you've mentioned in your wise remarks, 18 is young; it's hard to function completely on your own and there was a time in Georgia and in many states where 18 was just the cutoff. And I think it was measured more in dollars than in sort of the heartfelt care.

So, as a mother, I know what it's like when your children are 18 – they think they're grown up, but maybe they're not quite. And I actually am a big believer that we all need mentors all throughout our lives.

I appreciate the mentorship that I get from others who have carried on in the legislature before I have, or in any other place that I am. I love to connect with people who have made the journey before I did and build on the road that they built.

I felt it was so important. I will tell you this, Levi – I've carried a lot of legislation over the years. A lot of it is about these heartfelt, very meaningful issues that I think are the basis of humanity. But when we passed the bill to extend the age, I did not realize that it was late at night and I did not know it, but up in the balcony, up in the gallery at the chamber, there were kids that had been in foster care, and they all stood up and clapped. And when I think about it... it makes me almost cry every time. I almost went to my knees it was so powerful. I realized more than ever what we had done and the door we had just opened.

Now, do we need to continue to do more? Absolutely. I hear that from you today and I'm counting on you to help me do it.

*TM: 11:51*

Levi: To follow up on that, what additional policy work needs to be done to help young people really benefit from the extension of foster care?

Katie: Well, I think like you said, understanding and understanding ahead of time. The intent of the law was that before you were 18, you would have that plan, that that is to be negotiated and worked out between you and your case worker.

It sounds like you have an exceptional opportunity to have had one case worker for an extended period of time, but we know that many of our foster children are often through a revolving door of different caseworkers for circumstances not of their own reasons.

And I think we've got to work on that a little bit harder. We might have to bump back on how early we really need to have a plan in place and to negotiate that true transition, that it is not quite as abrupt as it sounds like it might still be a little bit, and that you feel like you have a good many resources to turn to as life continues.

Because even at 21, or even at 26 when healthcare changes, you still need more. Everyone needs more along their life path. That would be something I'm interested in.

I do really want to extend an invitation to you. I really want you to come meet with me. You go to Georgia State, is that right?

Levi: Yes.

Katie: So, when school is back in and you're actually on the campus again...

Levi: I am.

Katie: Oh yeah, that's great. So, you're having classes there now? Excellent. Some are not; some are all on Zoom. So, I'm so glad.

Levi: Yeah.

Katie: I'm so glad that you're able to do that. But I do want us to set up an appointment and a time for you to come talk to me and help me so that I can help in Georgia, and when Georgia is helping, then we'll help everybody else do the rest.

Ed: Well, Katie and Levi, I'm so glad you two were able to make a connection that will lead to some more discussion on this topic. I want to thank you both for sharing your time and experiences in this area. I think you've provided our listeners with a great deal to think about. You've certainly given me a lot to think about. Stay safe.

I'll be right back with HHS Assistant Secretary, Lynn Johnson.

## MUSIC

Ed: Assistant Secretary Johnson, thanks so much for taking the time to join me today. Welcome to the podcast.

Lynn: Thank you so much for having me. I'm looking forward to this. Thank you.

*TM: 14:17*

Ed: Well now, in our previous segment, Levi mentions the importance of kinship care. Can you define kinship care, and can you speak about some of the federal efforts around improving and prioritizing kinship care?

Lynn: Absolutely. It's so important to hear and listen to what Levi said because when you are moved from a home to a situation where you are being removed from your parents, kinship care really matters. And so, Levi really mentioned it and talked about it in a good way.

We stepped into October today, but September was kinship care month, a time when we recognize the contributions that grandparents and other relatives play in raising our children. Kinship care is when a grandparent, aunt, uncle, other relative or sometimes a close family friend is caring for a child when the child's parents are unable to do so.

The term includes situations where grandparents or other kin are caring for children. It could be either through voluntary arrangement, or with the involvement of Child Welfare. And nationally, about 2.7 million children are being raised in a kinship care family without a parent present. Within the foster care system, about 134,000 children are placed in relative foster homes.

*TM: 15:34*

Ed: As you know, our primary audience is legislators and legislative staff and other state policymakers. What are some ways they can help improve the coordination of systems to ease the transition for youth aging out of care, especially during this very unprecedented period we're in?

Lynn: One of the first things that I think is really important is for legislators, and I do know that they do this well, is to continue listening to the young adults and the children who have been in the system. A huge part of my job is working with policymakers to make real, tangible change to help the lives of the children and the youth that we see.

We must continue our efforts so that no youth ages out of foster care, whether at age 18 or 21. Every young adult needs a supportive family which will be there for them for all aspects of their lives during those important events and milestones we all celebrate, a graduation, buying that first car, getting married, as well as the events that challenge us like this pandemic.

The pandemic has reminded us how important other individuals are to have in our lives for emotional and concrete support. That is why my team and I challenged everyone to participate in the all-in foster adoption challenge. There are approximately 122,000 children in foster care who have a plan for adoption and who need forever families.

With the help of states, nonprofits, businesses, faith partners, local communities, legislators, we know we can find homes for every single waiting child, and support families as they open their hearts, whether they are not related to the child or whether they are.

Absent action, some of these children will age out of the system with no family, mentor or supports in place. Some will have relatives or a family who want to adopt them but are waiting for final court action. These children have already been through so much trauma. The longer they wait, the more they hurt.

I do believe families are the best support to coordinate supports for transition-age youth within the safety and nurturing environment of a family. And there are about 20,000 youth that age out every year. It's time to make that number zero.

*TM: 17:48*

Ed: One thing Levi talked about that really struck me in our conversation was the importance of having older youth at the table when decisions are being made. And I'm wondering what steps you could talk about that you and the administration have made to try to include older youth in that decision-making process.

