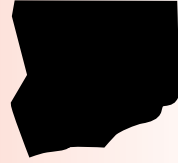


# CONNECTICUT



## Subsidized Guardianship Overview

Subsidized guardianship is an option that allows foster children to live permanently with guardians — often grandparents and other relatives — when they cannot live with their own parents and adoption is not viable. In most states, if the relatives choose to become legal guardians rather than remain as foster parents, the relatives would lose federal foster care assistance, which allows them to care for these children and pay for things like food, clothing and other necessities. Some states, including Connecticut, have created subsidized guardianship programs in order to help children exit the child welfare system into safe and permanent homes with relatives. Subsidized guardianships provide eligible relatives with the legal authority to make important decisions on behalf of the children in their care, while providing critical support to help meet the basic needs of children who cannot return to their parents. Subsidized guardianship payments may be equal to the state foster care rate, the Temporary Assistance for Needy Families (TANF) rate or somewhere in between.

Subsidized guardianships are available in some states through the use of state funds. Eleven states are able to provide subsidized guardianships as a result of an expired federal waiver program that allows them to use foster care funding, or Title IV-E of the Social Security Act. At this time, unless a state has such a waiver, there is no federal foster care funding for guardianship programs. Some states have used other sources of federal funding, such as TANF, to support their guardianship programs; however, these funding streams could be vulnerable to cut backs or eliminations in times of state budget shortfalls. Many states do not currently have subsidized guardianship programs.

The states that have implemented subsidized guardianship programs recognize that in certain family situations, guardianship or permanent custody might be the best permanency option available for a child for whom a court has determined that returning to parents or adoption is not viable. Subsidized guardianship arrangements are particularly important for children raised by grandparents or other relatives because they:

- Enable families to maintain bonds with the birth parent(s) who may have a physical or mental disability that makes them unable to care safely for the children in their own home;

- Honor the wishes of many older children who may not want to be adopted and/or break ties with their birth parents;
- Allow birth parents who may one day be able to resume caregiving activities to regain custody of the child with the oversight and approval of the courts and/or child welfare agency;
- Respect centuries of tradition in many cultures — including African-American and American Indian — of caring for related children without legally changing family relationships;
- Provide the courts with the flexibility to limit or expand the legal guardian's and parents' authority to best serve the changing needs of individual children, their caregivers, and birth parents;
- Limit ongoing state oversight and intervention in the lives of grandparents and other relatives who are ready to care permanently for children — already living in their homes — for whom adoption and reunification with their parents have been ruled out as permanency options.<sup>1</sup>

## Connecticut's Subsidized Guardianship Program

Since its authorization in 1998, Connecticut's subsidized guardianship program has helped 2,060 children exit the child welfare system into the permanent care of relatives. As of November 2006, there are 1,630 children in subsidized guardianship arrangements; the remaining 430 have aged out of the program.<sup>2</sup> These numbers are significant because there are more children in Connecticut living with relatives in subsidized guardianship arrangements than living with relatives in the child welfare system. As of July 2006, 1,210 children were placed with relatives in Connecticut's foster care system.<sup>3</sup>

To qualify for a subsidized guardianship in Connecticut, the child must be in the custody of the child welfare system and in the care of the relative for at least six months.<sup>4</sup> Reunification with the parents must be ruled out as a viable option because the parents are dead or unable to parent. If adoption is an option, the Department of Children and Families (Department) must counsel the relative caregiver on the advantages and disadvantages of adoption and subsidized guardianship. After being counseled, if the relative caregiver is interested in a subsidized guardianship, the Department will conduct an assessment to determine



if guardianship is a viable permanency plan for the child. If it is viable, a superior court judge will next consider whether guardianship is in the child's best interest.

After a judge finds guardianship to be in a child's best interest, that child will exit the foster care system and the relative caregiver will have legal decision-making authority for the child. The relative will now be able to consent to routine activities for the child like sleepovers and school field trips. The child will also receive the following supports from the Department until reaching the age of 18 or 21 if in full-time attendance at a secondary school, technical school, college or a state accredited job training program:

- A monthly subsidy that is generally equal to the Department's current foster care rate minus any income the child has, such as social security payments.
- Health benefits that were provided to the child while in foster care will continue, unless the child becomes eligible for private health insurance through the relative guardian's policy.
- A one-time exceptional expense payment of no more than \$500 per child for expenses incurred by the family in the transfer of custody process.

## Conclusion

Although subsidized guardianships have helped over 2000 children find permanent homes in Connecticut — children who otherwise would have likely remained in long-term foster care — the federal government does not provide Connecticut with any funding for its program. Furthermore, Connecticut has actually lost Title IV-E reimbursement for about 65 percent of the children it has exited from the foster care system into subsidized guardianships.<sup>5</sup> This loss of funding and lack of federal reimbursement for the program makes it more vulnerable than the state's foster and subsidized adoption programs, which benefit from federal funding.

The children in Connecticut who have permanent homes as a result of its subsidized guardianship program represent only a fraction of the children who need this opportunity. Across the U.S., there are 20,000 children who have lived with relatives for a year or more in the foster care system and do not have a goal of adoption or reunification with their parents.<sup>6</sup> They cannot leave the system because they do not have other options. Many of these children live in states that do not have subsidized guardianship programs through either state funds or a federal waiver. Allowing federal Title IV-E foster care funding to be used for subsidized guardianship programs would help these nearly 20,000 children exit foster care to safe permanent homes with relatives.

For information about pending legislation affecting subsidized guardianships, visit Generations United's website at [www.gu.org](http://www.gu.org) or call (202) 289-3979. For additional information about Connecticut's subsidized guardianship program, contact Sandra Matlack, DCF Bureau of Adoption and Interstate Compact Services, State of Connecticut at (860) 550-6392 or [sandy.matlack@po.state.ct.us](mailto:sandy.matlack@po.state.ct.us).

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Generations United (GU) is the national membership organization focused solely on improving the lives of children, youth, and older people through intergenerational strategies, programs, and public policies. For further information, please contact: Generations United (GU), 1333 H Street, N.W., Suite 500W, Washington, D.C. 20005 (202) 289-3979, Fax (202) 289-3952; email: [gu@gu.org](mailto:gu@gu.org).



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- <sup>1</sup> Bissell, Mary and Miller, Jennifer (eds). *Using Subsidized Guardianship to Improve Outcomes for Children: Key Questions to Consider*. Children's Defense Fund and Cornerstone Consulting Group, 2004.
- <sup>2</sup> According to Sandra Matlack, DCF Bureau of Adoption and Interstate Compact Services, State of Connecticut (email communication November 6, 2006).
- <sup>3</sup> Confirmed by Blandina Kelly, DCF Office of Foster Care Services, State of Connecticut (email communication November 6, 2006).
- <sup>4</sup> Conn. Gen. Stat. Sec. 17a-126 (retrieved November 14, 2006, from <http://search.cga.state.ct.us/surs/chap319a.htm#Sec17a-126.htm> and <http://www.cga.ct.gov/2005/act/Pa/2005PA-00254-R00SB-01038-PA.htm>) and DCF Agency Regulations 17a-126 (retrieved November 14, 2006, from <http://www.dir.ct.gov/dcf/regslaws/Regulations/REGS17a-126-1.htm>)
- <sup>5</sup> According to Sandra Matlack, DCF Bureau of Adoption and Interstate Compact Services, State of Connecticut (email communication November 6, 2006).
- <sup>6</sup> Fostering Results (2004). *Family Ties: Supporting permanence for children in safe and stable foster care with relatives and other caregivers*. Retrieved November 14, 2006, from <http://www.fosteringresults.org/results/reports.htm>.