

POLICY VIII-L: SUBSIDIZED GUARDIANSHIP

REVISION OR TERMINATION of SUBSIDIZED GUARDIANSHIP AGREEMENT

08/2013

Revisions to the subsidized guardianship agreement and/or payments may be requested any time there is a significant change in the child's circumstance and the relative guardian can provide the required and/or requested documentation. To request a revision to the subsidized guardianship agreement and/or payments, the family shall contact the DCFS Permanency Specialist or designee.

The subsidized guardianship agreement and, consequently the subsidized guardianship payments, shall be revised or terminated as appropriate:

- A. If the child is absent from the relative guardian home for more than 14 days in a month (in such an event, the child will be eligible for only a portion of the month that he or she was in the relative guardian home) excluding when a child 18 or older lives in an approved independent living situation outside of the home (e.g., college dorm); or,
- B. When the terms of the subsidized guardianship agreement are fulfilled; or,
- C. If the child begins receiving SSI, SSA, or any other source of income excluding any income that the child may earn from his or her own employment (the relative guardian is responsible for notifying the Division if the child begins receiving other sources of income);
- D. If the child has attained the age of 18 for those who entered into the subsidized guardianship arrangement prior to the age of 16; or,
- E. If the child has attained the age of 21 for those who entered into the subsidized guardianship arrangement at the age of 16 or older; or,
- F. If the child who has an extended subsidy (i.e., up to age 21) does not meet the education or employment conditions outlined above in the Subsidized Guardianship Payments section; or,
- G. If the child who has extended subsidy (i.e., up to age 21) is no longer determined to have a mental or physical handicap which warrants the continuation of assistance; or,
- H. If the guardianship was solely because of the child's minority the child who has an extended subsidy (i.e., up to the age of 21), upon reaching the age of 18 years or older requests the guardianship be terminated; or, by the child reaching the age of majority, then the guardianship is terminated when the child who is eighteen (18) years of age or older requests termination of guardianship.
- ~~H-I.~~ If the child becomes an emancipated minor; or,
- ~~I-J.~~ If the child marries; or,
- ~~J-K.~~ If the child enlists in the military; or,
- ~~K-L.~~ If the relative guardian(s) are no longer legally or financially responsible for the support of the child; or,
- ~~L-M.~~ If the guardian(s) die; or,
- ~~M-N.~~ If the guardianship is vacated; or,
- ~~N-O.~~ If the child dies.

Subsidized guardianship payments may continue to be paid on behalf of the child if the child moves out of the relative guardian's home or otherwise lives independently of the guardian(s) as long as the guardian(s) continue to provide support to the child.

If a child whose relatives are receiving subsidized guardianship payments on his or her behalf re-enters DHS custody, the subsidized guardianship agreement will be terminated until such time that the child is reunified with the relative guardian(s), or, in certain cases until such time that a legal guardianship with the successor guardian is determined to be in the child's best interest, it is determined that the child and successor guardian qualify for a subsidized guardianship, and a new subsidized guardianship agreement with the successor guardian is finalized. A successor guardian is not entitled to any payments that would have been made to the initial

guardian during the time a child spends in DHS custody. The successor guardian may only receive subsidized guardianship payments once the court has formally appointed the successor guardian as the child's legal guardian and the subsidized guardianship agreement is in effect.

PROCEDURE VIII-L2: Denial of Subsidized Guardianship Arrangement

0814/20131

If at any point in time it is determined in consultation with the FSW supervisor and ~~for~~ DCFS Permanency Specialist or designee that a legal guardianship supported by a subsidy is not appropriate for the child and/or relative guardian applicant, the ~~DCFS Permanency Specialist~~ FSW will:

A. Complete and provide to the relative guardian applicant CFS-435-B: Notification of Subsidized Guardianship Program Denial.

B. Keep File a copy of CFS-435-B in the ~~provider~~ DCFS Permanency Specialist's file record.

~~B-C.~~ Notify the FSW and FSW Supervisor of the decision.

D. Note in CHRIS contacts screen reason for subsidized guardianship denial.

~~C-E.~~ Work with the family and county office, as appropriate, to determine the permanency goal that is in the child's best interest and/or how the child and/or relative guardian applicant may become eligible for a legal guardianship supported by a subsidy or

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