

Raise the Age Implementation

Effective Date: 10/1/2021 (State of Michigan fiscal year 2022)

Please read through the following information regarding the public acts, operational definitions, and further actions needed regarding new funding available for this specific population.

General Overview

In November 2019, legislation was passed in Michigan extending state fund availability to juvenile justice youth who come under court/tribal jurisdiction at age 17. Beginning October 1, 2021, the state is to reimburse 100% of the cost to provide juvenile justice services when a court exercises jurisdiction over a juvenile who is 17 years of age, but under the age of 18 at the time of the offense.

Raise the Age funding is not applicable to youth with juvenile justice cases already in existence prior to their 17th birthday, unless a new charge is brought.

Public Act 97 establishes a Raise the Age (RTA) Fund within the department of Treasury, which will be administered by MDHHS for reimbursement and auditing purposes.

<http://www.legislature.mi.gov/documents/2019-2020/publicact/pdf/2019-PA-0097.pdf>

Public Act 114 extends the Child Care Fund Reimbursement Program to include reimbursement of juvenile justice services and/or placement when a court exercises jurisdiction over a juvenile who is 17 years of age, but under the age of 18 at the time of the offense. RTA-associated expenditures under the CCF reimbursement program will be reimbursed 100%.

<http://www.legislature.mi.gov/documents/2019-2020/publicact/pdf/2019-PA-0114.pdf>

Operational Definitions of a 17-year-old for purposes of RTA Eligibility

Pre-Adjudication Eligible Youth: a youth for whom a petition has been filed alleging commission of a status or criminal offense on or after his or her reaching the age of 17, but prior to age 18.

Post-Adjudication Eligible Youth: a youth who has been adjudicated for a status or criminal offense for which a petition was filed alleging commission of a status or criminal offense on or after his or her reaching the age of 17, but prior to age 18.

This provides a framework where 17-year-olds who come under court/tribal jurisdiction will fall into RTA reimbursable costs through either:

- The current Child Care Fund (CCF) monthly reimbursement program (RTA-specific expenditures would be reimbursed at 100%), for costs that are currently allowed for under CCF reimbursement program,
- **-OR-**
- Non-CCF reimbursable costs reimbursed through a separate RTA Fund.

Raise the Age & Child Care Fund Reimbursement

Effective with the State of Michigan's fiscal year 2022 (10/1/2021), programming and placements for youth that meet the criteria for CCF reimbursement should be included in a county/tribe's annual plan & budget and subsequent monthly reimbursement requests.

Expenditures eligible for reimbursement have not changed. However, with the implementation of RTA-related statute updates, youth that come under the court's jurisdiction at/after age 17, (but prior to age 18) the age of the population covered has expanded.

When working on FY22 annual plan & budgets, counties/tribes should include in budget projections any increase in CCF-eligible expenditures due to RTA statute implementation. RTA-related budget projections will not be separated out within annual budgets but will have a separate line on monthly reimbursement forms starting in FY22.

Raise the Age Fund Grant

The Raise the Age Grant has been created for expenditures that would not be reimbursable under the Child Care Fund Reimbursement Program. Examples of these types of costs might be attorney fees or technology. Juvenile courts or tribes must have applied to participate in the RTA Grant through EGrAMS, which is an Electronic Grants Administration & Management System to aid users in the grants process.

This grant cycle will run through 9/30/2022 with an effort to get a start date as close to 10/01/2021 as possible. The grantee uses EGrAMS to submit their application, monthly expenditures, as well as quarterly work plans. The system is password protected and only authorized users can access the system.

Raise the Age To Do List

Re: Raise the Age Fund Grant (expenditures not eligible for CCF reimbursement)

- If not familiar with using the EGrAMS grant structure, watch instructional video at this link: <https://youtu.be/i4qUOexVWA8>
- EGrAMS help desk: MDHHS-EGRAMS-HELP@michigan.gov
- By June 30, identify 3 staff who will have access to the EGrAMS system for RTA Grant. These individuals will have three separate roles in the system and must first create a user profile in EGrAMS if they do not already have one.
 - Project Director: Responsible for activating other users' profiles and assigning other users to work on the grant program, including applications and reports.
 - Authorized Official: Responsible to submit grant applications and sign contracts with official authority of the court.
 - Financial Officer: Responsible for submitting financial status reports and requests for reimbursement.
- Once the individual serving as project director has created their profile, they must contact the EGrAMS help desk at 517-335-3359 or MDHHS-EGRAMS-HELP@michigan.gov to request assignment as project director for their agency (court/tribe) for the RTA Fund Grant program.
- The project director is then able to assign the other users for your agency (court/tribe):
 - Log into EGrAMS at <http://egramms-mi.com/mdhhs> and go to menu
 - Grantee > Project Director > Assign Agency Users
- Look for an RTA Fund EGrAMS user guide to be distributed in mid-June to assist w/ completing the rest of your RTA Fund Grant application
- In the fall, look for training information to be disseminated on how to use EGrAMS for RTA Grant expenditures

Re: RTA Expenditures Eligible for CCF reimbursement

- Include estimated RTA CCF-reimbursable expenditures in budget projections while filling out county/tribe's FY22 annual plan & budget. RTA expenditures will *not* have a separate section in budget documents and should be included in expenditures budgeted within a county/tribe's annual plan and budget.
- In the fall, look for training information to be disseminated on RTA changes to FY22 CCF reimbursement forms.

