



FINDING MORE HOMES FOR FOSTER CHILDREN

Arkansas Foster Care System Implements a
New Program: Subsidized Guardianships for
Children Placed in Relative Foster Homes

Arkansas Advocates for Children and Families
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Introduction

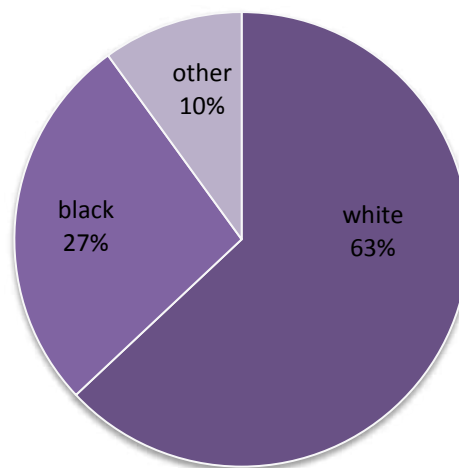
Relatives have long played an important role in raising children when their parents cannot. This is part of our culture of helping our family members in times of need. The 2010 U.S. Census found that 65,000 Arkansas children under 18 are living with their grandparents. Many others are being raised by aunts and uncles, cousins, and older siblings. An advantage of relatives caring for children is that they have an established relationship with the child. In many cases it is better for a child to be with a related adult whom they know and trust than to go into a foster care family or facility with people they don't know.

Nearly 1,000 children who entered foster care in State Fiscal Year 2011 were placed in a relative foster home¹. This represents 24% of all children who entered foster care for State Fiscal Year 2011. See the chart at the end of the report for the breakdown by county. The state has different goals when placing children with relatives. For two thirds of these children, reunification with their parents is the goal. They are placed temporarily with relatives until issues can be resolved and they can be returned to their parent. Adoption is a goal for another 9 percent of the children placed in relative foster homes. The relative may be in the process of adopting the child or caring for the child until an adoptive family can be found.

While adoption is a more permanent solution for children, there are circumstances when the relative who is keeping the child may not want to adopt them. Often, the parent may not be capable of taking care of a child's daily needs, but the relative may want the child to have a relationship with the parent and does not want the parental rights terminated. Or, there may be a chance in the near future for the child to return to their parent. When reunification and adoption are not possible, a guardianship may be an option. In a guardianship, the court appoints a person to serve in the parental role, allowing that person to have access to medical and educational records and make official decisions for the child.

¹ Number of children placed in a relative foster home or a relative provisional foster home between July 1, 2010 to June 30, 2011.

Racial make-up of children living in relative foster homes



Many states offer subsidized guardianships for foster children. The guardian receives a monthly payment to help offset the cost of caring for the child, and the child is able to leave the foster care system. Until recently, states had to use state money for this; Arkansas was one of a handful of states that did not offer it. With the passage of the Federal Fostering Connections Act in 2008, federal money to support subsidized guardianship programs became available. The law emphasizes supporting relatives caring for children in the foster care system. It allows states to use federal money for subsidized guardianships for children who are eligible for Title IV-E (meaning they are below a certain income range) and for whom returning to a parent and adoption are not viable options.

There is good news for Arkansas. The state will begin a subsidized guardianship program in November of this year. The Arkansas Division of Children and Family Services (DCFS) will use federal funds to offer subsidized guardianships to relatives for children who are eligible under IV-E, and go further by using state funds to offer subsidized guardianships for non IV-E eligible children. Subsidized guardianships are an important step in finding new ways to help children in foster care find homes. This brief provides an overview of the new program and the potential it has to help more children leave foster care and stay connected with their families.

Overview of the Subsidized Guardianship Program

Once a judge has determined that guardianship is the best option for a child, DCFS will determine if the relative meets the requirements for a guardianship payment. These requirements include:

- Returning to a parent and adoptions are not appropriate for the child.
- The relative is related within the fifth degree. See chart.
- The relative has been a fully licensed foster home for six months. (Until the six months have passed, a foster care board payment may be received.)
- The child has a strong attachment to the relative.
- The child has been consulted. For children 12 or older, they must give written consent, unless the judge determines otherwise.

Relatives Who Are Eligible:

- **Grandparent, sibling, (2nd degree)**
- **Great-grandparent, uncle or aunt, nephew or niece (3rd degree)**
- **Great-great-grandparent, great-uncle or aunt, first cousin (4th degree)**
- **Great-great-great-grandparent, great-great uncle or aunt, or a first cousin once removed (5th degree).**

If these requirements are met, the relative must sign a subsidized guardianship agreement with DCFS. The monthly payment will be equivalent to a foster care board payment (\$410 to \$500 a month depending on the age of the child). Special circumstances may warrant a higher rate, such as special medical needs. It depends on the age of the child on how long a relative may receive a payment. If a child enters a subsidized guardianship before he is 16, the subsidy payments may continue until he reaches the age of 18. If a child enters a subsidized guardianship after the age of 16, he will be eligible until age 21 if he is attending school, participating in a job skills program, working at least 80 hours per month, or cannot do those things because of a medical condition.

