



Kinship Caregivers and the Child Welfare System

A number of grandparents and other relatives care for children whose own parents are unable to care for them. Sometimes, the arrangement (referred to as “kinship care”) is an informal, private arrangement between the parents and relative caregivers. In some cases, guardianship is given to relative caregivers and child welfare is not involved; in other situations, the local child welfare agency is involved. This factsheet is designed to help kinship caregivers—including grandparents, aunts and uncles, other relatives, and family friends caring for children—work effectively with the child welfare system. Resources, such as links to more detailed information or places to find help, are included.

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Kinship Care and the Child Welfare System

Child welfare systems vary from State to State, but they generally include public agencies such as departments of social services or family and children's services. These State or county agencies often work with private child welfare agencies to provide services for families and children. Caseworkers at these agencies are required by law to ensure the safety, well-being, and permanent living arrangements of children. Their responsibilities include investigating reports of child abuse and neglect and arranging for services for children and families.

Child welfare agencies strive to provide services and resources to keep children in their homes with their families whenever possible. Services might include parent education or counseling for mental health concerns; resources might include concrete help with child care or housing. Child welfare workers help parents build protective factors—such as parental resilience, knowledge of parenting, and social connections—that will ensure the safety of their children.¹

When children cannot remain safely with their parents, placement with relatives is preferred over placement in foster care with nonrelatives. Caseworkers try to identify and locate a relative or relatives who can safely care for the children while parents receive services to help them address the issues that brought the children to the attention of child welfare. Placement with relatives—or kinship care—provides permanency for children and helps them maintain family connections.

How the Child Welfare System Becomes Involved in Kinship Care

The involvement of the child welfare system in kinship care varies from State to State since each State has its own laws and practices that govern these situations. It also varies from case to case, depending on the children's age, safety needs, legal custody, and other differences. If American Indian or Alaska Native children are involved, the Federal Indian Child Welfare Act must be followed.²

A child welfare caseworker may initially approach a grandparent or other relative about becoming a kinship care provider. In other situations, a family may contact the local child welfare agency for help. Some examples of these two types of contact are discussed here.

The Child Welfare Agency Makes the Contact

The local child welfare agency can initiate the contact to place children with kinship caregivers under a number of circumstances, as discussed on page 5. However, in any of these circumstances, if no relatives can be located who are willing to take the children, they may come into the legal custody of the State and may be placed into nonrelative foster care.

A report of child abuse or neglect is made. Child protective services screen reports of child abuse and neglect according to State policies and practices. If investigators believe that children are in danger in their own home, they may be removed. Agencies are required to exercise due diligence in finding and notifying all grandparents and other adult relatives within 30 days after children are removed. Caseworkers often ask a relative to care for children until the case goes to court. If the case goes to court and charges are proven, the court and child welfare agency may select relatives to care for the children until a parent can safely care for them, or an alternative placement may be made.

Parents are arrested. Police may arrest a parent or parents, but be willing to leave the children with a relative. The police then notify the child welfare agency of this temporary placement. Depending on the State laws and practice, the agency may leave the children with the relatives, take them into the State's legal custody and place them into nonrelative foster care, or take them into State custody but place them with the relatives.

¹ Read about all the protective factors in *Making Meaningful Connections: 2015 Prevention Resource Guide* at <https://www.childwelfare.gov/pubPDFs/2015guide.pdf>.

² The Indian Child Welfare Act (ICWA), P.L. 95-608, states that Tribes have the right to be involved in the child welfare and placement of Tribal children. For more information, visit the Bureau of Indian Affairs website at <http://www.bia.gov/WhoWeAre/BIA/OIS/HumanServices/IndianChildWelfareAct/index.htm>.

Parents die. In the event that the custodial parent or both parents die, the child welfare agency may be responsible for locating relatives with whom the children can live.

Parents or Other Family Members Make the Contact

In some situations, it is the parents, grandparents, or other relatives who contact the child welfare agency about the children.

A parent leaves the children with grandparents or other relatives and does not return. Abandonment by a parent, even if it is temporary, may prompt kinship caregivers to call child welfare services and ask for help. In these situations, caseworkers may be able to offer services or help the kin to seek temporary legal custody through the court. However, if the parent remains missing and the kin cannot continue to care for the children, the children may be taken into the State's legal custody and placed in another home.

