Unpacking the No of Permanency for Youth: Overuse and Misuse of APPLA

Lupe’s Story

Eighteen-year-old Lupe has been in foster care since she was 9. Her mother was a substance abuser; her father was never in her life. At age 9, upon entering the foster care system, Lupe was placed in a foster home with Mr. and Mrs. Rodriguez, an older married couple with three grown children. Things went pretty well in that home. Lupe occasionally visited her birth mother, but despite promises to “get sober,” her mother was unable to get clean. Lupe’s permanency goal was always reunification with a concurrent plan for adoption. The Rodriguez’s had indicated that if Lupe became freed for adoption, they would not be able to adopt because there were some inheritance issues with their older children. But they promised the worker that they would “we will always be there for her, even if she isn’t adopted by us.” After 15 months of working toward reunification, Lupe’s social worker and the team decided to move toward the goal of adoption, as it was increasingly evident that Lupe’s birth mother was not working toward being a permanent resource for her. The termination of parental rights process was initiated, but there were many procedural delays. After 3 years in the Rodriguez foster home, Lupe’s mother’s parental rights were still not terminated, and Mrs. Rodriguez unexpectedly died. Lupe was devastated by the death of her “second Mom.” Mrs. Rodriguez’s adult children lived in another state and did not feel that they could provide a home for Lupe, now aged 11. Mr. Rodriguez had many chronic illnesses and felt unable to care for Lupe either, so the city child welfare agency
began to consider other placement options for Lupe. After many attempts at finding Lupe the best, most nurturing family, Lupe was placed in a foster home with Mrs. Ramos and three other teenaged foster children. Lupe’s bereavement issues were never fully processed by her social worker, but her law guardian and social worker worked together to try to assist her in obtaining counseling outside of the agency. Lupe went for only one session and then refused to attend subsequently scheduled counseling sessions, saying, “I’m not crazy, just sad.”

After 1 year, the situation in the Ramos home deteriorated. Lupe, now 12, had great difficulty getting along with two of the other young women placed in the home. After multiple attempts at trying to preserve this foster home placement, Lupe, her social worker, and her law guardian made a plan for her to be placed temporarily in a community-based group home. At age 13, Lupe was informed that her mother’s parental rights had been terminated, and she was free for adoption. But her social worker made it clear that, given her age, finding an adoptive home for her would be very difficult. Lupe gave up all hope of ever being adopted and no one ever asked her about whether she wanted to be adopted or to be connected to someone for a lifetime.

In the meantime, Lupe’s “temporary” group home placement now extended to more than 4 years. Lupe’s social worker and law guardian tried diligently to connect her to permanent resources in the community. One day, Lupe’s social worker found her a mentor, and this connection changed the course of Lupe’s life. In Lupe’s words:

I lived in a group home for 4 years, no family to speak of, no visits . . . nothing . . . I was pretty much on my own. One day, my social worker got me this lady who they said she was gonna be my mentor. I thought “Oh, yeah, same crap as always, some volunteer to work with the troubled teen for a couple of weeks and then I’ll never see her again.” But, I was wrong. Margaret, my mentor, is a great woman, she became like family to me. In fact, after I left care,
she was my biggest support. She is the person I could call at 2 am or whenever I needed to talk with someone. Margaret always remembers my birthday . . . I am at her house on Christmas . . . at Thanksgiving . . . she is my family. This past year, she and I decided that we should make our relationship permanent and legal. I was already free for adoption, so we decided to petition the court so that Margaret could adopt me.”

Facilitating permanency for older youth in foster care can be very challenging work. As evidenced by the case example above, many teens who have been in the child welfare system have experienced multiple placements, multiple losses in their young lives, and are at a challenging crossroad between childhood and adulthood. Adults who work with such youth must help them identify caring, committed adults with whom they might be able to establish a life-long connection.

