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|  | <b>GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES</b><br><b>CHILD WELFARE POLICY MANUAL</b> |   |   |
|   | <b>Chapter:</b>   | (13) Independent Living Program (ILP)   | <b>Effective Date:</b><br>November 2014 |
|   | <b>Policy Title:</b>  | Credit Reports for Youth in Foster Care |   |
|   | <b>Policy Number:</b>   | 13.6                                    | <b>Previous Policy #:</b><br>N/A        |

## CODES/REFERENCES

O.C.G.A. § 10-1-913 Definitions as amended in HB 915

O.C.G.A. § 10-1-914 Consumer Requested Security Freeze on Credit Report; Timing; Notifications; Temporary Lifting of Freeze; Application; Fees as amended in HB 915

The Child and Family Services Improvement and Innovation Act (P.L.112-34)

Title IV-E of the Social Security Act Section 475 (5)(I)

## REQUIREMENTS

*The Division of Family and Children Services (DFCS) shall ensure that each child in foster care who has reached 16 years of age receives a free copy of their consumer credit report from each of the three (3) nationwide credit report agencies<sup>1</sup> each year they remain in foster care until age 18; and receives assistance (including when feasible, from any court appointed advocate for the child) in interpreting and resolving any inaccuracies in the report.*

**NOTE:** Only one report from each credit-reporting agency may be obtained in a twelve (12) month period unless there is a discrepancy that requires resolution. Upon resolution of the discrepancy, an updated credit report may be obtained free of charge prior to a new 12 month period beginning.

DFCS shall ensure youth age 16 years and older in foster care participate annually in consumer credit education, including information on interpreting and understanding consumer credit and credit reports.

DFCS shall ensure that if any of the credit reporting agencies reports that a youth has a credit history that the youth receives assistance in interpreting the credit report and resolving any inaccuracies in the report.

DFCS shall ensure that youth are offered a copy of their credit report beginning at age 16 and annually thereafter while in foster care.

**NOTE:** If the youth does not accept a copy of their report, it must be destroyed immediately (shredded).

DFCS shall provide youth opting out of foster care upon reaching 18 years of age with information describing how to obtain credit reports independently.

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<sup>1</sup> Equifax, TransUnion, and Experian are the three nationwide credit reporting agencies.

## PROCEDURES

**Within thirty (30) calendar** days of a youth in foster care reaching 16 or 17 years of age, the Social Services Case Manager (SSCM) will:

1. Update the Written Transitional Living Plan (WTLP) to include the following goals:
  - a. The SSCM will request a credit report court order in order to obtain the three credit agencies' reports and will provide assistance with interpreting and resolving any inaccuracies in the report(s) as needed; and
  - b. The SSCM shall ensure that the youth participates in an approved consumer credit course that provides information on interpreting and understanding consumer credit and credit reports. ([See Consumer Credit Training Courses Practice Guidance](#))
  - c. Document the completion of receipt of the training course in Georgia SHINES, Youth Reporting Detail Page under Budget Management. (See policy [13.13 Independent Living Program: National Youth in Transition Database](#))
2. Send a Legal Action Request form to the Special Assistant Attorney General (SAAG) and request a Credit Reporting Court Order.
3. Once received, upload a copy of the court order into Georgia SHINES external documentation.
4. Complete the Credit Report Request for Youth in Foster Care (CRR) and email it to the ILP Credit Report Specialist (ILP CRS) at [ilpcredit@dhr.state.ga.us](mailto:ilpcredit@dhr.state.ga.us).

**NOTE:** The ILP CRS is responsible for obtaining the youth credit reports after receipt of the (CRR) and authorizing court order.

5. Document the completion of all steps related to obtaining the youth's credit report in Georgia SHINES **within six (6) months** of the incorporation of goals 1a-b (above) into the WTLP.

### Receipt and Review of Credit Reports

Upon receipt of responses from all 3 credit agencies, the ILP CRS will:

1. Create an encrypted PDF document for each credit report;
2. Upload the credit report responses into Georgia SHINES external documentation using the following document type names, as applicable:
  - a. Equifax Credit Report;
  - b. Trans Union Credit Report; and
  - c. Experian Credit Report
3. Complete a memorandum summarizing the findings of each report and upload to external documents in Georgia SHINES.
4. Email the assigned SSCM upon receipt of all 3 credit reports notifying them of their availability to review.