Grandparents or other kin are no longer able to care for children under an informal arrangement. In these situations, the kinship caregiver may have planned to care for the children for a long time without agency help, but an unexpected circumstance forces the caregiver to seek help from the child welfare agency. For instance, the caregiver may become ill, a child may suddenly need special services, or the caregiver may lose a job and no longer be able to support the children financially. Child welfare workers may be able to provide services for the kinship caregiver or other placements for the children.

Parents voluntarily give up custody due to their own illness. Parents suffering from mental health concerns or from a debilitating illness, such as HIV/AIDS, may contact the child welfare agency and ask the agency for help. In such situations, caseworkers may seek out relatives with whom the children can be placed, rather than placing them with nonrelative foster parents. Many States have standby guardianship laws to address the needs of parents with debilitating or terminal illnesses. For more information on these State laws, see Information Gateway's *Standby Guardianship* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/guardianship/>.

Parents no longer want a child or children to live with them. In these situations, parents may turn over custody to the child welfare agency. This is more common when children are teenagers. If child welfare agencies take custody in these situations, the child welfare workers may look for relatives with whom the children can live.

Involvement of the Courts

Kinship caregivers who are part of the foster care system are likely to have some involvement with the court—in most States, this occurs in a family or juvenile court.³ In cases in which the children have been removed from their parents because a parent has been accused of child abuse, neglect, or abandonment, the following steps may happen:

1. Child protective services investigators investigate the report of child abuse, neglect, or abandonment usually by visiting the home and interviewing family members.
2. If the investigators find enough evidence, they may decide to remove the children from their home for their own safety. The children may be placed with relatives, who then have physical custody.
3. There is a **preliminary hearing** (sometimes called an emergency removal or a shelter care hearing) before a judge. The court determines whether to temporarily allow the children to be placed elsewhere, such as with the kinship caregiver, until the trial.
4. At the **trial** (also called the "adjudicatory hearing"), the judge decides whether there is enough evidence to prove that child abuse, neglect, or abandonment occurred.

³ A full description of how the court process works in child welfare cases can be found in "The Court Experience" in Section 5 of McCarthy et al. *A Family's Guide to the Child Welfare System* at http://gucchd.georgetown.edu/products/AFamiliesGuide_English.pdf.

5. If the judge decides that the child or children should be removed from the parents, even temporarily, a **dispositional hearing** may also take place at this time. At this hearing, the judge determines where the children will live for the time being and who will have legal custody of them.
6. At least every 6 months after that, there will be **review hearings** before the judge to determine how the parents are progressing with their service plan (for treatment, parenting classes, or other requirements), how the children are doing in the home of their kinship caregiver, and whether the service plan or goals for the children should be revised.
7. In addition to the review hearings, a **permanency hearing** is held 12 to 14 months after a child is removed from the home and every 12 months after that. At this hearing, the judge makes decisions about where the child will live permanently. The permanency hearing in court may involve many people with an interest in the child, including parents, caseworkers, relatives, and foster care providers. It may also include the child or youth, depending on the child's age.
8. Another type of hearing that may or may not occur is a **termination of parental rights hearing**. Under the Federal Adoption and Safe Families Act (ASFA), there is a specific timeframe for parents to meet the goals in their service plan in order for their children to return home with them. If parents are unable to meet these requirements and children spend 15 out of 22 months in foster care, the child welfare agency is required to either seek termination of parental rights or to document their reasons for requesting a time extension. When parents' rights are terminated in court, the parents no longer have any legal relationship to the child, and the child is free to be adopted by someone else. However, if the child is living with a relative and the State has decided that this is an acceptable permanency plan, then the agency does not need to ask the court to terminate the parents' rights.

"In my case, I found it helpful to write a letter to the judge ahead of the court date, telling how the kids were doing and whether the parents were complying with their requirements. Sometimes you don't get a chance to talk in court, so this was my way of making sure my voice was heard."

— Kinship Caregiver and Navigator

Whenever possible, grandparents or other relative caregivers should make arrangements to attend court hearings; they may even be asked to testify at them. It is important for kinship caregivers to give their view of the situation and to get a full understanding of the court's decisions. It is also important for the caregiver to be there to support the children if they appear before the judge.

Questions to ask the child welfare caseworker about court hearings:

- When and where is the hearing?
- Is this a permanency hearing or a review hearing?
- What will be decided at the hearing?
- Who will be present?
- Who will have a lawyer?
- Do I need a lawyer? If so, who can help me find one?
- Who will represent the child or children? May I speak to that person?
- May I speak at the hearing?
- What is the schedule of future hearings?
- Will the child speak at the hearing? How can I best support him/her?

