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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- PROCEEDINGS IN
FAMILY COURT

Introduced By: Representatives Stewart, Casimiro, Ajello, Cruz, Potter, Kislak, Handy,
Morales, Alzate, and Caldwell

Date Introduced: February 27, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 14-1-6, 14-1-7.3 and 14-1-36 of the General Laws in Chapter 14-1
2 entitled "Proceedings in Family Court" are hereby amended to read as follows:

3 **14-1-6. Retention of jurisdiction.**

4 (a) When the court shall have obtained jurisdiction over any child prior to the child having
5 attained the age of eighteen (18) years by the filing of a petition alleging that the child is wayward
6 or delinquent pursuant to § 14-1-5, the child shall, except as specifically provided in this chapter,
7 continue under the jurisdiction of the court until he or she becomes nineteen (19) years of age,
8 unless discharged prior to turning nineteen (19); [provided, however, that the court, upon motion by](#)
9 [the child's representative, or sua sponte, may extend jurisdiction over the child until the age of](#)
10 [twenty-one \(21\) if the court finds that it is in the best interest of the child to remain confined and](#)
11 [under the jurisdiction of the juvenile system.](#)

12 (b) When the court shall have obtained jurisdiction over any child prior to the child's
13 eighteenth (18th) birthday by the filing of a miscellaneous petition or a petition alleging that the
14 child is dependent, neglected, or abused pursuant to §§ 14-1-5 and 40-11-7 or 42-72-14, the child
15 shall, except as specifically provided in this chapter, continue under the jurisdiction of the court
16 until he or she becomes eighteen (18) years of age; provided, that at least six (6) months prior to a
17 child turning eighteen (18) years of age, the court shall require the department of children, youth
18 and families to provide a description of the transition services including the child's housing, health

1 insurance, education and/or employment plan; available mentors and continuing support services,
2 including workforce supports and employment services afforded the child in placement; or a
3 detailed explanation as to the reason those services were not offered. As part of the transition
4 planning, the child shall be informed by the department of the opportunity to voluntarily agree to
5 extended care and placement by the department and legal supervision by the court until age twenty-
6 one (21). The details of a child's transition plan shall be developed in consultation with the child,
7 wherever possible, and approved by the court prior to the dismissal of an abuse, neglect,
8 dependency, or miscellaneous petition before the child's twenty-first birthday.

9 (c) A child, who is in foster care on their eighteenth birthday due to the filing of a
10 miscellaneous petition or a petition alleging that the child is dependent, neglected, or abused
11 pursuant to § 14-1-5, § 40-11-7, or § 42-72-14, may voluntarily elect to continue responsibility for
12 care and placement from DCYF and to remain under the legal supervision of the court as a young
13 adult until age twenty-one (21), provided:

14 (1) The young adult was in the legal custody of the department at age eighteen (18); and

15 (2) The young adult is participating in at least one of the following:

16 (i) Completing the requirements to receive a high school diploma or GED;

17 (ii) Completing a secondary education or a program leading to an equivalent credential;
18 enrolled in an institution that provides postsecondary or vocational education;

19 (iii) Participating in a job-training program or an activity designed to promote or remove
20 barriers to employment;

21 (iv) Is employed for at least eighty (80) hours per month; or

22 (v) Is incapable of doing any of the foregoing due to a medical condition that is regularly
23 updated and documented in the case plan.

24 (d) A former foster child who was adopted or placed in guardianship with an adoption
25 assistance agreement or a guardianship assistance agreement that was executed on or after his or
26 her sixteenth birthday and prior to his or her eighteenth birthday may voluntarily agree to extended
27 care and placement by the department and legal supervision by the court until age twenty-one (21)
28 if the young adult satisfies the requirements in subsection (c)(2). Provided, however, the department
29 retains the right to review the request and first attempt to address the issues through the adoption
30 assistance agreement by providing post adoptive or post guardianship support services to the young
31 adult and his or her adoptive or guardianship family.

32 (e) Upon the request of the young adult, who voluntarily agreed to the extension of care
33 and placement by the department and legal supervision by the court, pursuant to subsections (c)
34 and (d) of this section, the court's legal supervision and the department's responsibility for care

1 and placement may be terminated. Provided, however, the young adult may request reinstatement
2 of responsibility and resumption of the court's legal supervision at any time prior to his or her
3 twenty-first birthday if the young adult meets the requirements set forth in subsection (c)(2). If the
4 department wishes to terminate the court's legal supervision and its responsibility for care and
5 placement, it may file a motion for good cause. The court may exercise its discretion to terminate
6 legal supervision over the young adult at any time.