The policies and practices of the child welfare system maintain a very clear focus for younger children in need of permanency. However, its efforts toward facilitating permanency for adolescents have been less explicit. The practice and professional literature speaks to the importance of permanence for adolescents and how continued instability increases the long-term risks for teens, which may continue well into adulthood.

In this chapter, we explore the prominent issues regarding permanency for older adolescents, but focus on why the permanency goal of long-term foster care (LTFC)—which was in fact deleted from the Adoption and Safe Families Act (ASFA)—or Another Planned Permanent Living Arrangement (APPLA)—which is a permanency goal identified in ASFA legislation, but often misunderstood by child welfare professionals—are utilized as the default permanency plans for adolescents. Using the case example at the start of the chapter, several questions about permanency for adolescents are explored and used to frame this discussion.
Overutilization of LTFC or the use of Independent Living as a permanency goal for adolescents has emerged for several reasons. Contemporary child welfare, despite systemic reform efforts, has held firmly to a crisis orientation that tends to focus on younger children, whom the system views as a more vulnerable population in need of protection. In addition, the development of Title IV-E independent living as a separate program with a separate funding stream, combined with questions regarding adolescent adoptability and/or willingness to be adopted, have contributed to the system’s further estrangement from its adolescent population, who often experience long lengths of stay in care. Although independent living is not, in fact, a permanency goal, but rather an array of useful services for older adolescents, independent living as shrouded in the mantle of LTFC has become for many workers the convenient default plan for adolescents in foster care.

All adolescents, even those who live with their birth families, require independent living skills—a set of self-sufficiency and transitional skills to assist them in transitioning toward young adulthood and independence. But all youth need stability and permanence in their lives as well. Even with solid life-skills training and practice, youth in foster care need a familial support system when they exit care that allows for life-long connections (see Freundlich, Avery, Munson, & Gerstenzang, 2006). In addition to the challenge of defining what permanency means for adolescents, state agencies have struggled with how achieving permanency affects the independent living program.

In 1980 and 1997, the United States implemented large-scale child welfare improvement efforts; however, neither the Adoption Assistance and Child Welfare Act nor ASFA fully addressed the needs of older youth in care. Although the government created separate legislation to address the needs of this group, it did not chart a clear youth permanency pathway. (The John
H. Chafee Foster Care Independence program was created with the passage of the Foster Care Independence Act in 1999. The Chafee Foster Care Independence program replaced the Title IV-E Independent Living initiative of 1986.) Chaffee legislation provided funds to States to assist them in preparing youth to transition from foster care to adulthood; the legislation did not, however, speak to the need for family based permanency (Kerman, Freundlich & Maluccio, 2009) or to the need for youth to develop lifetime connections to meaningful adults.

The permanency needs of adolescents in foster care do not rest solely on a false dichotomy of independent living vs. adoption. Such “either/or” arguments suggest that much more work needs to be done with respect to defining youth permanency, examining the various pathways to permanency for adolescents and moving toward integration of youth development strategies to assist young people in their transition from adolescence to young adulthood (for further discussion, see Framework and Measures for Youth Permanency 2004).

APPLA

ASFA (Adoption and Safe families Act:475(5)(C)) defines the term “APPLA” as “any permanent living arrangement not enumerated in the statute.” As stated in the ASFA legislation, APPLA is a permanency goal for youth, which may be used if compelling reasons are documented in the case record and in court. However, it is a goal that has become increasingly overused and inappropriately used as a default plan for many older adolescents in foster care.

There are several grounds, as outlined by Fiermonte and Renne (2002), for establishing compelling reasons to set a legitimate goal of APPLA: (1) an older teen who specifically requests that emancipation be established as his or her permanency plan; (2) the case of a parent and youth who have a significant bond, but the parent is unable to care for the youth because of an emotional or physical disability and the youth’s foster parents have committed to raising him.
or her to the age of majority and to facilitate visits with the disabled parent; or (3) the tribe has identified another planned permanent living arrangement for the youth.