Different Types of Kinship Care

Children may come to live with their grandparents or other relatives in a number of ways, and only some of these ways involve a child welfare agency. Kinship care arrangements fall roughly into three categories: (1) informal kinship care, (2) voluntary kinship care, and (3) formal kinship care.

Informal Kinship Care

Informal kinship care refers to arrangements made by parents and other family members without any involvement from either the child welfare agency or the juvenile court. A parent may leave children with a grandparent while he or she is sent overseas, or an aunt may care for nephews whose parents are ill or otherwise unable to care for them. In this type of arrangement, the legal custody of the children remains with the parents, and parents can legally take back their children at any time. Kinship caregivers in these circumstances may have difficulty enrolling the children in school, obtaining health insurance, authorizing medical care, and accessing other benefits because they do not have legal custody of the children. However, most States have consent forms that parents can sign to allow kinship caregivers to have some temporary decision-making power regarding the children. Generally, the only type of financial assistance available to kin caregivers in this type of arrangement is the child-only Temporary Assistance for Needy Families (TANF) benefit (see “Services and How to Access Them” on page 9).

Temporary Guardianship

Parents who are able to plan for their children living temporarily with a relative may consult an attorney about granting temporary guardianship to the relative. Although laws vary from State to State, temporary guardianship often requires an attorney to draw up papers that are presented in court for a judge’s approval. Once temporary guardianship is granted, the relative can make decisions, such as medical and education decisions, for the welfare of the child or children. This works well in cases where the parents initiate the temporary guardianship for the relative.

When children have moved in with relatives on an unplanned, emergency basis, and the parents are either unable or unwilling to grant temporary guardianship to the relatives, then options are limited for the kinship caregiver to make legal, medical, and education decisions affecting the children. The kinship caregiver may want to consult an attorney or legal clinic about options.

Physical custody refers to where the child lives. If your grandchildren or niece and nephew live with you, you have physical custody of them. You may feed and clothe them, help them with their homework, and take care of them when they are sick.

Legal custody refers to the legal right to make decisions about the children, such as where they live. Parents have legal custody of their children unless they voluntarily give custody to someone else or a court takes this right away and gives it to someone else. For instance, a court may give legal custody to a relative or to a child welfare agency. Whoever has legal custody can enroll the children in school, give permission for medical care, and give other legal consents.

The same person does not necessarily have both physical and legal custody. For instance, as a grandparent, you may have physical custody of your grandchildren because they live with you, but their mother or father may still have legal custody or the State agency may have legal custody.

Voluntary Kinship Care

Voluntary kinship care refers to situations in which children live with relatives and the child welfare agency is involved, but the State does not take legal custody. In some cases, children have been placed with relatives by a court, and in other cases an arrangement is made by the child welfare agency with no court involvement. Again, depending on their jurisdiction, parents may be able to sign a State consent form allowing kinship caregivers to have some temporary decision-making power regarding the children. This type of kinship care covers a wide variety of circumstances and varies greatly from State to State. Some situations that might result in voluntary kinship care include:

- Child welfare workers find signs of abuse or neglect by the parents, but the evidence is insufficient to support taking the children into State legal custody. Instead, caseworkers, parents, and kin work out a voluntary kinship care arrangement in which the children move in with the kin.
- Under the guidance of child welfare workers, parents voluntarily place their children with relatives while they (the parents) receive treatment for substance abuse or mental health issues.

Parents may agree to voluntary placements of their children with a relative in order to prevent the child welfare agency from going to court to pursue involuntary placements. Some jurisdictions will require the parents to sign a voluntary placement agreement with the child welfare agency when the children are placed with relatives.

Formal Kinship Care

In formal kinship care, children are placed in the legal custody of the State by a judge, and the child welfare agency then places the children with kin. In these situations, the child welfare agency, acting on behalf of the State, has legal custody of the children and relatives have physical custody. The child welfare agency, in collaboration with the family, makes legal decisions about the children, including deciding where they live. The child welfare agency is also responsible for ensuring that the children receive medical care and attend school. If the court has approved visits with parents or siblings, the child welfare agency is responsible for making sure that these visits occur. In formal kinship care, the child's relative caregivers are certified or approved as foster parents and have rights and responsibilities similar to those of nonrelative foster parents.