The new federal law also helps keep siblings together. If a child meets the criteria, her siblings who are related by

biological, marital, or legal ties will be eligible, even though the relative may not be related to the sibling. The same age requirement for receiving a subsidized guardianship payment also applies to siblings. If the sibling is placed with the relative before 16 years of age, the relative is eligible for payments until the child turns 18. If the sibling is placed after 16 years of age, the sibling will still be eligible until 21 if she meets the education or other requirements listed above.

A review of the subsidized guardianship agreement will be required annually and the relative must provide certain information in order for DCFS to file an annual report with the court. Under Arkansas law, all guardianships must submit an annual report to the court. The relative will have to submit certain documents to DCFS annually such as immunization records and verification of enrollment and regular attendance at school.

DCFS will reimburse a relative up to \$2,000 for legal expenses to file the guardianship with the court. In most cases DCFS will file the paperwork with the court, so a relative will only incur a few expenses, such as traveling to court.

This is a brief summary of the program. To see the full policy and procedures go to <http://humanservices.arkansas.gov/dcf/dcfDocs/Master%20DCFS%20Policy.pdf>.

What it Means for Arkansas

It is difficult to estimate the number of children who may be able to leave foster care through a subsidized guardianship because reunification with their parent and adoption must be ruled out first. It is safe to say that some of the children already placed in the foster homes of relatives may be eligible. Since the law also allows siblings of these children to be placed with the relative, this will potentially open the door to more children because many are part of sibling groups.

Arkansas' new subsidized guardianship program may result in less administrative costs to the state. DCFS will still have to manage the contract with the guardian and submit the annual report to the court, but a caseworker will no longer be assigned to the case. The program is expected to decrease the number of cases in court since the child will not have to make periodic appearances in court. A recent study of three states with subsidized guardianship programs found that the programs are cost effective because of the administrative costs saved from closing the case.¹ Children in subsidized guardianships may still be eligible for some services (e.g., family counseling if there is a potential of disruption of the guardianship) that are available to foster children. Children who are 16 and older will be eligible for transitional living services such as education and training vouchers.

Currently, there are over 4,000 children in foster care. Subsidized guardianship

An Arkansas Example

A young girl has entered foster care because her mom has mental health issues and is not able to take care of her. An aunt of the child is willing to help and has gone through a foster home licensing process. She does not want to adopt because she wants the child to have a relationship with her mom and wants to maintain the mother's parental rights.

The child has been placed with the aunt, and has gotten to know her uncle and other family members. The aunt would like to see if she is eligible for a subsidized guardianship.

will provide Arkansas with another option to help find a home for these children. This will allow fewer children to linger in the system with the potential of multiple placements. Almost half of the children in foster care have had three or more placements.ⁱⁱ Research shows that youth who age out of the foster care system without an established relationship to an adult are much more likely to become pregnant and have children at an early age, be homeless, lack a high school education, experience unemployment, have criminal involvement, and suffer mental health issues.

Most importantly, the subsidized guardianship program allows a child to leave the foster care system and be connected to their family by helping their family have the resources to take care of them.

Sources:

i: Testa, M. & Cohen, L. (2010). Pursuing Permanence for Children in Foster Care: Issues and Options for Establishing a Federal Guardianship Assistance Program in New York State.

ii: Quarterly Performance Report, SFY 2011 Third Quarter. Arkansas Department of Human Services DCFS Quality Assurance Unit, p. 34.

Number of children by county placed in relative foster home in State Fiscal Year 2011

County	Children	County	Children
Arkansas	11	Lee	4
Ashley	9	Lincoln	8
Benton	37	Little River	1
Boone	5	Logan	4
Bradley	3	Lonoke	30
Carroll	8	Madison	3
Chicot	8	Miller	12
Clark	4	Mississippi	6
Clay	5	Monroe	2
Cleburne	10	Montgomery	2
Cleveland	6	Nevada	2
Columbia	1	Newton	2
Conway	13	Ouachita	4
Craighead	34	Perry	1
Crawford	22	Phillips	2
Crittenden	36	Pike	4
Cross	22	Poinsett	13
Desha	10	Polk	6
Drew	3	Pope	17
Faulkner	13	Pulaski	142
Franklin	18	Randolph	8
Fulton	9	Saline	18
Garland	37	Scott	2
Grant	2	Sebastian	67
Greene	18	Sevier	5
Hempstead	1	Sharp	25
Hot Spring	6	Stone	13
Howard	7	Union	4
Independence	28	Van Buren	2
Izard	9	Washington	20
Jackson	11	White	2
Jefferson	111	Woodruff	10
Johnson	16	Yell	1
Lawrence	13	Total	988



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