



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2024-006

EXPANDING ELIGIBILITY FOR THE FOSTERING CONNECTIONS PROGRAM

WHEREAS, the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 authorizes states to claim additional federal funds for certain child welfare purposes;

WHEREAS, the Biden Administration recently announced its intent to seek a \$9 billion expansion in federal funding to provide housing vouchers to all youth exiting foster care annually across the United States;

WHEREAS, the Children, Youth and Families Department's Fostering Connections program extends the age for support and services available to young adults involved with the Department from the age of 18 to 21;

WHEREAS, some of the extended support available to young adults eligible for extended foster care under the Fostering Connections program include active efforts accessing housing, community based behavioral health services, job assistance, and food access;

WHEREAS, the Fostering Connections program embodies the State's commitment to the well-being and successful transition of foster youth into self-sufficient adulthood;

WHEREAS, NMSA 1978, Section 32A-26-3 (2020), currently requires youth in the custody of the Department to be adjudicated pursuant to the Children's Code or tribal law prior to being eligible for the Fostering Connections program;

WHEREAS, the unintended consequence of requiring adjudication under the Children's Code or tribal law before eligibility negatively affects those who enter the Department's custody shortly before turning 18, or through a voluntary placement agreement as they may not be finally adjudicated until after they turn of age;

WHEREAS, this creates a gap in support during a critical phase of these young adult's development;

WHEREAS, each year there are several youth who fall within the gap created by Section 32A-26-3's requirements;

WHEREAS, it is vital to immediately address this eligibility gap to uphold the principles of fairness and inclusivity for all youth in the foster care system, align the Fostering Connections program with the overarching goal of providing a safety net for youth in the custody of the Department regardless of the age or manner at which they become involved with the child welfare system, and satisfy federal and state constitutional guarantees of equal protection; and

WHEREAS, the Department is able to cover the additional costs of extending the eligibility for the Fostering Connections program to cover all youth in the custody of the Department with existing federal and state funding streams.

NOW, THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by the authority vested in me by the Constitution and laws of the State of New Mexico do hereby **ORDER** and **DIRECT** as follows:

1. In addition to eligibility provisions set forth in Section 32A-26-3, the Children, Youth and Families Department shall make the Fostering Connections extended foster care program available, on a voluntary basis, to an eligible person who has attained at least eighteen years of age while:

A. In the legal custody of the Children, Youth and Families Department as a result of abuse and neglect proceedings, families in need of court-ordered services proceedings, or a voluntary placement agreement pursuant to the Children's Code or its equivalent under tribal law;

B. Subject to a court order or voluntary placement agreement that placement and care be the responsibility of the Department or the Indian tribe that entered into an agreement with the Department; and

C. Subject to out-of-home placement.

2. The Department shall form a working group to study, draft, and submit legislation to ensure that the Fostering Connections program remains available to all children in need. Members shall include those persons who qualify for the extended foster care program pursuant to Section 1 of this Order. Membership in the working group shall be voluntary. Members shall not be entitled to any compensation as a result of their work relating to the working group.

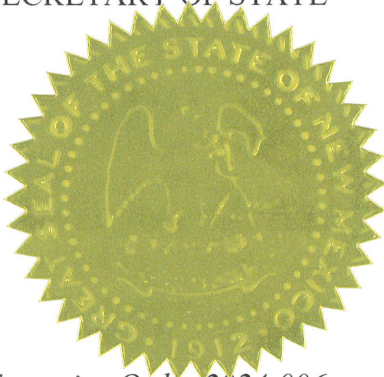
I FURTHER ORDER and DIRECT as follows:

1. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

ATTEST:



MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE



Executive Order 2024-006

DONE AT THE EXECUTIVE OFFICE
THIS 14TH DAY OF MARCH 2024

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO



MICHELLE LUJAN GRISHAM
GOVERNOR

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