The Importance of Siblings: Relationships that children have with their brothers and sisters are often the longest lasting relationships of their lives. These relationships can take on even more importance for children removed from their parents. Federal law strongly encourages keeping siblings together, and special rules apply to sibling placements. If it isn't possible for a kinship caregiver to provide a home for all of the siblings in a family, it is especially important that the siblings maintain contact through a variety of means such as visits, phone calls, emails, and social media. These ties can provide some stability and permanency for children. Read about some children's and adults' feelings about their siblings at <http://www.fosteringperspectives.org/fpv14n1/FPv14n1.pdf>.

What to Expect From the Child Welfare System

After children are placed in their home, kinship caregivers may wonder what they can expect in their future interactions with the child welfare system. Much depends on whether the legal custody of the children remains with the parents or kinship caregiver (voluntary kinship care) or with the State or child welfare agency (formal kinship care). These two situations are addressed separately on page 7.

As a Voluntary Kinship Caregiver

Voluntary kinship caregivers may expect a range of assistance from child welfare caseworkers. In States where this type of arrangement is accepted and promoted by child welfare, kinship caregivers may find that caseworkers are involved in the following ways:

- **Ensuring safety.** Caseworkers may ensure that the kinship caregivers and their homes meet minimal requirements for the safety of the children. For instance, most States require that child welfare workers conduct criminal background checks and child abuse and neglect registry checks on household members. Caseworkers' primary concern is children's safety.
- **Visiting.** In some States, caseworkers may make periodic visits to ensure that children remain in a safe environment. Caseworkers may also provide support and offer parenting education to kinship caregivers.
- **Offering services.** Some States have services available for children and families in voluntary kinship care. These might include referrals to therapy for children or support groups for family members. (More information on "Services" is provided on page 9.)
- **Changing the custody status.** If parents are not meeting service plan requirements or if children are placed in dangerous situations by the custodial parent, caseworkers may help kinship caregivers petition the court for temporary legal custody of the children. Caseworkers also may go to court and petition to have the children placed in the legal custody of the State.

Some voluntary kinship cases involve very limited contact with the child welfare agency. Once the caseworker has completed background checks on household members, the caseworker may be satisfied that the children are in a safe environment and may not contact them again. In these situations, kinship caregivers who need help or services may need to contact the caseworker or locate community services proactively.

As a Formal Kinship Caregiver

In terms of child welfare agency involvement, formal kinship care resembles nonrelative foster care more than it resembles voluntary kinship care. In both formal kinship care and foster care, the State has legal custody of the children. All States have requirements (e.g., training, background checks, household setup) that nonkin foster parents must meet before they can care for children in their home through the foster care system. While kinship caregivers generally must meet the same requirements, they are usually given some flexibility in the amount of time they have to meet requirements because placement of the children is often unexpected.

Compared to voluntary kinship placement, caregivers in formal kinship care have more structured involvement with the child welfare agency and access to more services. This structure can be helpful in working with the children's parents, schools, or medical care arrangements; on the other hand, caregivers may have less flexibility to make independent decisions about the children. The following are some of the ways that the child welfare agency may be involved in formal kinship care or kinship foster care:

- **Ensuring safety or licensing standards.** Caseworkers conduct criminal background checks and child abuse registry checks on all adult household members in the kinship caregivers' home. Caseworkers may be required by the State to consider the home's size and condition, the caregiver's income, others who live in the home, and available transportation. While States have the option to waive nonsafety licensing standards, most States require kinship foster homes to meet all standard requirements for foster home licensure. Some States will waive requirements if they do not affect the child's health or safety. Kinship caregivers may be required to complete foster parent training. Caregivers should ask whether they are required to be licensed in order to care for children and whether licensing will allow them to receive foster care payments.

- **Supervision/support.** The caseworker will support all family members to help ensure that the children are safe and doing well. To do this, part of the caseworker's job includes making telephone calls and periodic visits to the home. The caseworker may also provide referrals for services, such as counseling. In most situations, relative caregivers will take the children to medical appointments and work with children's schools. In some situations, caseworkers have more responsibility for these services.

The caseworker and family members, including the kinship caregivers, should work together to ensure that children's needs are met.

- **Arranging parent-child or sibling visits.** In most situations, the court will encourage the parent or parents to visit their children. The caseworker will work with the parents and kinship caregivers to make arrangements for the visits.

In some cases, kinship caregivers may be responsible for providing transportation for the children or for supervising the visits in their own home. For siblings who are not living together, maintaining contact through visits and other means is also important.