Frequently Asked Questions Re: Raise the Age Reimbursements

Q: How will counties/tribes be reimbursed for RTA-related expenditures? Why will there be multiple processes?

A: Because the funds allocated to MDHHS related to RTA were in separate fund sources, the reimbursements will be in two different program formats.

Expenditures that would normally fall under the CCF reimbursement program will be reimbursed during the monthly DHS-207/206b process. There will be a separate line for each section on the DHS-207/206b form for RTA expenditure reporting, as those particular costs will be reimbursed at 100%.

RTA-related expenditures that do not fall under the CCF reimbursement program will be reimbursed through the Raise the Age Grant via EGrAMS.

Q: If a youth who is already under court jurisdiction has a probation violation, does that mean that youth is eligible for reimbursement under RTA if they are aged 17 or older?

A: Only youth where a new petition and charge has been filed on or after their 17th birthday.

If a youth has an open probation case that began prior to the time they are 17 years old, they are not eligible for the 100% RTA reimbursement. Any actions on such a case would continue to be eligible at the current 50% rate of reimbursement as it would be considered part of the original ongoing case.

If a youth is charged on or after their 17th birthday with a new status offense or misdemeanor or felony, costs associated with the new charges would be reimbursed at 100% and additional costs post-adjudication would be eligible at the 100% RTA rate.

Q: Will expenditures related to juvenile competency evaluations and restoration costs be reimbursed for RTA-related cases?

A: Juvenile competency exams or restoration service costs are considered judicial expenditures according to CCF reimbursement eligibility guidelines. Therefore, those costs for RTA youth would be reimbursed via the RTA Fund Grant program.

Q: How will counties/tribes receive reimbursements related to RTA expenditures?

A: Reimbursement for CCF-eligible RTA expenditures will go through the monthly reimbursement process. There will be a separate section in each area of the DHS-207/206b related to RTA expenditures. Unless a court/tribe has opted out of the monthly offset process, the 100% reimbursement of RTA expenditures will be applied to the monthly offset statement via the DHS-207/206b approval.

Q: Will there be a separate section on the monthly offset statement for RTA reimbursement?

A: No. The amount on the "CCF Reimbursement" line on the Chargeback Offset statement will represent the total of both the 50% CCF reimbursement and the 100% RTA reimbursement for the applicable DHS-206b/207 form(s).

RTA reimbursements will be separated out and totaled on each monthly DHS-206b/207 reimbursement form starting in FY22. In order to secure system and form changes timely, system changes were limited to a minimum amount. Additionally, past experiences have proven that complex system changes will often result in unintended software changes or defects.

Q: Our county has another department that would like to pursue RTA reimbursement for their related costs. Is this possible?

A: MDHHS works with juvenile courts and tribes on RTA reimbursement, which aligns with how Michigan's juvenile justice funding stream currently operates. RTA-related expenditures from other county/tribal departments should flow through the associated juvenile court/tribe.

Q: Only a few expenditures on our CCF monthly reimbursement are related to RTA expenditures. How is that supposed to be reflected when I fill out the DHS-207/206b?

A: Direct expenditures that are RTA-related and CCF-reimbursable can be added to monthly reimbursement forms in the specific sections identified for RTA starting in FY22. If expenditures on shared costs are not as easily obtained, a percent allocation of the cost may be used.

For example, costs like salaries/wages, fringes, and supplies could be an administrative burden to track (amount of time with youth, # pens used, etc.) to a specific youth a percent allocation may be used.

Direct expenditures would be able to be obtained relatively easily with a high degree of accuracy. Examples of such direct expenditures are counseling sessions, mileage, evaluations, drug tests, and non-scheduled payments.

Q: What if my court/tribe does not know how to project the amount of RTA expenditures we may have?

A: Technical assistance has been offered in this area by the Michigan Association of Family Court Administrators. If help in this area is needed, please contact Thom Lattig, Ottawa County Juvenile Court Director, at tlattig@miottawa.org or (616) 786-4124.

Q: What if my court has expenditures incurred related to RTA prior to 10/1/2021? Will those costs be reimbursed by MDHHS?

A: No. Raise the Age does not take effect in statute until 10/1/2021, which is the point in time when the funding from the state becomes available. MDHHS was not allocated funds for RTA implementation or reimbursement prior to the State of Michigan's 2022 fiscal year, which begins on 10/1/2021. Additionally, the Raise the Age Fund is being disseminated as a grant, which typically only covers expenditures within that grant year.