In many cases, the misuse of APPLA as a permanency goal has replaced what was formerly known as LTFC, which was clearly deleted from the statute. The preamble to the regulations further explains: “Far too many children and youth are given the permanency goal of long-term foster care, which is not a permanent living situation for a child.” (P.L. 105-89) (65 Fed. Reg. 4036).

Using APPLA, without providing supports to establishing permanency, as a replacement for LTFC is an unsuitable permanency goal because LTFC has seldom been stable, may disrupt often, and may lead to frequent moves for the youth. This is the antithesis of permanency. As such, APPLA, like independent living, has conveniently become for many, the “default” permanency goal for many adolescents in foster care.

The child welfare system must develop integrated strategies, approaches, and policies that assist agencies as they prepare to focus additional attention and provide leadership for the complex issues of facilitating permanency for older adolescents, as discussed in the Call to Action presented by Frey and Greenblatt (2005). In some cases, organizational entities have provided leadership, for example, The National Resource Center for Permanency and Family Connections, the National Resource Center for Legal and Judicial Issues, the National Resource Center for Youth Development, the Child Welfare League of America, the National Resource Center for Adoption, and other organizations such as Casey Family Programs have increasingly focused attention on the promotion of positive permanency outcomes for older adolescents in foster care (Charles & Nelson 2000, National Convening on Youth Permanence, 2008, see also Resources at the end of this chapter).
Meeting the Needs of Youth in Foster Care

ASFA requires child welfare agencies to focus more intently on an adolescent’s need for safety, permanency, and well being. An emphasis on effective casework and permanency planning that begins the moment a young person enters care is essential to meeting the accelerated time frames for achieving permanency as mandated by ASFA.

A concrete demographic portrait of adolescents in out-of-home care is needed to establish a clear picture of what this ASFA mandate means for child welfare agencies. Estimates from the Federal Adoption and Foster Care Analysis and Reporting System (AFCARS) 18 Preliminary Estimates for FY2010 as of June 2011 (USHHS, 2011) from all 50 states indicate, that on September 30, 2010, there were 408,425 children/youth in foster care. Youths ages 11 years and older account for 44% (177,353) of this total number. Gender is almost equally split, with males representing 52% of the population. Nationally, fifty seven percent of the children and youth in care are children and youth of color; with African Americans and Latinos representing the largest proportion at 29% and 21%, respectively.

Placement settings for all children and youth in care were: nonrelative foster family home (48%), relative foster family home (26%), institution (9%), group home (6%), pre-adoptive home (4%), and supervised independent living program (1%), with 5% on trial discharge to their families and 2% listed as runaways. The average length of stay for all children and these youth was 25.3 months. Despite the reported length of time in care, the largest majority of these children and youth had a case goal of reunification, accounting for 51% of the total. Adoption was the second most frequent goal, at 25%. Even though it was stricken from ASFA, long-term care was the goal for 6% (24,697) of these children and youth. Six percent (24,131) of the youth had a goal of emancipation.
In FY2010, 254,375 children and youths entered foster care. Of that number, 35% were between the ages of 11 and 18. During this same period, 254,114 children and youth exited foster care. The average length of stay of those who exited care during FY2010 was 22.7 months. The majority (51%; 128,913) of these children and youth were reunified with parents or caretakers. Twenty one percent (52,340) achieved a goal of adoption, and 11% were slated for emancipation. (U.S. Department of Health and Human Services 2010).

These statistics provide some indication of the number and the demographic and case characteristics of the thousands of older foster youth in the child welfare system. It is generally agreed that between 20,000 and 25,000 youths age out of the system each year, many of who are unprepared or marginally prepared to transition to adulthood (Courtney, et al, 2010). With these numbers as background, we now turn to an examination of the outcomes for older youth exiting the foster care system.