7 (f) With the consent of the person previously under the court's supervision, the court may
8 reopen, extend, or retain its jurisdiction beyond that person's twenty-first birthday until his or her
9 twenty-second birthday or until September 30, 2021, whichever date occurs first, under the
10 following circumstances:

11 (1) The person aged out of DCYF care or left foster care during the COVID-19 public
12 health emergency, defined as beginning on January 27, 2020, and is entitled to extended benefits
13 pursuant to the terms of the Consolidated Appropriations Act of 2021, Pub. L. No. 116-260; and

14 (2) The court has or had obtained jurisdiction over the person prior to his or her eighteenth
15 birthday by the filing of a miscellaneous petition or a petition alleging that the child is dependent,
16 abused, or neglected pursuant to § 14-1-5, § 40-11-7, or § 42-72-14 or after the person's eighteenth
17 birthday pursuant to a voluntary extension of care petition; and

18 (3) Court supervision is necessary for the department of children, youth and families to
19 access IV-E funding to support such benefits, in whole or in part; and

20 (4) Court supervision is required to continue transition planning and to ensure the safety,
21 permanency, and well-being of older youth who remain in or who age out of foster care and re-
22 enter foster care.

23 (g) The court may retain jurisdiction of any child who is seriously emotionally disturbed
24 or developmentally delayed pursuant to § 42-72-5(b)(24)(v) until that child turns age twenty-one
25 (21) when the court shall have obtained jurisdiction over any child prior to the child's eighteenth
26 birthday by the filing of a miscellaneous petition or a petition alleging that the child is dependent,
27 neglected, and/or abused pursuant to §§ 14-1-5, and 40-11-7, or 42-72-14.

28 (h) The department of children, youth and families shall work collaboratively with the
29 department of behavioral healthcare, developmental disabilities and hospitals, and other agencies,
30 in accordance with § 14-1-59, to provide the family court with a transition plan for those individuals
31 who come under the court's jurisdiction pursuant to a petition alleging that the child is dependent,
32 neglected, and/or abused and who are seriously emotionally disturbed or developmentally delayed
33 pursuant to § 42-72-5(b)(24)(v). This plan shall be a joint plan presented to the court by the
34 department of children, youth and families and the department of behavioral healthcare,

1 developmental disabilities and hospitals. The plan shall include the behavioral healthcare,
2 developmental disabilities and hospitals' community or residential service level, health insurance
3 option, education plan, available mentors, continuing support services, workforce supports and
4 employment services, and the plan shall be provided to the court at least twelve (12) months prior
5 to discharge. At least three (3) months prior to discharge, the plan shall identify the specific
6 placement for the child, if a residential placement is needed. The court shall monitor the transition
7 plan. In the instance where the department of behavioral healthcare, developmental disabilities and
8 hospitals has not made timely referrals to appropriate placements and services, the department of
9 children, youth and families may initiate referrals.

10 (i) The parent and/or guardian and/or guardian ad litem of a child who is seriously
11 emotionally disturbed or developmentally delayed pursuant to § 42-72-5(b)(24)(v), and who is
12 before the court pursuant to §§ 14-1-5(1)(iii) through 14-1-5(1)(v), § 40-11-7, or § 42-72-14, shall
13 be entitled to a transition hearing, as needed, when the child reaches the age of twenty (20) if no
14 appropriate transition plan has been submitted to the court by the department of children, youth and
15 families and the department of behavioral healthcare, developmental disabilities and hospitals. The
16 family court shall require that the department of behavioral healthcare, developmental disabilities
17 and hospitals shall immediately identify a liaison to work with the department of children, youth
18 and families until the child reaches the age of twenty-one (21) and an immediate transition plan be
19 submitted if the following facts are found:

20 (1) No suitable transition plan has been presented to the court addressing the levels of
21 service appropriate to meet the needs of the child as identified by the department of behavioral
22 healthcare, developmental disabilities and hospitals; or

23 (2) No suitable housing options, health insurance, educational plan, available mentors,
24 continuing support services, workforce supports, and employment services have been identified for
25 the child.

