



I.J.R. 59. Transition to Successful Adulthood Plan and Extended Foster Care (C.P.A.)

Idaho Juvenile Rule 59. Transition to Successful Adulthood Plan and Extended Foster Care (C.P.A.)

(a) **Hearing on Youth's Transition Plan.** If a child is in the legal custody of the department or an authorized agency, the court must conduct a hearing no later than 60 days prior to the youth's 18th birthday to discuss and review the youth's transition to successful adulthood plan. Failure to conduct a hearing within 60 days does not preclude the court from considering a transition plan or ordering extended foster care. The court must review the plan with the youth to ensure the plan provides the services necessary for the youth to successfully transition to adulthood. The hearing may be combined with a permanency or review hearing.

(b) **Youth's Transition Plan and Extension of Foster Care.** The department must file the youth's transition plan no later than 7 days prior to the hearing. The plan shall include the youth's desire regarding extended foster care. If the youth wishes to remain in foster care beyond age 18, the court may extend foster care under I.C. § 16-1622(5) if the youth is:

- (1) completing secondary education or a program leading to an equivalent credential;
- (2) enrolled in an institution which provides post-secondary or vocational education;
- (3) participating in a program or activity designed to promote, or remove barriers to, employment;
- (4) employed for at least 80 hours per month; or
- (5) incapable of doing an activity described in paragraph (1) through (4) due to a medical condition, which incapability is supported by regularly updated information in the case plan of the youth.

(c) **Review and Permanency Hearings.** When the court orders extended foster care, the court must hold review and permanency hearings as governed by I.C. § 16-1622, at which the court shall also determine whether the youth continues to meet the requirement of subdivision (b). If at any time the



youth no longer meets the requirements, the court must terminate extended foster care.

(d) **Fixed Period of Time.** The extension must be for a fixed period of time but must not extend past the youth's 23rd birthday.

(e) **Attorney.** Appointment of the youth's attorney(s) in the proceeding must remain in effect during the extension, unless otherwise ordered by the court.

(Adopted April 28, 2022, effective July 1, 2022; amended effective March 25, 2025; amended June 30, 2025, effective July 1, 2025.)

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