

# Emancipation Leaves Foster Kids Trapped in Poverty and Despair

By Melanie Delgado  
and Robert C. Fellmeth

**W**hen children in America turn 18, they "emancipate" into adulthood. They are able to vote, sit on a jury, enter into contracts and get married

## First of Two Parts

without parental permission. Until they reach that age, their parents are responsible for their care and sustenance. That responsibility is reflected in required child-support enforcement and even criminal liability for willful failure to provide for a child.

In this first part of a two-part exposition, we consider how these children are now faring in general and how our foster children, over whom we have a special obligation, are making the transition into adulthood. In the second part, we consider recent attempts to assist them, future anticipated costs and benefits from investment in their future, and the remedies commended by the evidence.

The transformation into adulthood and independence is increasingly fraught with difficulty, especially for California's children. Although the state once had modest rents and free and accessible higher education, both of these cushions to break the fall into adulthood have hardened into a concrete floor. Private tuition has been escalating well above inflation for two decades — arguably fed by price-fixing patterns among leading academic institutions. Tuition and fees at the state's public system of higher education are now escalating substantially, as well — apparently excepted from the governor's Maginot line of "no new state revenue hikes."

Those youth now graduating from colleges and graduate schools commonly depend on loans and leave school with unprecedented debt. More ominous, interest rates for that debt are rising, and our Congress has just subtracted many millions from the student loan program for 2007-08.

The higher education costs have been matched by declining capacity per 18-year-old since 1991 — just when future jobs depend on a higher percentage of youth with technical training and education beyond high school. Even if a kid can find an open spot and manage to pay the tuition, he or she has to live while going to school. Median rents are approaching \$700 per month for most of the state's population and are higher in major cities. Utilities and gasoline prices are at record levels.

The escalation in costs of living and higher education combine with low starting wages for new employees to create a generation some call "boomerang kids," who go to college and move back in with their parents at some point

before they become self-sufficient. This need for continued parental commitment extends beyond college-seeking youth. Loss of a first job, an auto accident, a pregnancy and numerous other contingencies can lead to a child's return home.

The need for post-emancipation help for youth has increased markedly over the last 30 years. We used to require parental support of all children until the age of 21, the traditional age for adulthood for a century. And by 23, most were self-

sufficient. But in the 1970s, we pulled the age of emancipation back to 18. And over the subsequent 30 years, we put our kids in a double bind. We emancipated them three years earlier, and now the average age of self-sufficiency is 26. The gap between nominal adulthood and economic independence has grown from two years (21 to 23) to eight years (18 to 26). And the barriers to upward mobility once emancipation occurs have increased significantly, given the extraordinary college costs and limited capacity noted above.

Fortunately, the parents of this nation do come through for their children. The median total financial support given by parents to their kids post-18 is \$44,500 in current dollars. And the average figure is likely much higher than the median because much more is commonly invested in children who go to college as of 2007.

What about our foster children? As a subgroup of our youth now needing more help than ever, how are we performing for them? This is a special population of children. These are the abused, neglected and molested children removed from their homes and put under the jurisdiction of our juvenile dependency courts. Because they are foster children, the state is their parent. That means the juvenile courts and social workers directly, but indirectly it means the governor, legislators, and you and I.

Here is the real crucible for our loudly proclaimed respect for family values. The most telling demonstration of fidelity to our stated standards is what we do for these children in our charge when they turn 18. How do we measure up for the 4,200 California foster children who reach emancipation age each year?

**T**hese children need substantially more than the median provided by private parents. They endured the difficulties of their prior, often long-standing abuse and neglect before we took on their parenting. Those needs are exacerbated by the often-sorry way we have treated them while in our care: moving them an average of three times among caregivers,

many of them 10 times. We undereducate them and accomplish adoption for a small minority of them. In fact, most of those older than 2, with any disability or of minority blood tend to be labeled unadoptable to improve our statistical reporting of adoption success.

The result of our system is suggested in the recent Casey National Alumni Study finding that the incidence of post-traumatic stress disorder among former foster youth is significantly higher than

that experienced by Vietnam veterans (21.5 percent versus 15 percent).

The Children's Advocacy Institute has received a grant from The California Wellness Foundation to examine our performance as parents of our foster kids as they enter adulthood.

And we have helped to represent thousands of them in dependency court over the last 15 years. These youth are in a precarious state. They cannot boomerang back to their parents' homes. They cannot continue to stay at home to look for work or attend a nearby community college.

When they turn 18, or within several months thereafter, they become "emancipated" from foster care, and that is not like leaving home as most of us did. Their family foster care providers stop receiving any money for them and often take in other children for compensation who are sleeping where they used to sleep. Those in group homes are most often summarily bid goodbye. Unless it is affirmatively provided, they do not have the safe harbor of a place to return. Even if they manage to get into a college and live in a dorm, when summer vacation or holidays come, they likely have no place to go. "You never miss the water until the well runs dry" goes the old cliché. We all take for granted what these children do not have: continued parental commitment as we enter adulthood.

Our study of how the federal and California jurisdictions are addressing this cut-off problem begins with

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the federal Chafee Foster Care Independence Act of 1999. This much-lauded statute gives states a small amount of money for rent support to age 21 and tuition vouchers up to age 23. But the rent money is trivial in amount. The \$5,000 education grants are modest, often timed to be given in October or thereafter — with college fees and tuition due in August. And they are given to far less than 5 percent of emancipated foster kids. And even a full tuition ride is of little use if one must work full time just to pay the rent.

**F**or its part, California's Welfare and Institutions Code Section 303 allows the state to continue dependency jurisdiction in theory to age 21, possibly providing living-expense help. But absent extraordinary circumstances, California continues to cut off jurisdiction at 18, extending it only to 19 when kids need

another year of high school. A few jurisdictions extend jurisdiction for a few months, but the vast majority of foster children are rudely "emancipated" into adulthood eight years before they statistically have reasonable odds of providing for themselves.

California has enacted two programs with great fanfare for these kids. The first, called Supportive Transitional Education, is limited to rent help for those pursuing higher education and has not been funded. The second, called Transitional Housing Program-Plus, intended to provide some housing help for those 18 to 21, was also enacted with great self-congratulatory fanfare. Until this year, it required up to a 60 percent county match, and of course the counties have few funds.

This year, that barrier was removed, but the Legislature then appropriated all of \$5 million for

this allegedly major effort to provide funds for emancipating foster youth. How much is that in relation to the target population? It represents 3 percent of the pro-rata funds California and U.S. parents give to their kids post-18.

In the second part of this exposition tomorrow, we consider what the state has done over the past several years and what it has not done. And we propose a prudent and cost-benefit-justified mechanism to fulfill our joint and several parental obligation to these kids.

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**Melanie Delgado** is staff counsel at Children's Advocacy Institute, a statewide advocacy group for children headquartered at the University of San Diego School of Law. **Robert C. Fellmeth** is director of the Institute and Price Professor of Public Interest Law at the law school.