26 (j) In any case where the court shall not have acquired jurisdiction over any person prior to
27 the person's eighteenth (18th) birthday by the filing of a petition alleging that the person had
28 committed an offense, but a petition alleging that the person had committed an offense that would
29 be punishable as a felony if committed by an adult has been filed before that person attains the age
30 of nineteen (19) years of age, that person shall, except as specifically provided in this chapter, be
31 subject to the jurisdiction of the court until he or she becomes nineteen (19) years of age, unless
32 discharged prior to turning nineteen (19); provided, however, that the court, upon motion by the
33 child's representative, or sua sponte, may extend jurisdiction over the child until the age of twenty-
34 one (21) if the court finds that it is in the best interest of the child to remain confined and under the

1 [jurisdiction of the juvenile system.](#)

2 (k) In any case where the court shall not have acquired jurisdiction over any person prior
3 to the person attaining the age of nineteen (19) years by the filing of a petition alleging that the
4 person had committed an offense prior to the person attaining the age of eighteen (18) years that
5 would be punishable as a felony if committed by an adult, that person shall be referred to the court
6 that had jurisdiction over the offense if it had been committed by an adult. The court shall have
7 jurisdiction to try that person for the offense committed prior to the person attaining the age of
8 eighteen (18) years and, upon conviction, may impose a sentence not exceeding the maximum
9 penalty provided for the conviction of that offense.

10 (l) In any case where the court has certified and adjudicated a child in accordance with the
11 provisions of §§ 14-1-7.2 and 14-1-7.3, the jurisdiction of the court shall encompass the power and
12 authority to sentence the child to a period in excess of the age of nineteen (19) years. However, in
13 no case shall the sentence be in excess of the maximum penalty provided by statute for the
14 conviction of the offense; [provided, however, that the court, upon motion by the child's](#)
15 [representative, or sua sponte, may extend jurisdiction over the child until the age of twenty-one](#)
16 [\(21\) if the court finds that it is in the best interest of the child to remain confined and under the](#)
17 [jurisdiction of the juvenile system.](#)

18 (m) Nothing in this section shall be construed to affect the jurisdiction of other courts over
19 offenses committed by any person after he or she reaches the age of eighteen (18) years.

20 **14-1-7.3. Certification — Effect.**

21 (a) Upon a finding by the court that the child is subject to certification pursuant to § 14-1-
22 7.2, the court shall afford the child a right to a jury trial, and upon conviction for the offense
23 charged, the court shall sentence the child in accordance with one of the following alternatives:

24 (1) Impose a sentence upon the child to the training school for youth until the time that the
25 child attains the age of nineteen (19) years; [provided, however, that the court, upon motion by the](#)
26 [child's representative, or sua sponte, may extend jurisdiction over the child until the age of twenty-](#)
27 [one \(21\) if the court finds that it is in the best interest of the child to remain confined and under the](#)
28 [jurisdiction of the juvenile system;](#)

29 (2) Impose a sentence upon the child for a period in excess of the child's nineteenth
30 birthday to the adult correctional institutions, with the period of the child's minority to be served
31 in the training school for youth in a facility to be designated by the court; [provided, however, that](#)
32 [the court, upon motion by the child's representative, or sua sponte, may extend jurisdiction over](#)
33 [the child until the age of twenty-one \(21\) if the court finds that it is in the best interest of the child](#)
34 [to remain confined and under the jurisdiction of the juvenile system.](#) However, the sentence shall

1 not exceed the maximum sentence provided for by statute for conviction of the offense.

2 (b) Any child who is certified shall not be eligible for release from the training school for
3 youth unless, after hearing, the certifying judge, or the chief judge in his or her absence, or his or
4 her designee, determines by clear and convincing evidence that the child will not pose a threat to
5 the public during the term of the release.

6 (c) In the event that the court has modified the order of certification pursuant to § 14-1-42
7 by suspending the balance of the sentence imposed, any violation of the terms of the suspended
8 sentence shall be referred to the appropriate adult court to be treated in accordance with the regular
9 procedure of the court, unless the person is under the age of eighteen (18) years at the time of the
10 violation, in which case, jurisdiction over the sentence shall continue in the family court.

11 (d) In the event that the court, after a hearing on modification of the order of certification
12 pursuant to § 14-1-42, has determined that it has not been demonstrated by clear and convincing
13 evidence that the person has been sufficiently rehabilitated and could be released in the community
14 without posing a danger to the public should the order of certification be modified, the court shall
15 deny the modification of the order of certification and direct the person to serve the balance of his
16 or her sentence under the jurisdiction of the department of corrections in a facility under the control
17 of the department; provided, however, that the court, upon motion by the child's representative, or
18 sua sponte, may extend jurisdiction over the child until the age of twenty-one (21) if the court finds
19 that it is in the best interest of the child to remain confined and under the jurisdiction of the juvenile
20 system. The sentence, including any term served in the training school for youth, shall be subject
21 to the regulations and statutes governing the parole board.