In recent years, a number of studies have examined outcomes for older youth as a result of the Title IV-E independent living program (Avery, 2009; Emancipated Youth Connections Project Final Report, 2008; Courtney et al, 2007, 2010; Pearlmutter, Groza, Garafolo, & Norris, 2011). This research has evaluated the impact of services for youth both before and after exiting care. There is a growing body of knowledge indicating that life-skills instruction has a positive impact on outcomes for older foster youth (Cook 1991, 1994); however, studies have also demonstrated these youth are still inadequately prepared to make the transition to adulthood (Courtney et al, 2007, Courtney et al, 2010; Courtney, Piliavin, & Grogan-Taylor 1995; Courtney, Piliavin, Grogan-Taylor, & Nesmith 1998, 2001).

Although much of this literature has been reviewed elsewhere, one point bears repeating here: Several studies (Barth 1986, 1990; Frey, Cushing, Freundlich, & Brenner 2008; Scott &
Gustavsson 2010; Inglehart 1994) found that foster youth who have contact with their birth parents while in care have better outcomes than do youth who do not maintain these contacts. The importance of these relationships holds true even after youth leave the foster care system. These young people, many of whom have spent years in foster care, return to the very homes from which they were removed years before (Cook 1991; Courtney, Piliavin, Grogan-Taylor, & Nesmith 1998; Getman & Christianson, 2009; Mallon 1998, 2004; Mech 1988a,b, 1994; McMillen & Tucker 1999). Youth also seek out relatives and remain connected to foster parents or others they met while in the foster care system. It is these relationships—these emotional connections—that will have the greatest impact on the young person’s ability to navigate the difficult transitions into adulthood.

Although older foster youth benefit from the services they receive through the federal Chaffee program, these services are not in themselves adequate to prepare adolescents for the transition to adulthood. The potential benefit of families (or other permanent, life-long connections, not just a “childhood family” or care until one is 18 years old) to the development and emancipation of adolescents has been frequently overlooked or dismissed. Some service providers mistakenly assume that adolescents should “move on” or emotionally detach from families and other significant permanent connections (Freundlich, Avery, Munson, & Gertsenzang 2006). Others have promoted the concept of interdependence as opposed to independence, making the case that no one ever truly lives as independent. However, foster care youth need the same permanent family connections as youth in the general population. The system must do better in fostering and supporting these connections.

The Fostering Connections to Success and Increasing Adoption Act (2008) (P.L. 110-351) provides additional opportunities to improve practice for older youth. Fostering
Connections provides new supports and services to promote permanency and improved wellbeing of older youth in foster care. These include a state option to continue providing Title IV-E reimbursable foster care, adoption, or guardianship assistance payments to children after the age of 18; a requirement that personal transition plans for youth aging out are developed within 90 days prior to youth exiting foster care; extending eligibility for Independent Living Program services to children adopted or placed in kinship guardianship at age 16 or older; and extending eligibility for education and training vouchers to children who exit foster care to kinship guardianship at age 16 or older (those adopted after age 16 were already eligible). All of these provisions offer opportunities to enhance outcomes for youth transitioning from foster care to adulthood, building upon opportunities offered by previous legislative efforts. Although each of these permanency options may be valid and appropriate for youth, in this chapter, we examine what we believe is the most misunderstood and misused of permanency goals, APPLA and discuss its appropriate application.

**Planned Permanent Living Arrangements**

The assignment of the permanency goal APPLA assumes that reunification, adoption, legal guardianship, and relative placement have been ruled out. ASFA revised the list of permanency goals for children and youth originally provided in the Adoption Assistance and Child Welfare Act and eliminated reference to LTFC as an option. ASFA, however, did define as a successful permanency outcome planned permanent living arrangements other than reunification or adoption. As noted previously, in AFCARS 18 data, 8% of the children in care had LTFC as a permanency goal (U.S. Department of Health and Human Services 2010). As the mandates of ASFA are fully implemented, fewer young people will likely remain in foster care for extended
periods of time, and LTFC will be used less frequently as the permanency goal for youth, these
data have had a slight downward turn (down 2% from stats in 2005) from data obtained in 2005
to present. In some states, LTFC is currently used only in certain situations and, by policy, is
permitted only for young people in care who are 12 or older. ASFA created APPLA as a final
permanency option for children. It is the opinion of these authors, that such a use of APPLA
remains problematic. Although ASFA is clear that APPLA is the least preferred permanency
option, the term is somewhat ambiguous and has generated many questions in the child welfare
community. Because this area is so confusing at times for many professionals and because it has
such relevance for older adolescents in foster care, we supply more detail in this section on
APPLA. In previous work, Fiermonte and Renne (2002) have provided an excellent review of
these issues.