"Visits with their parents are so important for children, but kinship caregivers can't always be there to supervise. When they can't make it, it's important to let the caseworker know so that other arrangements can be made, and children won't miss a visit and be disappointed."

— Kinship Caregiver and Navigator

Family Group Conferencing, Family Team Conferencing, Family Group Decision-Making

These terms are used to describe a meeting or series of meetings arranged by a child welfare agency or mediator and attended by family members, friends, teachers, and other adults who are important in the life of the child. If the child or youth is old enough, he or she may also attend. The child welfare worker generally serves as an organizer and facilitator. The goal is to develop a plan for where the child will safely live until he or she can return to the parent. These meetings may also be used to provide input into the child's service plan (see below) and concurrent (backup) plan. The meetings may also be used to help build protective factors and social supports for the kinship family.

As a kinship caregiver, you should be included in these types of meetings. If your child's caseworker has not arranged these meetings, you may want to ask about them.

- **Service planning.** With input from the parent(s) and often from the children, other relatives, and other involved adults, the child welfare agency will develop a service plan (sometimes called a "case plan" or "permanency plan"). The service plan covers two major issues:
 1. **A permanency goal for each child.** The permanency goal states where that child will grow up. In most situations, the permanency goal for a child is to return to a parent (called "family reunification"). Many States require "concurrent planning," which means that the child welfare agency must create a primary plan and a backup plan. Often, the primary plan or goal will be to return the child to a parent. If this is not possible, the backup plan may be for the kinship caregiver to become the child's adoptive parent or legal guardian.
 2. **Actions that the parent and child welfare agency need to take** so that children can be allowed to return to their parent or so that another permanency goal can be achieved. For parents who have abused alcohol or drugs, the service plan may state that the parent must successfully complete substance abuse treatment. For parents who have abused or neglected their children, the plan may include completing parent education classes. In some cases, there may be requirements for new living arrangements to keep the children safe. There may also be requirements for others involved with the children.

Kinship foster caregivers should be involved in creating the plan and should receive copies of the final plan. Caseworkers should review service plans with everyone involved at least every 6 months to measure progress toward goals and decide whether the plan needs to be changed.

Questions for the new kinship caregiver to ask the child welfare caseworker about taking responsibility for the children:

- Who has legal custody of the children?
- What rights and responsibilities does legal custody give in this State? Physical custody?
- May I receive a copy of the signed voluntary placement agreement? (when applicable)
- May I be involved in developing the service plan and receive a copy of the plan?
- Will the children or I have to go to court?
- Who is responsible for enrolling the children in school, obtaining health insurance, granting permission for medical care and obtaining it, signing school permission forms, etc.?
- Will someone from child welfare services visit my home on a regular basis?
- What are the requirements for me and my home if I want the children to live with me?
- Are the requirements different if the children are with me just temporarily?
- What services are available for me and for the children, and how do I access them?
- Are there restrictions on the discipline I can use (such as spanking) with the children?
- What subsidies or financial assistance is available? What do I need to do to apply?
- Am I eligible to become a licensed foster parent and receive a foster care subsidy?
- Will the child welfare agency or social services provide support for child care?
- Will I receive transportation help to take the children to medical appointments?

Services and How to Access Them

The child welfare agency often provides services or referrals to other groups that provide services, including schools. Services and referrals are more likely to be available to children in formal kinship care than to those in voluntary kinship care. When children are in the legal custody of the State, it is the child welfare agency's responsibility to ensure that children receive appropriate assessments and services, as discussed in the following sections.

Therapy and counseling

Children who have been removed from their parents often need therapy or counseling.⁴ Those who have experienced any form of abuse or neglect may also have experienced trauma. It is important to have children assessed to address the possibility of trauma, because early identification and treatment can lessen the long-term effects. For more information about the signs and treatment of trauma, read Information Gateway's *Parenting a Child Who Has Experienced Trauma* at <https://www.childwelfare.gov/pubs/factsheets/child-trauma>. Additional resources can be found on the National Child Traumatic Stress Network at <http://www.nctsn.org>.

Kinship caregivers should follow the progress of children's therapy and counseling and may be asked to participate in therapy sessions or use specific parenting strategies with children at home.

⁴ If therapy or counseling is being paid for through private insurance, there may be limits on the number of visits.