**Within 30 calendar days** of receiving the email from the ILP CRS, the SSCM will:

1. Review and discuss the results with the youth during a face to face contact. Ensure the discussion with the youth includes:
  - a. That all 3 credit reporting agencies responded that **no credit history exists** for the youth; or
  - b. That any of the 3 credit reporting agencies responded that the youth **does have a credit history (i.e., Credit History Found-Resolution Needed or Other)**.
2. If there is no credit history, document the discussion with the youth in Georgia SHINES within 72 hours.

3. If there is credit history reported, the SSCM should, in addition to discussing the report with the youth:
  - a. Download the credit report from Georgia SHINES;
  - b. Provide a copy of the report to the youth during the face-to-face contact;
  - c. Ensure the youth understands the content of the report(s);
  - d. Complete the Youth Acknowledgement of Credit Report Receipt form with the youth and upload the signed copy in Georgia SHINES;  
**NOTE:** If the youth refuses to accept the paper copy of his or her credit report, the copy of the report must be destroyed immediately (shredded). Indicate the date and method of how the credit reports were destroyed on the Youth Acknowledgement of Credit Report Receipt Form and upload into Georgia SHINES.
  - e. In collaboration with the youth, develop an action plan to initiate the process for resolving all inaccuracies; and
  - f. Document the discussion and action plan to resolve all inaccuracies noted in the youth's credit report in Georgia SHINES within 72 hours.  
**NOTE:** If the discussion of the credit reports occurs in conjunction with the Every Child Every Month (ECEM) contact, the documentation must clearly indicate that a-c noted above occurred.

### **Subsequent Annual Credit Reports and Consumer Credit Training**

Youth ages 16-17 who remain in foster care must have an annual credit report completed and receive annual consumer credit training. In order to obtain subsequent annual credit reports the ILP CRS will:

1. Track when annual credit reports are due for each youth ages 16-17 in foster care;
2. Request the annual credit report for the youth within 30 calendar days of the youth becoming eligible to receive his or her annual report; and  
**NOTE:** A new Court Order is not required to obtain subsequent annual credit reports.
3. Upon receipt of all 3 credit agencies reports, follow the same procedures for uploading credit reporting information, memorandum completion, and notification to the SSCM as outlined in [Receipt and Review of Credit Reports](#).

The SSCM will:

1. Follow the same procedures for discussion, resolution and documentation as outlined in [Receipt and Review of Credit Reports](#);
2. Ensure youth ages 16-17 complete Consumer Credit Training sessions annually.  
See [Consumer Credit Training Course Practice Guidance](#)  
**NOTE:** The youth may participate in individual, group, or electronic learning to meet the yearly training requirement.
3. Document the specific annual training the youth completed in Georgia SHINES.  
**NOTE:** RBWO providers should document all credit report training provided in the ILP Monthly Services Report under Budget and Finance Management.

### **Assisting Youth with Resolving Credit Report Inaccuracies**

To help the youth resolve all inaccuracies on their credit report, the SSCM will:

1. Collaborate with the youth's Guardian Ad Litem (GAL) and/or Court Appointed Special Advocate (CASA) to assist the youth in disputing and resolving the credit report findings by following the steps outlined in the article [Taking Charge: What to do if Your Identity is Stolen](#);

2. Complete written correspondence with all 3 credit reporting agencies and any businesses listed on the youth's credit report. In the correspondence include:
  - a. A copy of the temporary or permanent custody court order that authorizes DFCS to act as a representative on behalf of the youth;
  - b. A police report or affidavit explaining that the youth is a minor and as a protected consumer cannot enter into any type of contract;
  - c. A request that the account(s) be closed and a security freeze placed on the youth's credit profile; and
  - d. A request for a written response confirming that the disputed accounts were closed and the fraudulent debts were discharged.

**NOTE:** Any information shared in electronic form with an outside entity (credit bureaus etc.) must be sent in an encrypted file. Contact the Business Application Specialist (BAS) for assistance in creating an encrypted email.

3. Forward all correspondence received concerning resolution of the youth's credit report to the ILP CRS and request that the youth's credit history information memorandum is updated;
4. Upload all correspondence from the credit reporting agencies into Georgia SHINES External Documentation.

The ILP CRS will:

1. Complete a new credit history memorandum within **30 calendar days** upon receipt of information resolving the youth's credit history including:
  - a. The date of the resolution;
  - b. Which credit agency was involved; and
  - c. How the credit agency resolved the issue(s).
2. Upload the updated memorandum into Georgia SHINES External Documentation.

