



**Template Motion Requesting the Court to Order the Child Welfare Agency to Support  
Enrichment Activities**

***NOTE: The following document is a template motion to ask the court to order support for enrichment activities. The fact pattern used in this template is of a young person who has experienced a change in placement and is no longer being supported in their previous activities. The supporting law cited in the template could be used for an array of fact patterns, including those that do not include a placement move. We encourage you to use the template as a jumping off point for your own case. Please do not hesitate to reach out to us at [info@ylc.org](mailto:info@ylc.org) if you have any questions or need support in crafting a motion.***



[Attorney Name], SBN [ ]

[Legal Office]

[Address]

Telephone: [ ]

Facsimile: [ ]

Attorney for [Youth's Name]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF [ ]**

**JUVENILE DIVISION**

**In re [Minor's Name]**

**Case Number: [ ]**

**MINOR'S MOTION TO PROVIDE  
FOR PARTICIPATION IN AGE  
APPROPRIATE ACTIVITIES**

**Date: [ ]**

**Time: [ ]**

**Dept.: [ ]**

NAME, counsel from ORGANIZATION NAME, on behalf of the youth [ ], requests that the court order the [Child Welfare Agency] to take action to support the youth's participation in age appropriate activities in accordance with the law. In support, ATTORNEY states:

**STATEMENT OF FACTS**

1. [ ] is a dependent of the juvenile court pursuant to Section [ ] and is under the placement and care responsibility of the child welfare agency.



2. [ ] is placed in an STRTP [ ] .
3. [ ] permanency plan is [ ] .
4. [ ] would like to continue participation in the hockey club at his local community center.
5. [ ] is currently not participating in the hockey club because he does not have a uniform and does not have transportation from the community center back to his placement.
6. [ ] enjoys participation in the hockey club because it allows him a physical outlet for his feelings and provides him the opportunity to build his talents.
7. [ ] has developed relationships with his peers and coaches as part of the hockey club that he finds supportive and provides consistency and stability in his life.
8. The designated employee able to exercise the reasonable and prudent parent standard at STRTP [ ] has provided permission for [ ] to participate in the hockey club.
9. Counsel for [ ] has requested that provider agency [ ] ensure that [ ] can participate in the hockey club by taking the following actions: [describe and attach formal requests, letters, emails].
10. Counsel for [ ] has requested that the child welfare agency ensure that [ ] can participate in the hockey club by taking the following actions: [describe and attach formal requests, letters, emails].
11. The provider agency and child welfare agency have not taken action to ensure that [ ] can participate in the hockey club.
12. Participation in enrichment activities provides opportunities to improve a youth's connection to their community and networks of supportive adults, which supports



- permanency goals and the transition to adulthood. *See*, Jim Casey Youth Opportunities Initiative, *Issue Brief No. 2: Social Capital: Building Quality Networks for Young People in Foster Care* (2012), <https://www.aecf.org/m/resourcedoc/jcyoi-IssueBrief2SocialCapital-2012.pdf>.
13. Participation in enrichment activities provides opportunities for positive experiences to help a youth heal and mitigate the impact of trauma. *See*, Child Welfare Information Gateway, U.S. Dep't of Health and Human Servs., *Understanding the Effects of Maltreatment on Brain Development* (2015), [https://www.childwelfare.gov/pubPDFs/brain\\_development.pdf](https://www.childwelfare.gov/pubPDFs/brain_development.pdf); Jim Casey Youth Opportunities Initiative, *The Road to Adulthood: Aligning Child Welfare Practice with Adolescent Brain Development* (2017), <https://www.aecf.org/m/resourcedoc/aecf-theroadtoadulthood-2017.pdf>.
14. Participation in enrichment activities has been shown to improve academic performance and reduce the likelihood that youth will engage in risky behavior such as drug use, delinquency, and sexual activity. *See, e.g.*, Joseph A. Durlak, et al., *A Meta-Analysis of After-School Programs That Seek to Promote Personal and Social Skills in Children and Adolescents*, 45 *Am. J. of Cmty. Psychology* 294 (2010) (evaluating 75 reports on after-school programs and finding statistically significant increases in participants' self-perceptions, school bonding, and social behaviors, reductions in problem behaviors, and improvement in academic performance); Seth J. Schwartz, et al., *Promotion as Prevention: Positive Youth Development as Protective against Tobacco, Alcohol, Illicit Drug, and Sex Initiation*, 14(4) *Applied Developmental Sci.* 197 (2010) (studying youth from fifth through tenth grade and



finding that “positive youth development” was negatively associated with sex initiation and use of tobacco, marijuana, and hard drugs, and was positively associated with condom use).