Emancipation

Emancipation is unfortunately what sometimes happens when young people leave foster care
without a permanent plan. Emancipation and independent living are not permanency goals, they
are services. As such, they lack certain permanency features as spelled out by APPLA.
Emancipation certainly has specific relevance for some older children who are close to
transitioning out of the foster care system, but it is not and should not be considered a
permanency pathway for youth.

Efforts to finalize a permanency plan are assessed 12 months after foster care entry. The
inquiry should include whether the agency conducted early assessment and planning when the
youth was placed. Often children are placed on an emergency basis with foster parents who are
not willing to adopt or to commit to providing long-term care. There is sometimes a lack of
conscious planning as the agency leaves the teen in an arrangement originally intended as an
emergency placement.

Permanency planning may become more complicated as the young person becomes attached to the foster parents. For example, at the 12-month permanency hearing, when the agency may request approval of its APPLA and a finding that reasonable efforts to finalize the APPLA have been made, it might be discovered that the agency provided few services early in the case. Thus what might have been a successful reunification case, or relative placement case, has now become APPLA because the agency was delinquent in its initial efforts.

Earlier chapters of this volume have discussed the other permanency options under ASFA: reunification, adoption, legal guardianship, customary adoption and permanent placement with relatives (see chapters in this text by Spath and Gosteli; Cross and Fox; Testa and Miller; Hegar and Scannapieco). At every permanency hearing and each 6-month review, workers should ask whether a more preferred permanency option is possible (reunification, guardianship, or adoption). Because circumstances change, a youth’s permanency plan must be revisited at subsequent hearings. It is important to remember that when APPLA is selected as the permanency goal, it may sometimes turn out to be temporary, in spite of efforts to make it permanent.

The permanency plan must be revisited at least annually at the required permanency hearing and may be reviewed more frequently. Circumstances change in a young person’s life, and sometimes a more preferred permanency option can be achieved later in the case. For example, at one hearing, the plan might be APPLA, but by the following hearing, a relative may have come forward and expressed a willingness to care for the youth on a long-term or permanent basis. A mentor relationship between a young person and an adult may initially be a guardianship plan and later may evolve into an adoption.
What Efforts Has the Agency Made to Identify and Recruit a Permanent Placement?

The worker should determine whether the agency has thoroughly searched for relatives. Has the agency asked current and former caregivers, including former foster parents, if they are willing to commit to providing long-term care for the youth? Are there any mentors, coaches, teachers, counselors, or employers who might be appropriate and willing to provide a permanent home for the youth?

What Are the Youth’s Preferences?

Often the youth can identify a possible placement that the caseworker has not thought about. The youth can provide input not only on the issue of placement, but also can suggest who might be a good mentor or respite care provider (see the power point presentation in the Resources section at the end of this chapter which focuses on Unpacking the No of Permanency for Older Adolescents). The notion of permanency should include cultivating life-long relationships, especially for older teenagers. Sometimes the youth uncovers resources other individuals have overlooked. This is illustrated by following case example:

Paul’s Story

Paul is a 17 year old youth with a goal of APPLA from New Orleans, Louisiana. He had lived in six different foster homes over the course of a ten year period of time in foster care. At the time of this intervention, Paul was living in a congregate care setting in a rural community in Northern Louisiana because of his multiple placements and because he had been labeled as “hard-to-place.”

