Department of Planning and Budget
2020 Fiscal Impact Statement

1. **Bill Number:** HB400

House of Origin	☒ Introduced	☐ Substitute	☐ Engrossed
Second House	☐ In Committee	☐ Substitute	☐ Enrolled

2. **Patron:** Keam

3. **Committee:** Courts of Justice

4. **Title:** Fostering Futures program; established.

5. **Summary:** Establishes the Fostering Futures program to provide services and support to individuals between the ages of 18 and 21 who were in foster care as a minor and are transitioning to full adulthood and self-sufficiency.

   Additionally, the bill has an enactment clause that requires the Department of Social Services to establish criteria for identifying services for participants, establish requirements for participants to be included in the voluntary continuing services and support agreement, allow local departments of social services to disenroll participants for substantial violations, and develop budget and payment forms to monitor the manner in which participants use maintenance payments.

   This fiscal impact statement has been revised to reflect updated information from agencies.

6. **Budget Amendment Necessary**: No.

7. **Fiscal Impact Estimates:** See Item 8.

8. **Fiscal Implications:** There are no changes in service levels for the Department of Social Services (DSS) or local departments of social services (LDSS). Therefore, there will be no fiscal impact on DSS or LDSS.

   However, courts may see an increase in the number of hearings, along with the number of attorneys claiming compensation from the Criminal Fund. The bill requires the appointment of legal counsel for former foster care youth participating in the Fostering Futures program, unless the participant waives appointment of counsel. The bill requires one hearing, but gives discretion to the court to schedule subsequent review hearings that the assigned counsel is required to attend. According to the courts, appointed attorneys are paid from the Criminal Fund at a rate of $90 per hour up to $120. Currently, there are 796 participants in the Fostering Futures program served by DSS, but it is assumed that they do not require additional hearings to remain in the program. Based on the current number of participants and program experience to date, it is estimated that over 200 participants may enter the program annually. It cannot be determined how many participants will waive counsel, nor how many participants will require an additional hearing.

In addition to attorney compensation, the bill may require the need for a hearing to determine whether legal counsel and a Court Appointed Special Advocate (CASA) would be appointed, in addition to the hearing on merits. This may impact court administration and clerk time.

9. **Specific Agency or Political Subdivisions Affected:** Department of Social Services, local departments of social services, Courts

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** This bill codifies the Fostering Futures program currently authorized in the 2020 Appropriation Act and defined by agency regulations.