### **POINTS AND AUTHORITIES**

15. “Every child adjudged a dependent child of the juvenile court shall be entitled to participate in age-appropriate extracurricular, enrichment, and social activities, including, but not limited to, access to computer technology and the Internet.... Each state and local entity shall ensure that private agencies that provide foster care services to dependent children have policies consistent with this section and that those agencies promote and protect the ability of dependent children to participate in age-appropriate extracurricular, enrichment, and social activities, including, but not limited to, access to computer technology and the Internet.” Welf. & Inst. Code § 362.05(a)(1).
16. All children placed in foster care, either voluntarily or after being adjudged a ward or dependent of the juvenile court pursuant to Welfare and Institutions Code Section 300, 601, or 602 have the right “to participate in extracurricular, cultural, racial, ethnic, personal enrichment, and social activities, including, but not limited to, access to computer technology and the internet, consistent with the child’s age, maturity, developmental level, sexual orientation, and gender identity and expression.” Welf. & Inst. Code § 16001.9(a)(16).
17. [ADD the following if the child’s permanency plan is APPLA] At the status review hearing that must occur at least once every six months, the court must make findings



that include, “for a child for whom another planned permanent living arrangement has been determined as the permanency plan, the steps the State agency is taking to ensure the child’s foster family home or child care institution is following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities (including by consulting with the child in an age-appropriate manner about the opportunities of the child to participate in the activities).” 42 U.S.C.A. § 675(5)(B)(“case review”).

18. The STRTP Interim Standards require that all STRTPs provide transportation to “extracurricular, personal enrichment, cultural, racial, ethnic, and social activities.” Short-Term Residential Therapeutic Program Interim Licensing Standards, Ch. 7.5, § 87074(c)(3) (Nov. 2, 2021).
19. The rate for an STRTP includes funds for “educational and physical, behavioral, and mental health supports, including extracurricular activities and social supports.” Welf. & Inst. Code § 11462(b)(1)(C).
20. The agency is obligated to make reasonable efforts in compliance with the case plan, including efforts to finalize the child’s permanency plan. “The case plan shall include a description of the type of home or institution in which the child is to be placed, and the reasons for that placement decision. The decision regarding choice of placement shall be based upon selection of a safe setting that is the least restrictive family setting that promotes normal childhood experiences and the most appropriate setting that meets the child’s individual needs and is available, ... and consistent with the selection of the environment best suited to meet the child’s special needs and best



- interests.” Welf. & Inst. Code § 16501.1(d)(1). The court must make findings to this effect at each hearing. Welf. & Inst. Code § 366(a)(1)(B).
21. The agency is obligated to assist youth ages 14 and older, consistent with the child’s best interest, with making a successful transition to adulthood. Welf. & Inst. Code § 16501.1(g)(16)(A)(i).
22. “The best interest of the child is the fundamental goal of the juvenile dependency system, underlying the three primary goals of child safety, family preservation, and timely permanency and stability.” *In re William B.*, 163 Cal. App. 4th 1220, 1227 (2008) (citing Seiser & Kumli, *California Juvenile Courts* § 2.11). “The concept of a child's best interest ‘is an elusive guideline that belies rigid definition. Its purpose is to maximize a child's opportunity to develop into a stable, well-adjusted adult.’” *In re Ethan N.*, 122 Cal. App. 4th 55, 66 (2004).
23. The dispositional authority of the court is broad and driven by what is in the child’s best interest. “If a child is adjudged a dependent child of the court on the ground that the child is a person described by Section 300, the court may make any and all reasonable orders for the care, supervision, custody, conduct, maintenance, and support of the child, including medical treatment, subject to further order of the court.” Welf. & Inst. Code § 362(a) [include § 727(a)(1) if the motion concerns a youth in the juvenile justice system who has an out-of-home placement order].



**PROPOSED ORDER**

The Court finds and orders the following:

1. [ ] currently does not have regular and ongoing opportunities to participate in age-appropriate activities.
2. It is in [ ]'s best interest, will further his transition to adulthood and permanency goals, and is in accord with the legal requirements to ensure that [ ] is able to participate in the hockey club at community center [ ].
3. The child welfare agency shall remove all barriers to [ ]'s participation in the hockey club, including, but not limited to, barriers related to acquiring a uniform and transportation to participate in this activity.
4. A CFT meeting shall be held within one week to amend the case plan to reflect this order.
5. The child welfare agency shall present the case plan amendments in a report to the court and all parties within two weeks detailing the parties responsible for ensuring that [ ] has a uniform and that transportation has been arranged.
6. The case shall be heard by the court on \_\_\_\_\_ to review the plan.

The above Findings hereby entered.

DONE this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

BY THIS COURT:

\_\_\_\_\_





JUDGE/MAGISTRATE \_\_\_\_\_