**Non-Minor Dependent in Jail**

**What is a Non-Minor Dependent**

A Non-Minor Dependent (NMD) is a current dependent child or ward of the juvenile court, who has opted to remain in care beyond their 18th birthday. They are able to remain in extended foster care as an NMD status until their 21st birthday. These extra years of support can better prepare a youth for a successful transition into adulthood. To be eligible for extended foster care, a NMD must meet **ALL** of the following**:**

* Is at least 18 years old, but under age 21
* Are eligible for either federal or state Aide to Families with Dependent Children- Foster Care (AFDC-FC)
* Was under an order of foster care on his or her 18th birthday
* Meets one of the participation criteria

**Non-Minor Dependent Getting Arrested**

Since a NMD is 18 years and older, if they are arrested, they would be taken to county jail. If you are informed that your NMD case child is in custody, your first step is to contact your Advocacy Supervisor. From there you and your supervisor will discuss:

* Where the NMD is located
* What charges are being filed
* The arraignment hearing
* A plan of action for contacting all parties on the case. Typically your supervisor will email the minor’s dependency attorney. The CASA could call the social worker.

**Maintaining CASA Capacity Without Breaking Confidentiality**

Once you have spoken with your Advocacy Supervisor, you will be asked to momentarily wait before making a phone call to your NMD. If you want to make contact, you are able to write a brief letter stating that you have been made aware of the circumstances, and you are still there for support. You MUST be aware that any mail you send will be opened and could be read. You will send a photo of the letter to your Advocacy Supervisor for their approval prior to mailing. Once approved, you can mail the letter with the Voices for Children Riverside return address. (P.O. Box 7219 Riverside, CA 92513).

If you are to receive a call from your NMD before you’re able to send a letter, please be aware that all calls are recorded. Also ensure that your NMD is aware he should not speak of the case as he/she could incriminate themselves with new evidence. Please keep in mind, there is a cost associated with receiving and making calls once the NMD is in custody. This cost will be at your expense.

We also advise you to be aware of not exploiting your relationship to the NMD; whether this be through mail or a phone call. We want to ensure the confidentiality of their dependency case is separate. Do not give out your relationship to the NMD. You will only be interacting with the NMD as a friend.

**Visiting Non-Minor Dependent in Jail**

Once you have spoken to the social worker and Advocacy Supervisor and obtained the NMD’s location, booking number and other required information:

* Contact the holding facility and obtain the visitation hours, days and rules.

Basic rules generally include no personal items allowed in the jail this includes cell phone, and purses. Visitation may be limited to immediate family. You may be subject to search and basic verification of any outstanding warrants.

* Contact your Advocacy Supervisor and give them the information you have learned and when you plan to visit the NMD.
* Please remember, you are not visiting as a CASA, but as member of the general public providing support. Do not wear your CASA badge, or present you CASA order. The CASA role is only honored by the juvenile court.
* Please remember, all conversation is subject to recording. Do not put the NMD in the position of self-inculpation. It is best to avoid any conversation as to why they are there.

**Attending Criminal Court for Non-Minor Dependent**

If you choose to attend court to support your NMD, it is vital you follow these steps, as you will be only attending as general public, and not a CASA.

* Inform your Advocacy Supervisor you would like to attend. You will need a supervisor to attend the hearing with you.
* Do not wear your CASA Badge
* Dress in court attire
* Do not have your cell phone out in the court room. Make sure the phone is on silent.
* Do not speak or try to get your NMD’s attention when their case is being called. This is very important and could result in a misdemeanor offense.
* Do not attempt to communicate with the attorney, district attorney or other court personnel on the NMD’s behalf.

**What Happens with Non-Minor Dependent Status**

The NMD status will be based on the length of time they will be in jail and if they will be able to continue to meet the requirements of a NMD. Before the NMD can be removed, the juvenile court would have to remove the status. It is not an automatic process.

* If the NMD is arrested and temporarily held, their NMD status probably will not be affected.
* If the NMD is in jail for a few months, their NMD status probably will not be affected.
* If the NMD is prosecuted, and sentenced to prison, their NMD status will probably be canceled.

We realize this can be a very difficult time for the NMD and the CASA. Please rely on your Advocacy Supervisor for support and advice.