22 (e) Any person who commits an offense which would be punishable as a felony if
23 committed by an adult, after having been certified and adjudicated by the family court pursuant to
24 § 14-1-7.2, may, after a hearing by a justice of the family court to determine that probable cause
25 exists to believe that the child has committed the offense, have the jurisdiction over his or her
26 sentence transferred to the department of corrections to be served in facilities under the control of
27 the department; provided, however, that the court, upon motion by the child's representative, or sua
28 sponte, may extend jurisdiction over the child until the age of twenty-one (21) if the court finds that
29 it is in the best interest of the child to remain confined and under the jurisdiction of the juvenile
30 system.

31 (f) A finding that the child is subject to certification shall constitute presumptive evidence
32 of the non-amenability of the person to further treatment in facilities available to the family court
33 and the court shall transfer the jurisdiction over his or her sentence to the department of corrections
34 to be served in facilities under the control of the department, unless the presumption is rebutted by

1 clear and convincing evidence which demonstrates that the person is amenable to treatment in
2 family court facilities.

3 (g)(1) A finding that the child is subject to certification shall also constitute presumptive
4 evidence of the non-amenability of the person to further treatment in facilities available to the
5 family court and the court shall waive jurisdiction over that offense and all subsequent offenses and
6 the child shall be prosecuted for the offense by the court which would have jurisdiction if committed
7 by an adult, unless the presumption is rebutted by clear and convincing evidence which
8 demonstrates that the person is amenable to treatment in family court facilities.

9 (2) A waiver of jurisdiction over a child pursuant to subdivision (1) of this subsection shall
10 constitute a waiver of jurisdiction over that child for that offense and for all subsequent offenses of
11 whatever nature, and the child shall be referred to the court which would have had jurisdiction if
12 the offense had been committed by an adult.

13 (h) The name of any person waived or certified and convicted shall be available to the
14 general public.

15 **14-1-36. Commitment of delinquent and wayward children.**

16 (a) In all proceedings under this chapter, the court may order a delinquent or wayward child
17 to be committed to the training school for youth for a sentence no longer than the youth's nineteenth
18 birthday; provided, however, that the court, upon motion by the child's representative, or sua
19 sponte, may extend jurisdiction over the child until the age of twenty-one (21) if the court finds that
20 it is in the best interest of the child to remain confined and under the jurisdiction of the juvenile
21 system. However, nothing contained in this section shall be construed to prohibit the placing of any
22 child in the custody of the department of children, youth and families or any other agency, society,
23 or institution, pursuant to § 14-1-32. The commitment of delinquent or wayward children shall be
24 by an order and all assignments of the custody of dependent, neglected, delinquent, or wayward
25 children to the state training school for youth or to the custody of the department of children, youth
26 and families or to any of the private institutions, agencies, or societies mentioned in this chapter
27 shall be by a decree signed by the justice of the court by whom the order or decree is issued, and
28 that order or decree shall be directed to any person that the court may designate, and shall require
29 that person to take the child and deliver him or her to the officer in charge of the training school
30 for youth or to the custody of the director of children, youth and families or of the public or private
31 institution, agency, or society, and the order or decree shall constitute the person charged with it,
32 while he or she has the order in his or her possession for service, an officer for all purposes under
33 this chapter, in any county of the state in which it may be necessary for him or her to go. The person
34 charged with carrying out the order or decree shall also deliver to the officer of the public or private

1 institution, agency, or society or to the training school for youth or the director of children, youth
2 and families a copy of the order or the decree signed by the justice of the court issuing it, and
3 subject to the provisions of this chapter, the officer and other authorities in charge of the training
4 school for youth or the director of children, youth and families or any public or private institution,
5 agency, or society shall hold the child according to the terms of any other order or decree that may
6 from time to time thereafter be issued by the court in relation to the child.

7 (b) Whenever the court shall commit a child to the training school for youth or to the
8 director of children, youth and families or any other institution or agency, it shall transmit with the
9 order of commitment a summary of its information concerning the child.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- PROCEEDINGS IN
FAMILY COURT

- 1 This act would permit the family court to retain jurisdiction over juveniles and allow the
2 family court to order juveniles detained in the training school until the age of twenty-one if the
3 court finds that it is in the best interest of the child.
4 This act would take effect upon passage.

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