Lynn: At ACF, we couldn't agree with you more or agree with Levi more. Youth and young adults must be at the table when decisions are being made, both in terms of their own individual cases and as partners for true reform and continued system change. They know what they went through, and they know what could be better.

Just last year, our agency issued an historic document to Child Welfare agencies outlining our expectation that youth and family voice must be foundational to all aspects of system change. The response has been phenomenal. States and county Child Welfare agencies have used this document to review their current practices to involve family and youth voices and to create more opportunities. That's a good first step.

We supported the implementation of the Annie E. Casey 2020 Activating Youth Engagement Summit, and this virtual conference was designed to help states continue to implement youth voices. It was a two-day virtual event which brought together 27 state teams interested in fully operationalizing strategies on youth engagement and youth/adult partnership.

We also recently learned that the American Bar Association, a body of nearly 400,000 legal professionals, passed a new policy resolution on engagement in youth legal system reform. In a nutshell, the ABA has now officially called on the legal field to ensure that all child and youth legal system reform efforts in juvenile justice, child welfare, immigration must involve partnership with individuals who experienced those systems as a child or youth.

So, let me talk a minute about our own agency's efforts. We hire and support individuals who already have lived experience at our agency. We coach and train young adults with lived experience to be consultants on behalf of our federal efforts. We host roundtables and we cohost town halls.

We recently completed a series of 12 youth roundtable discussions across the country to better understand their experiences, particularly during the COVID pandemic. We regularly participate in focus groups every time we are on visits with states.

We also have the Foster Care Youth and Alumni Policy Counsel sponsored by Foster Club and funded by Casey Family programs. And that works to provide our agency with information on areas of critical concern and feedback on how to implement federal laws.

It's especially important to me and our teams at ACF that we take everything that is told to us by a foster youth seriously. We need to not just listen; we have to always listen and then take action.

Some members of that group along with the other foster care alumni will form a workgroup to help engage youth across the country in plans to ensure that youth have a voice in our all-in challenge and other efforts that are underway.

*TM: 21:07*

Ed: Well, it certainly sounds like you have made a robust effort to include a lot of stakeholders. Is there one key message you'd like our audience to take away from this interview?



Lynn: From our interactions with young adults, we know we must act to support our young adults right now. It's time for a sense of urgency. We need to think about our kids that have been in our system for one year, 15 years, 18 years. We need to listen to our kids who have had one move, 40 moves; I heard one had 92 moves.

And we need to look at our laws to understand whether it's our red tape that keeps kids stuck. Is it the continuity of our care that keeps kids stuck? But something has to move by the legislative side as far as laws, and in every other part of our Child Welfare system, so that that urgency is felt by the children. They should not have to wait a minute longer than they have to, to get that forever family.

In March, we sent a letter to Child Welfare directors asking them to reach out to young adults formerly in foster care who were living in college dorms. As colleges closed, many of our young adults had the real-time prospect of homelessness. A recent new article reported that 52% of all young adults ages 18 to 29 are living with their parents right now. Sadly, for many youths who were in foster care, there is no family to turn to.

We have heard from young people that many of them are struggling with isolation. We can solve this problem. Families, including kin, should be the safety net for young adults. We can't keep waiting to fix the system. No young person should have to navigate this world alone.

So, more than ever, we need to be there for our youth and our young adults right now in this moment. So, my biggest push is that we have a sense of urgency about the kids and move things forward.

*TM: 23:05*

Ed: As we wrap up, let me ask you about one story that Representative Dempsey shared when she said that when they had passed the bill in Georgia that extended foster care from 18 to 21, there was a group of young people in the gallery who had been in foster care and who just broke into applause. Brought tears to my eyes hearing her describe that.

And I wondered if you could talk a little bit about the benefits of extending foster care to 21 and what states might think about when they look at implementing those laws.

Lynn: One of the things that I've heard for years and years and years has been in the systems where kids age out of foster care without a forever family or a mentor or a support system, they move into being homeless, they move into the mental health system, the criminal justice system, probation; so many other systems that there's a significant high cost because we don't make sure that these kids are healthy.

I have young adult kids of my own and I cannot imagine having them turn 18 and say: here, good luck. And so, we think that suspending policies around aging out is one of the best examples of how youth voice makes a real change. We've been calling governors and other Child Welfare leaders to let them know about the federal flexibilities we've been able to offer during the COVID-19 public health emergency, and really encouraging them to take these flexibilities.

At the end of the day, we need to take care of these children and these youth, and no one should move out of foster care without a plan that keeps them healthy and safe.

Some of the states have taken us up on the options and early state adopters did so because youth raised the awareness of what it means to age out of foster care during a pandemic.

So, I urge everyone listening to this podcast to find out what your state is doing in support of youth aging out of foster care. I said this earlier, but 20,000 youth a year move out of foster care and age out without those supports. What can we do to make that number zero? Can we really focus on those waiting kids so that doesn't happen?

And can you consider how you can get involved in our foster care system for all types of support: foster adoptive parents, advocates, mentors, donations, any of your talents to support these children, youth and young adults?

I really do appreciate all that you are doing to listen and take care of these kids, and I look forward to hearing more in the future. Thank you for taking this time.

Ed: Well, Assistant Secretary Johnson, thank you so much for taking the time, for sharing your expertise, and your obvious passion for this issue. Stay safe.

#### MUSIC

Ed: And that concludes this edition of our podcast. We encourage you to review and rate our episodes on iTunes, Google Play or Spotify. You may also go to Google Play, iTunes or Spotify to have these episodes downloaded directly to your mobile device when a new episode is ready. For the National Conference of State Legislatures, this is Ed Smith. Thanks for listening and being part of "Our American States."