Paul’s social worker, Ellen, a new MSW intern, has been assigned to work with him. After attending an intensive technical assistance session focusing on session on “Unpacking the No of Adolescent Permanency” and learning some new skills about how to ask youth about possible connections, Ellen decided to ask Paul about his former foster home placements. Paul repeated over and over that he had a great relationship with his third set of foster parents, the Comeaux’s, who lived in New Orleans. He told Ellen that the Comeaux’s had always loved him and that he just lost track of them and he asked Ellen to contact them. When Ellen shared this information with her supervisor and colleagues in the office, they all laughed and joked “those people won’t want to take in a 17 year old.”
Undeterred, Ellen, searched through Paul’s case record and found a phone number for the Comeaux’s and decided to call them. Almost immediately upon hearing that Ellen was speaking about Paul, Mrs. Comeaux asked when he could come to visit them, telling Ellen, “we love Paul, we have never forgotten him, and we just lost track of him.” After several successful visits, the Comeaux’s asked about the possibility of Paul moving in with them and seemed interested in moving toward adoption. After ten months of visiting, and some challenges, which they confronted, the Comeaux’s claimed Paul as their son and adopted him. Ellen always wondered what would have happened to Paul if she had not made that call.

The agency’s reasonable efforts to secure APPLA should include ongoing discussions with the youth about who might provide long-term care or support and guidance. The judge hearing the case should consider hearing from the child on these issues as well.

**What Are the Compelling Reasons Why a More Preferred Permanency Plan Is Not Being Selected?**

If the agency concludes, after considering reunification, adoption, legal guardianship, or relative placement, that the most appropriate permanency plan is APPLA, the agency must document for the court the compelling reason(s) this conflicts with statement on page 4 that independent living is not a permanency plan, but rather a service ?? for the alternate plan. The judge presiding over the case must evaluate the compelling reasons why a more preferred option is not being pursued. The term “compelling” means convincing and persuasive, and implies a strong burden of proof and persuasion.

The regulations give three examples of a compelling reason for establishing APPLA as a permanency plan: (1) an older teen who specifically requests that emancipation be established as his or her permanency plan; (2) a parent and youth who have a significant bond but the parent is unable to care for the youth because of an emotional or physical disability and the youth’s foster parents have committed to raising the youth to the age of majority and to facilitate visits with the disabled parent; or (3) an Indian tribe has identified APPLA.

The regulations clearly state that no permanency option should be ruled out for an entire
group of the foster care population. Therefore these three examples are not meant to create broad categories to be generally applied. For instance, all 15-year-olds who are requesting emancipation cannot be treated the same. For one youth, an APPLA might be appropriate, but for another, reunification might remain a possibility, or a relative willing to care for the youth may have recently been identified. The point is that permanency planning is based on the specific best interests, individual needs, and circumstances of each child or youth.

**Is the Proposed Plan Actually a Permanent Living Arrangement?**

Child welfare and legal professionals should ask how the proposed arrangement will be more stable and secure than ordinary foster care. Is this the most family-like arrangement for the youth? Which adults will maintain a continuing, close parent-child relationship with the young person? Permanent placement with foster parents who agree to care for the youth indefinitely is an acceptable APPLA, but permanent long-term placement in the foster care system without a specific family who will commit long-term to the youth is not an appropriate permanency plan for the youth and in fact may be harmful to the young person.

A family network may provide permanence and stability for a youth. For example, there might be long-distance relatives who want to share custody, or older relatives who do not want to assume custody alone because they fear they may not be alive much longer, so would prefer a shared custody arrangement.

**What Support Structures Are in Place?**

APPLA implies a permanency plan that is markedly more stable and family-like than a mere extension of foster care. Support structures that enhance the stability of a living arrangement are vital when a youth is not living with a specified adult. Independent living is often the permanency plan for older children. This is distinct from emancipation because independent
living contemplates an arrangement that is stable and secure, with a focus on those features of the plan that enhance stability and permanency, whereas emancipation implies a discharge from foster care by virtue of the youth’s age.

