

Comparison of Transfer of Guardianship and Adoption

(The below information pertains to DCF subsidized guardianship, permanent guardianship and adoption programs)

	<i>Transfer Of Guardianship w/ relative</i>	Adoption
Legal Status	<p>Birth parents no longer have right to make decisions for the child, but maintain certain parental rights. Birth parents can petition the court to regain custody of the child.</p> <p>Permanent Relative Guardianship: Birth parents cannot petition court to regain custody.</p>	<p>Adoption is a permanent legal relationship involving the complete severance of all parental rights of the birth parents. Birth parents do not have rights to future decision making regarding the care, custody/supervision of the child. Birth parents cannot ask the court for consideration to regain custody.</p>
Caregiver Rights	<p>Guardians have legal and physical responsibility for the child and assume the rights of care, custody and supervision of the child/youth. If birth parent petitions to regain custody, the guardian has right to object.</p> <p>Permanent Relative Guardianship: caregivers maintain their parental rights; birth parents cannot petition court to regain custody.</p>	<p>Adoptive parents have all the rights and responsibilities of a <i>birth</i> parent.</p>
Decision Making for child/youth	<p>Guardians make all decisions regarding school, medical treatment and consent for major life decisions regarding the child/youth, subject only to court orders.</p>	<p>Adoption allows for all decision making by the adoptive parents</p>
Process	<p>DCF funded Subsidized Guardianship program: STOG and Adoption options for permanency must be discussed with the family prior to the transfer of guardianship. Youth age 14 and older must agree to their permanency plan of relative guardianship. Subsidized guardianships are only provided to approved or licensed relative foster parents.</p> <p>Permanent Relative Guardianship: if the guardianship is to be subsidized financially and/or medically the same</p>	<p>Termination of Parental Rights is needed in order to free a child for adoption. Youth 12 and older must sign the adoption court paperwork as evidence of their agreement to be adopted.</p>

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	<p>criteria applies per policy for the STOG guardianship program as outlined above.</p> <p>Related or non related permanent guardianship: A youth age 12 and over must consent to the plan of permanent guardianship.</p> <p>Non DCF funded TOG: The SCJM may transfer guardianship with or without DCF agreement.</p>	
Visitation with birth parents	<p>Birth parents have the right to request visitation, which court may grant based on best interests of child. If no court order, visitation decisions are made by legal guardian.</p> <p>Permanent related or non related guardianship: visitation is at the discretion of the permanent guardian.</p>	<p>Informal Open Adoption agreements (no court involvement)</p> <p>Formal Open Adoption: visitation and/or contact is negotiated between the birth and adoptive parents before finalization and is typically a part of the Superior Court for Juvenile Matters TPR process.</p>
Financial Subsidies (Subsidized programs only)	<p>Families must be licensed or approved by DCF or a state licensed child placing agency as a relative provider. Relative guardians may receive a subsidy that shall be negotiated up to 100 % of the foster care rate. The financial subsidy continues as long as the youth is enrolled as a full time student until age 21 and is in the care/custody of the relative guardian.</p> <p>The child's financial subsidy may be transferred to another DCF licensed or approved out of state relative upon the death or physical/medical incapacity of the current relative to provide for the related child.</p> <p>Relative permanent guardianship: The above is the same for permanent relative guardianship.</p> <p>Unrelated permanent guardianship is not subsidized financially or medically.</p> <p>*** CGS 17a-126</p>	<p>Families must be licensed or approved by DCF or a state licensed child placing agency as an adoptive provider.</p> <p>A child must be certified as having "special needs" prior to adoption in order to be eligible for a financial subsidy. Adoptive parents may receive a subsidy that shall be negotiated up to 100 % of the foster care rate depending on the "special needs" of the child. The financial subsidy shall not exceed the current foster care rate to the pre adoptive family. A financial subsidy may continue until the child's 18th birthday based on the circumstances of the child. The financial subsidy ends at age 18 per CGS 17a-117. Financial subsidies are not transferrable.</p>
Medical coverage provided	<p>The medical subsidy continues until age 21 for youth who are CT residents and full time students.</p>	<p>A child must meet criteria as having "special needs" prior to adoption. Medical subsidies are not</p>

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(Subsidized programs only)	<p>Out of state relative caregivers must apply for Title XIX in their state of residence.</p> <p>Permanent relative guardianship: medical coverage is the same as the above.</p> <p>Unrelated permanent guardianship does not include a medical subsidy.</p>	<p>transferrable. Youth who reside in CT may receive CT Medicaid medical insurance up to their 21st birthday if they reside with their adoptive family. For minor children who reside outside of CT with their adoptive family must request assistance in securing medical insurance from the DCF subsidy unit prior to moving out of state. They will be eligible for Medicaid medical insurance in states that participate in the Interstate Compact on Adoption and Medical Assistance.</p>
College Assistance (Subsidized and non subsidized programs)	<p>There is no post secondary educational financial assistance provided by DCF.</p> <p>Permanent relative or unrelated guardianship: there is no post secondary educational financial assistance provided by DCF.</p> <p><i>Youth in legal guardianship can be considered as "independent" for purposes of financial aid for college. The subsidy to the guardian is not taken into consideration.</i></p>	<p>Children/youth adopted from DCF foster care after 12/31/04 may seek financial post secondary education assistance per DCF policy. The youth must contribute financially to their education. The youth shall apply for available federal and state grants and scholarships to qualify for the above assistance.</p> <p>Beginning with the scholastic year of 2009, FFAFSA allows youth adopted at age 13 or older, to be considered independent students.</p>
Taxes	<p>Subsidy income is not taxable if the child is considered a dependent. It may be considered as an asset or other available monies to the child/family when applying for other federal/state assistance programs.</p> <p>The same is true in the relative permanent guardianship program.</p>	<p>Federal adoption tax credits may be available to adoptive parents upon filing federal tax returns.</p> <p>Subsidy income is not taxable if the child is considered a dependent. It may be considered as an asset or other available monies to the child/family when applying for other federal/state assistance programs.</p>

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Other items	<p>Once guardianship is transferred, DCF licensed or approved relative guardians may access the Adoption Assistance Program for post TOG referral to community services and support. The AAP is located at the University of CT Health Center, Farmington, CT. Telephone number: 1-877-679-1961</p> <p>Families may also apply to The DCF Voluntary Services Program by calling 1-800-842-2288</p> <p>The same services above are available under permanent relative guardianship.</p> <p>Unrelated permanent guardians may access services via the DCF Voluntary Services program.</p>	<p>Once an adoption is finalized, families who've adopted children from DCF foster care may access the Adoption Assistance Program for referral to community services and support. The AAP is located at the University of CT Health Center, Farmington, CT. Telephone number: 1-877-679-1961</p> <p>Families may also apply to The DCF Voluntary Services Program by calling 1-800-842-2288</p> <p>Day care assistance may be available for one year post finalization through Care4kids. Adoptive families must apply for Care 4 Kids through the Dept of Social Services after finalization.</p>
Is the case with DCF open or closed?	<p>The child's case is closed in the DCF area office upon transfer of guardianship. A subsidy case remains open for financial and medical review purposes only in DCF Central Office. Families can call the subsidy unit at 1-800-842-6348 for assistance with direct deposit, address changes and related questions.</p> <p>The above applies to permanent relative guardianship cases.</p> <p>Unrelated permanent guardianship cases are closed by the area office.</p>	<p>The child's case is closed in the DCF area office. A subsidy case remains open for financial and medical review purposes only in DCF Central Office. Families can call the subsidy unit at 1-800-842-6348 for assistance with direct deposit, address changes and related questions.</p>