

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO THE IDAHO
JUVENILE RULES (C.P.A.)

ORDER

The Court, having reviewed a recommendation from the Child Protection Committee to amend the Idaho Juvenile Rules, and the Court being fully informed;

IT IS ORDERED that the Idaho Juvenile Rules (I.J.R.) are amended as follows:

1. That Rule 59 is amended as follows:

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 ~~shall~~ must conduct a hearing no later than ~~sixty (60)~~ days prior to the youth's ~~eighteenth (18th)~~ birthday ~~for the purpose of to discussing and reviewing the youth's~~ transition to successful adulthood plan. Failure to conduct a hearing within ~~sixty (60)~~ days does not preclude the court from considering a transition plan or ordering extended foster care. The court ~~shall~~ 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 ~~shall~~ must file the youth's transition plan no later than ~~seven (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 ~~eighteen (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 ~~eighty (80)~~ hours per month; or

(5) incapable of doing any of the activities described in subsections paragraph (1) through (4) above 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 shall must hold review and permanency hearings ~~in accordance with as governed by I.C. § 16-1622~~, at which the court shall also determine whether the ~~child~~ youth continues to meet the requirement of subsection subdivision (b) above. If at any time the ~~child~~ youth no longer meets the requirements, the court shall must terminate extended foster care.

(d) **Fixed Period of Time.** The extension shall must be for a fixed period of time but shall must not extend past the youth's ~~twenty-first~~ (21st) birthday.

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

IT IS FURTHER ORDERED that this order and these amendments shall be effective July 1, 2025.

IT IS FURTHER ORDERED that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Idaho Juvenile Rules.

IT IS FURTHER ORDERED, that notice of this Order shall be published for three consecutive weeks on the Idaho State Bar's website and in its weekly E-Bulletin, and that as soon as practicable, a summary of the amendment(s) effected by this Order shall be published in one issue of *The Advocate*.

DATED this 30th day of June 2025.

By Order of the Supreme Court

G. Richard Bevan
Chief Justice, Idaho Supreme Court

ATTEST:

Melanie Gagnepain, Clerk

I, Melanie Gagnepain, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
Certify that the above is a true and correct copy of the
order entered in the above entitled
cause and now on record in my office. WITNESS my
hand and the Seal of this Court 6-30-25

Melanie Gagnepain, Clerk

By

Deputy