Often, independent living services focus on the youth’s educational, vocational, or mental health needs, without identifying and working with adults with whom the young person can establish or strengthen a relationship. Consequently, many individuals 18 and older may leave foster care with no caregivers and no alternative homes or families. Moreover, in many instances, teens exit foster care with no ongoing relationships with adults who care about them and their futures. By considering alternative placements and services that allow them to maintain close ties with biological parents, relatives, foster parents, and perhaps even formal mentors, the agency locates potential supporters who can provide further assistance while the youth is in foster care and beyond.

The reasonable efforts by the agency that are described here could contribute to finalizing APPLAs for older youth. These elements do not necessarily make the placement an APPLA, but they contribute to the stability and permanency of the living arrangement.

**Mentoring**

This arrangement provides adult supervision and guidance for the youth, and may include a formal, structured, subsidized arrangement. It allows shared parenting responsibilities when no single person can provide for a young person and is appropriate for some older children. The teenaged youth may even live independently. Formal mentoring from a network of adults gives the youth the support system needed to function during the transition to adulthood. Another strength of this arrangement is that it builds ties and relationships between the youth and mentors that last well beyond the dependency case. Mentors can provide educational or employment
advice and assistance, and help prevent juvenile crime, unemployment, school dropout, and teen pregnancy. The child welfare system has not traditionally taken advantage of these programs, and resources for formal mentor programs are often lacking. In existence since 1902, the Big Brother/Big Sister program is an example of an effective mentoring program. Less formal arrangements can be achieved by looking to the adults already involved in the youth’s life. These adults may include a foster parent of the youth’s siblings, for example.

Community-Based Programs

In some cultures, the community in which children are raised offers various services and plays a prominent role in children’s upbringing. For example, much attention focuses on the disproportionate representation of African American children in foster care (see the chapter by McRoy). In crafting alternative permanency plans for African American children, the child welfare system could better use the informal, communal nature of extended families within the African American community. Some advocates, particularly in Indian communities, argue for a broader concept of parental rights that includes many community members beyond biological and foster parents (see the chapter by Cross and Fox). A network of supportive adults may be more valuable than a single supportive caregiver, especially as children age out of the system. Therefore it is sometimes necessary for the agency to explore and develop a network of community members to respond to the youth’s needs.

Does the Youth Have Any Special Needs, and What Services Is the Agency Providing?

The agency must continue to provide for the youth’s needs. Sometimes as the young person deals with mental health issues and makes behavioral and educational progress, prospective caregivers are more willing to commit to providing a permanent home for the youth. Such changing circumstances make it important to revisit the issue of compelling reasons at every permanency
hearing for the youth.

For example, at the first permanency hearing, APPLA might be accepted as the permanency plan, based on the compelling reasons that there are no identifiable caregivers and that the youth needs residential treatment to address severe emotional problems associated with a history of sexual abuse. As the youth’s special needs are met and treatment succeeds, the case might be up for review 12 months later, and the youth might have been discharged from residential treatment, living with a supportive aunt. APPLA would no longer be the appropriate permanency plan, as the agency could explore relative placement, legal guardianship, or even adoption with the aunt. To satisfy any permanency plan, including an APPLA, workers must make sure the youth’s special needs are being met.

**What Efforts Has the Agency Made to Assess the Safety, Quality, and Stability of the APPLA?**

Once the APPLA has been identified, the agency must ensure the youth will be safe and well cared for. This may involve a formal home study. Sometimes a provider is delivering independent living services, and the agency should verify that the living arrangements are safe and appropriate. Teenagers in foster care can be a challenging population to work with. However, too often they are not provided proper care and supervision. Crafting a stable, planned, permanent arrangement can have a major impact on their future success. The agency should therefore regularly assess the degree to which the placement is safe and appropriate.

**Can Group Care Be Considered an APPLA?**

Rarely is group care a living arrangement that is planned and permanent. Consider the following factors to determine if group care placement is a suitable APPLA.