## PRACTICE GUIDANCE

### Consumer Credit Training Courses

The following may be used to meet the annual credit training requirements for youth:

1. Individual or group training that includes information on interpreting and understanding credit reports that is facilitated by a SSCM, Room, Board and Watchful Oversight (RBWO) provider, Independent Living Specialist (ILS) or other provider who has been trained in a consumer credit counseling curriculum (Credibility, etc.)
2. Electronic learning such as webinars, DVD programs, podcasts, or other electronic trainings. The following options are free of charge:
  - a. **TransUnion Consumer Education:** [Understanding How Credit Reporting Works](#)
  - b. **National Foundation for Credit Counseling: College Credit for Life**  
The College Credit for Life video and Tool Kit introduces students to lessons surrounding the temptations and responsible use of credit cards. Much of the video features young people talking about the mistakes they themselves made in college. The video also features other voices, in the form of an apartment rental agent, a car salesman, and a human resources executive, all discussing the implications that both responsible or irresponsible use of credit can have as students prepare to move on from college and into the real world. This video may be accessed through the following link: [College Credit for Life](#).
  - c. **Consumer Credit Basics PowerPoint-Michigan Credit Unit League**

This presentation includes basic information about lending and credit that everyone needs to know in order to use credit wisely and enjoy personal financial health. This training is appropriate for middle and high school students, as well as adult audiences and may be accessed through the following link: [Consumer Credit Basics Power Point](#)

**NOTE:** Other consumer credit training sources may be used, but must include information on interpreting and understanding credit reports.

### **Credit Reports for Older Youth in Foster Care**

The Child and Family Services Improvement and Innovation Act (P.L. 112-34) requires that all youth in foster care who are 16 to 18 years of age receive assistance in obtaining a copy of their consumer credit report each year until they leave foster care. The law also includes the provision that the youth receives assistance in interpreting the credit report and resolving any discrepancies. The youth's credit report must be generated from all three (3) credit reporting agencies and reviewed every 12 months from age 16 thru age 18 as long as the youth remains in foster care.

All youth, in or out of foster care, should be educated on the importance that credit history plays in their lives. Youth should be well informed and understand:

1. The information contained in credit reports is used to evaluate applications for loans, cell phones, cable, utilities, credit cards, insurance, employment, purchasing a car or home, renting an apartment, etc.
2. Regular monitoring of their credit report is important to ensure information is accurate, up-to-date, and to prevent identity fraud.
3. Once a youth reaches 18 years of age they can request their own annual free credit report at [www.AnnualCreditReport.com](http://www.AnnualCreditReport.com).
4. If they have a less than favorable credit score, they can be denied many of the aforementioned services, be asked for a large deposit to cover the cost of a service, or be denied employment opportunities.
5. The importance of correcting discrepancies and/or negative information on the credit report when they are first discovered.
6. The importance of protecting their identity and ways to protect their personal identifying information such as social security numbers and birth dates, etc.

### **Identity Theft (also referred to as Identity Fraud)**

Identity Theft/Fraud occurs when someone uses your identifying information, like your name, Social Security number or credit card number, without your permission, to commit fraud or other crimes.

Some examples of identity theft include, but are not limited to, the following:

1. Credit card accounts that the youth has not opened;
2. Utility bills in the youth's name created prior to the youth residing on their own, in their own home;
3. Car purchases if the youth does not have a vehicle;
4. Recurring electronic payments that are set up using the youth's debit or credit card information; or
5. The filing of income taxes using the youth's information.

All youth need to be aware that fraud or identity theft can occur in multiple ways such as by placing card readers or “skimmers” on ATM machines or gas pumps. Similarly, thieves are also able to use handheld devices, or “hack” into online accounts to obtain credit or debit card information from consumers, including personal identification numbers (PIN). Foster youth are at even greater risk of identity fraud due to the number of individuals that have access to their personal information, such as birthdates or social security numbers. As such, in addition to having an awareness concerning their personal information and finances, youth also need to know that if they find that their ATM or Debit card information has been used without their permission, their bank should be contacted immediately to assist the youth in deactivating their account information and assist in the recovery of funds. For more information on identity theft or fraud, visit [Consumer Information-Protecting Your Identity](#).