Financial Support

Many grandparents and other relative caregivers struggle with the costs of providing for the children under their care. Depending on a number of factors, including the caregiver's age, caregiver's income, child's income, child's disability status, number of siblings, and the legal status of the caregiving arrangement (i.e., voluntary or foster care), there may be financial supports available. Some of the programs include:

- **The Temporary Assistance to Needy Families (TANF)** program is designed to provide financial assistance while helping low-income families become self-sufficient. Caregivers do not need to have legal custody in order to apply for TANF benefits, but they do need to meet their State's TANF definition of a kin caregiver. A caseworker can provide information or refer a caregiver to the correct place to find information on eligibility for TANF, how to apply for benefits, documents and other information needed, and whether to apply just for the children or for the entire family. Even if a relative caregiver or the caregiver's family does not qualify for TANF benefits, it is possible to apply for and receive benefits for the relative children being cared for in the home. In these situations, only the children's income is considered for eligibility. If the children have little or no income, it is likely that they will be eligible to receive TANF benefits. Depending on their State of residence, these benefits may be available until children's 18th birthdays.
- **SNAP (Supplemental Nutrition Assistance Program)** refers to the Federal Food Stamps program. SNAP is available to families with incomes below a certain level. In this case, the entire household's income is considered, and the relative children can be included in family size for determining benefit amount. A caregiver cannot apply for SNAP for the children only. Application is generally made at the same office where TANF applications are made. Find out more at <http://www.fns.usda.gov/snap/supplemental-nutrition-assistance-program-snap>.
- **Supplemental Security Income (SSI)** may be available to children or caregivers who are disabled. This is also available to anyone over age 65. Information about SSI benefits is available from the local Social Security office or online at <http://www.ssa.gov/ssi/text-eligibility-ussi.htm>.
- **Kinship guardianship or foster care payments** may be available to relative caregivers. The requirements for receiving these payments vary from State to State. However, States have the option to pay for kinship guardianship assistance program (GAP) payments to support children and youth placed in guardianship arrangements with relatives.⁵ Relative caregivers who are licensed foster parents taking care of children placed with them by their local child welfare agency or court also may be eligible for such payments. These payments are generally higher than other forms of reimbursement, such as TANF. (Subsidized guardianship is described in "Permanent Families for the Children" on page 13.)

Health Insurance

Many children being raised by relatives are eligible for medical insurance through either Medicaid or the Children's Health Insurance Program (CHIP). Medicaid provides coverage for many health-care expenses for low-income children and adults, including visits to the doctor, checkups, screenings, prescriptions, and hospitalization. State CHIPs cover many of these costs for children who are not eligible for Medicaid, although each State has different rules for eligibility and coverage. In most cases, only the child's income is used to determine eligibility for Medicaid or CHIP, not the income of the kinship caregiver. Caseworkers can direct kinship caregivers to the appropriate agency to apply for health insurance coverage through these programs. Every State permits grandparents or other kinship caregivers to apply for Medicaid or CHIP on behalf of the children for whom they are caring. Most States do not require the caregiver to have legal custody in order for the children to be eligible. Find out more at <https://www.healthcare.gov/medicaid-chip/getting-medicaid-chip>.

⁵ States differ. To read the full text of the Federal Fostering Connections to Success and Increasing Adoptions Act, which made this option available to States, visit <https://www.govtrack.us/congress/bills/110/hr6893>.

Respite Care

Grandparents and other relative caregivers seeking a break from full-time child care may find some relief in respite care. Respite care refers to programs that give caregivers a break by caring for children for short periods of time—either on a regular schedule or when a caregiver needs to travel, go into the hospital, or otherwise be away for a few days. In some respite programs, a respite caregiver comes into the home to care for the children; in other cases, the children attend a camp or other program away from the home.

Availability of respite care may be limited and may depend on the needs of the caregiver and/or the child. Child welfare agencies should have more information about the availability of such programs, and caregivers should ask about these programs.

Support Groups

Child welfare agencies may be able to connect caregivers to a local support group of other kinship caregivers. Listings for support groups are also found in the National Foster Care and Adoption Directory (<https://www.childwelfare.gov/nfcad/>). Sharing stories with others who have similar experiences can be helpful and can ease the isolation that grandparents (and other kin) raising their grandchildren or relative children often experience. Facebook and other social media also sponsor kinship caregiver groups.

Kinship Navigator Programs

Kinship Navigator Programs are available in some areas to help kinship caregivers identify and access the help and services they need to raise their grandchildren or relative children. These programs fund a staff “navigator” who provides caregivers with information about how to obtain health care, financial support, legal aid, emergency services, and more, as well as how to work with the court system. The navigator may also be able to link kinship caregivers with support groups, counseling, and other community services.

