



Guidelines for Providing Independent Living Services to Youth Adjudicated Delinquent

The intent of John H. Chafee Foster Care Program for Successful Transition to Adulthood Program ("Chafee") funds is to support youth who have an out-of-home care (OHC) placement history. According to those parameters, the Department of Children and Families developed the following Independent Living eligibility guide for youth adjudicated delinquent.

1. Youth must be over the age of 14.
2. Youth must have attained six months in a court-ordered out-of-home placement setting with an AFCARS-approved OHC provider unless they are 17.5 or older; then they can be served immediately.
 - a. [Ch. 938.02\(12r\)](#) "Out-of-home care provider" means a foster parent, guardian, relative other than a parent, or nonrelative in whose home a juvenile is placed, or the operator of a group home, residential care center for children and youth, or shelter care facility in which a juvenile is placed, under the placement and care responsibility of the Department of Children and Families, the Department of Corrections, or a county department.
 - b. For youth who have not accrued six months with a court-ordered OHC provider, eligibility starts once a youth is placed with an approved provider and is on hold while a youth is placed at a Juvenile Correctional Institution.
 - c. Once a youth accrues the six months in court-ordered OHC, they continue to be eligible for independent living as long as they remain in a qualifying OHC placement.
3. To continue to be eligible for independent living supports and/or Education and Training Vouchers (herein "ETV") up to age 23, youth must either:
 - a. discharge from a court-ordered IL eligible OHC placement at age 18 or older ("age out"),
 - b. discharge from a court-ordered IL eligible OHC placement by being adopted on or after age 16, or
 - c. discharge from a court-ordered IL eligible OHC placement by exiting to [s. 48.977](#) or [s. 48.9795](#) guardianship, or a guardianship under a substantially similar tribal law, on or after their 16th birthday. This applies to both youth in subsidized and unsubsidized guardianships.
4. Youth who turn 18 while: 1) in detention or at a juvenile correctional institution due to a short-term sanction; 2) temporarily hospitalized for mental health concerns; 3) in "trial reunification" or "missing from care" status, remain eligible for IL and/or ETV supports up to 23 so long as the placement they were in immediately prior to that status was an approved OHC placement.
 - a. [Ch. 938.358\(1\)\(a\)](#) "Trial reunification" means a period of 7 consecutive days or longer, but not exceeding 150 days, during which a juvenile who is placed in an out-of-home placement under [s. 938.355](#) or [938.357](#) resides in the home of a relative of the juvenile from which the juvenile was removed or in the home of either of the juvenile's parents for the purpose of determining the appropriateness of changing the placement of the juvenile to that home.

*Note: Youth who are reunified or incarcerated (which includes being in county jail, prison, or a juvenile correctional institution) prior to turning 18 **and remain in that status at time of aging out** are not eligible for services.*

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