### **Initial Fraud Alert**

When discrepancies are noted on a consumer’s credit report at least one of the three (3) credit reporting agencies should be contacted and a request made to place a fraud alert on the consumer’s credit history. If an initial fraud alert is placed on an account, potential creditors must verify a person’s identity before extending credit. Initial fraud alerts are free and remain in effect for 90 days. An extended fraud alert may also be placed on a consumer’s credit history if requested and remains in effect for seven (7) years.

**NOTE:** Each credit reporting agency that receives a request to initiate a fraud alert is required to notify the other two (2) agencies in order that they also place a fraud alert on the consumer’s credit history.

### **Federal Government Consumer Credit Protection and Assistance Agencies**

The Federal Trade Commission (FTC) is the nation's consumer protection agency. The FTC's Bureau of Consumer Protection works to prevent fraud, deception, and unfair business practices in the marketplace including enforcing the Fair Credit Reporting Act (FCRA) with respect to the nation’s consumer reporting agencies — Equifax, Experian, and TransUnion. The FCRA requires these agencies to provide consumers with free copies of their credit reports, upon request, once every 12 months. The FCRA promotes the accuracy and privacy of information in the files of the nation’s consumer reporting companies. A credit report includes information on where you live, how you pay your bills, and whether you have been sued or arrested, or have filed for bankruptcy. Nationwide consumer reporting companies sell the information in your report to creditors, insurers, employers, and other businesses that use it to evaluate your applications for credit, insurance, employment, or renting a home. An FTC informational brochure entitled Facts for Consumers is located at [Consumer Information-Free Credit Reports](#)

### **National Identity Theft Victim Assistance Network (NITVAN)**

The National Identity Theft Victim Assistance Network is funded by the United States Department of Justice and is a resource that offers victim compensation and assistance throughout the United States. In addition, NITVAN offers programs to service providers in order to enhance their ability to assist identity theft victims.

### **WTLP Goal Timeframes**

Credit reporting goals are required to be added to the WTLP within 30 calendar days of a youth in foster care reaching the age of 16 or 17. Once included in the WTLP, the two goals related to credit reporting must be completed within the next six (6) months in which they were included or

prior to the next WTLF update. When a youth in foster care is within 60 days of reaching the age of 16 or 17, the SSCM will receive an alert in Georgia SHINES. When this alert is received, the SSCM should begin the process of updating the youth's WTLF regardless of whether or not the normal "six month update" is due in order to ensure that credit-reporting goals are included into the WTLF timely.

### **Youth Age 18 and Older Participating in the Extended Youth Supportive Services (EYSS) Program**

Although the requirement to obtain a credit report for youth in foster care ends in Georgia when the youth turns 18, the SSCM should assist youth participating in the EYSS program in obtaining their own annual free credit report online at [www.AnnualCreditReport.com](http://www.AnnualCreditReport.com).

**NOTE:** [AnnualCreditReport.com](http://www.AnnualCreditReport.com) is the only authorized source for the free annual credit report that adults can obtain pursuant to the Fair Credit Reporting Act.

For adults to obtain a free credit report online annually:

1. Go to [www.AnnualCreditReport.com](http://www.AnnualCreditReport.com);
2. Select State and click **"Request Report"**;
3. Complete the form - including Social Security number, date of birth, etc.;
4. Click **"Continue"** which will navigate to a page that lists all three reporting agencies (Equifax, Experian, TransUnion);
5. Click the check box for all three names;
6. You will be led through each agency;
7. The reports can be reviewed, saved and printed;

**NOTE:** The FREE credit report is only available **ONCE per year** (additional reports will cost). As such, try to establish a good time to do the credit reports annually – such as birthdays, etc. The reports will also provide information on what to do to resolve any false or inconsistent information.

### **FORMS AND TOOLS**

[Annual Credit Reporting.com](http://www.AnnualCreditReporting.com)

[Consumer Credit Basics PowerPoint](#), Michigan Credit Unit League

[Consumer Information-Protecting Your Identity](#)

[Credit Report Request \(CRR\) for Youth in Foster Care](#)

[Credit Reporting Court Order Example](#)

Facts for Consumers: [Consumer Information-Free Credit Reports](#)

[Federal Trade Commission](#)

[How to Get Your Credit Report](#)

National Foundation for Credit Counseling: [College Credit for Life](#)

[National Identity Theft Victim Assistance Network \(NITVAN\)](#)

[Taking Charge: What to do if Your Identity is Stolen](#)

[Understanding How Credit Reporting Works](#), TransUnion Consumer Education

[Youth Acknowledgement of Credit Report Receipt](#)