Since 2009, the Children’s Bureau, within the U.S. Department of Health and Human Services, has supported 27 Kinship Navigator Programs, including the 7 most recent Child Welfare/TANF Collaboration in Kinship Navigation programs funded in 2012. These programs were funded through the Fostering Connections to Success and Increasing Adoptions Act of 2008.

To find out if there is a program in your area, contact your local child welfare agency or visit the Information Gateway website for a list of State programs at <https://www.childwelfare.gov/topics/outofhome/kinship/support/navigator>.

“I’ve enjoyed the support groups and learned some important things from others in my same situation.”

“It’s nice to meet others and find out you’re not alone.”

— Kinship Caregivers and Navigators

Two Stories From a Kinship Navigator Program*

Debbie received custody of her six grandchildren about 5 years ago. She was overwhelmed at the prospect of caring for six grandchildren in her very small efficiency apartment. She heard about the Kinship Program, quickly called the intake line, and was assigned to Gail. Gail supported Debbie with the guidance, resources, and assistance she desperately needed. Debbie also received tutoring assistance and counseling services for the children. It didn't take much time for Debbie and her grandchildren to develop a close and lasting bond. Today, Debbie frequently attends the night Kinship Support groups with her grandchildren, ages 7–19, where they enjoy the company of other children. Debbie also attends the day groups, where more personal conversations are held among caregivers.

Angela has custody of her three grandchildren, ages 6–16. When Angela first came to the Kinship Program, she was living in a two-bedroom apartment with her disabled daughter. Accepting her grandchildren into her home was a challenge in such a small living space. She was scared and anxious about how she was going to handle her situation. Her kinship coordinator offered the support, guidance, resources, and assistance that Angela and her family needed. The children also received tutoring assistance and counseling services. These supports made life much more manageable for Angela and her children. Angela continues to attend both the night and day Kinship Support groups. The advice shared and friendships made have been a wonderful experience for Angela.

**(Anecdotes are courtesy of the Children's Home, Tampa, FL, which received a Children's Bureau Kinship Navigator grant in 2012.)*

Permanent Families for Children

"Permanency" is a term used by child welfare workers to mean a legally permanent and nurturing family for a child. "Permanency planning" involves time-limited, goal-oriented activities to maintain children within their families of origin, including kin, or to place them with other permanent families. Some of the options that might be considered by a court for permanency include reunification, guardianship, and adoption.

Reunification

Reuniting children with a parent or parents is the first choice of child welfare agencies when this option will ensure the safety and well-being of the children and provide a permanent family for them. Family reunification can occur when the judge agrees that the parents have met the goals set out in their service plan, for instance, the completion of substance abuse treatment. Each State has different laws, and it is the judge in a review hearing or permanency hearing who makes the decision to give custody of the children back to the parent. The judge bases this decision on evidence from the parent, the child welfare worker and agency, other adults who may be involved, and often, the children and the kinship caregiver.

Guardianship

Guardianship is a legal option for permanency, and it may be especially appropriate in kinship care. Federal law encourages States to consider a relative rather than a nonrelative when seeking a guardian for a child who cannot return home.

When a grandparent or other relative becomes the child's legal guardian, legal custody is transferred from the State to the relative by a court; therefore, in most circumstances there is no further involvement by the child welfare agency. In guardianship arrangements, parents' parental rights are not terminated. Thus, grandparents or other relatives who

become the child's guardian have legal and physical custody, act as the child's parent, and make decisions about the child. Birth parents often retain some visitation or other rights. Guardianship is especially appropriate if the children are older and want to maintain some ties with their parents or if the grandparent or other relative caregiver prefers not to have the parents' rights terminated (as in adoption) but needs to establish a permanent legal arrangement with the children in order to be able to make education, health care, and other decisions for the child.

Most States have **subsidized guardianship** programs so that guardians continue to receive payments similar to those they received as foster parents. This allows children to have permanent family relationships without causing guardians to lose necessary monthly subsidies. In subsidized guardianship, there is some ongoing involvement of the child welfare agency, although it is significantly less than in foster care. For instance, the child welfare worker may visit once a year to make sure that the child is still living with the relative and to determine if services are still needed.

Adoption

Some kin caregivers choose to adopt the children in their care. Since adoption is often the agency's preferred permanency plan for children not returning to their parents, relatives may adopt in order to keep children living with biological family members. Adoption assistance (subsidies) may be available to kin families who adopt; however, they would no longer be eligible for temporary assistance child-only grants.