**Temporary vs. Permanent**
It is helpful to distinguish between a temporary group care arrangement and an APPLA. A youth can be placed in a group home temporarily without the placement constituting a permanency plan. For example, a youth temporarily placed in a group home may have a permanency plan of returning home.

Group care should not be considered an APPLA if the youth’s release from group care is reasonably likely during the youth’s minority. Instead, group care is a step toward achieving the youth’s permanency plan—be it adoption, reunification, or some other action. Group care as an APPLA requires clear evidence that the young person will not be able to function in a family setting before reaching adulthood.

**Stability, Predictability, and Continuity**

The assumption that group care must last through a youth’s minority is not sufficient to make group care an APPLA. For reasons stated above, a plan for a single placement should not be considered necessary or is it sufficient to make group care a plan for permanence. After all, if a single group placement was enough, an orphanage would be considered an APPLA. A plan to keep a youth in a specific facility or program might, however, be a factor—if it helps demonstrate the stability, predictability, and continuity of the arrangement.

**Advocate or Guardian**

An individual designated as the youth’s permanent advocate or guardian can help qualify a group care facility or program as an APPLA. To make an advocate or guardian a factor, there should be reason to believe that such a person will play a major and enduring role in the youth’s life. There must be (1) strong assurances that the advocate will continue indefinitely and (2) reasons to believe a close relationship exists between the advocate and youth. The adult should be committed to helping the youth through adulthood and, ultimately, until the youth leaves group
Designated Contacts

What if there is a long-term plan, for “transfers up” within a facility, when the youth demonstrates progress in functioning in a family or in society? This condition alone should not qualify the group care as an APPLA because it provides the youth with no stable and enduring relationship with an adult or couple. The analysis might depend on whether there is some assurance that the young person will have a continuing and specific set of persons to relate to and work with. Can paid staff ever qualify to perform that role? Group care might, however, qualify as an APPLA if there are designated contacts with specific individuals, such as relatives.

Component Areas

Clearly, issues pertaining to the overuse of LTFC and inappropriate application of APPLA have serious and long-term consequences for youth in foster care. Most policymakers and practitioners (Frey & Greenblatt, 2011) have long advocated for a reframing of the issues of permanency for youth. The NRCPFC offers an organizing framework that can be used by child welfare agencies across the country to help young people achieve and maintain permanence. It neither prescribes nor recommends best practice models, but instead identifies six key components that should be addressed so that public child welfare agencies can best identify and support permanence for young people in out-of-home care. It may also promote a viable alternative to the overuse of LFTC or the inappropriate designation of APPLA for youth in foster care.

The belief and value that every child and young person deserves a permanent family relationship is paramount in this work. Permanence is not a philosophical process, a plan, or a foster care placement, nor is it intended to be a family relationship that lasts only until the child
turns 18. Instead, permanence is about locating and supporting a life-long family. For young people in out-of-home placement, planning for permanence should begin at entry into care and be youth-driven, family-focused, continuous, and approached with the highest degree of urgency. Child welfare agencies, in partnership with the larger community, have a moral and professional responsibility to find a permanent family relationship for each child and young person in foster care.

Permanence should bring physical, legal, and emotional safety and security in the context of a family relationship and allow multiple relationships with a variety of caring adults. At the same time, young people in out-of-home care must be given opportunities within the family and community environment to learn the array of life skills necessary to become independent and interdependent adults. Ensuring that children have both permanent relationships and life skills for independence is critical to future well-being.

Permanence is achieved with a family relationship that offers safe, stable, and committed parenting, love, unconditional life-long support, and legal family membership status. Permanence can be the result of reunification with the birth family or legal guardianship or adoption by kin, fictive kin, or caring and committed others.

Conclusions

This framework of youth permanency and the discussions that will emerge from especially those which help to Unpack the No of Permanency for Adolescents can move the field of children, youth, and family services away from the destructive overuse of LFTC and the inappropriate use of APPLA and toward the promotion of more positive family based outcomes for youth in foster care.
References


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