As with foster care and guardianship, the child welfare agency must ensure that the home and prospective adoptive parents meet certain State standards for the safety and well-being of the children. Standards for adoption may be more stringent than those for foster care in some States. These requirements and standards will apply even for kin who have been caring for the children under a foster care arrangement.

Children can be adopted only after the court has terminated all the legal rights of the parents or the parents have voluntarily surrendered all of their parental rights permanently. A court must finalize the adoption. Depending on their age and the State law, courts will often ask the children if they agree to the adoption. For children with special needs who have been in foster care, there may be ongoing adoption assistance (subsidies) available to kin who adopt.

Once the adoption is finalized, the grandparent or other relative becomes the legal parent of the child and there is generally no further involvement by the child welfare agency after that finalization, except in circumstances involving adoption assistance. (For more information on adoption assistance, see Child Welfare Information Gateway's *Adoption Assistance for Children Adopted From Foster Care* at <https://www.childwelfare.gov/pubs/f-subsid/>.)

Questions to ask the child welfare caseworker regarding long-term arrangements:

- What is the current permanency goal for each child? (Siblings may not have the same goal.)
- What are options for the children if they can never return to their parents?
- What are my options if the children cannot return to their parents?
- Under what circumstances can I receive a subsidy to help pay for the children's care?
- Will the legal arrangement be affected when the children turn 18?
- How will the child welfare agency continue to be involved with my family?
- How will various permanency options affect services available to the child/children (e.g., tuition assistance, health insurance, independent living services, etc.)?

Conclusion

Kinship care is an excellent option for children and youth who cannot safely remain with their parents. Kinship caregivers can sometimes be confused or frustrated working with an unfamiliar child welfare system. Using the information in this factsheet may help kin caregivers understand and work with the child welfare system to provide the best outcomes, including a permanent family, for their relative children.

Resources and Links to More Information

For information on the child welfare system

- *How the Child Welfare System Works* (Child Welfare Information Gateway)
English: <https://www.childwelfare.gov/pubs/factsheets/cpswork/>
Spanish: <https://www.childwelfare.gov/pubs/factsheets/spcpswork/>
- *A Family's Guide to the Child Welfare System* (National Technical Assistance Center for Children's Mental Health at Georgetown University Center for Child and Human Development, Technical Assistance Partnership for Child and Family Mental Health at American Institutes for Research, Federation of Families for Children's Mental Health, Child Welfare League of America, and the National Indian Child Welfare Association)
English: http://gucchd.georgetown.edu/products/AFamilysGuide_English.pdf
Spanish: <http://www.tapartnership.org/docs/familyGuideToChildWelfare-spanish.pdf>
- Links to State Child Welfare Agency Websites (Information Gateway) https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspROL&rolType=Custom&RS_ID=16

For information on kinship care, including national organizations

- Child Care and Related Issues: Help for Children Living With Relatives
<https://www.usa.gov/child-care#item-36982>
- State Factsheets on Kinship Care (American Association of Retired Persons, Brookdale Foundation Group, Casey Family Programs, Child Welfare League of America, Children's Defense Fund, and Generations United)
<http://www.aarp.org/relationships/friends-family/grandfacts-sheets/>
- Generations United
<http://www.gu.org/>
- Grandfamilies State Law and Policy Resource Center (Casey Family Programs, American Bar Association Center on Children and the Law, Generations United)
<http://www.grandfamilies.org/>
- *Grandparents Raising Grandchildren* factsheet series (University of Georgia College of Family and Consumer Sciences)
<http://spock.fcs.uga.edu/ext/pubs/ecd.php?category=Grandparents%20Raising%20Grandchildren>
- Grandparents Raising Grandchildren (Colorado State University Extension)
<http://www.ext.colostate.edu/grg/>
- *The Kinship Parenting Toolbox* (collection of articles on a variety of relevant topics)
<http://www.emkpress.com/kinshiptoolbox.html>
- *A Resource Guide for New Hampshire Relative Caregivers*
<http://www.dhhs.nh.gov/dcyf/documents/relativecaregivers.pdf>

- National Kinship Alliance for Children
<http://kinshipalliance.org/>
- *Through the Eyes of a Child—Grandparents Raising Grandchildren* series (University of Wisconsin extension)
<http://fyi.uwex.edu/grandparenting/through-the-eyes-of-a-child/fact-sheets/>

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