

## **What is the Relative Caregiver Program?**

The Relative Caregiver Program describes the array of services available for relative and fictive kin caregivers when DCBS opens a case for services. Relatives and fictive kin may have the option to accept placement if DCBS becomes involved with the family and the child is not able to remain in the home with the parents. The relative or fictive kin can choose to either receive temporary legal custody of the child or the child can be placed in DCBS custody and the relative or fictive kin caregiver can pursue approval as a foster parent. With either option, DCBS will be completing home visits and helping to coordinate services that may be needed. Children and caregivers may receive supportive services, such as resource information and referrals for services, support groups, and ongoing case management until permanency is achieved. Should reunification not be possible, post permanency services are available and may include a subsidy if you adopt the child from foster care. The Guardianship Assistance Program will be an additional support in the near future.

## **What type of financial assistance can I get?**

Financial assistance to help pay for the child's needs is available, but the amount and type depends on the type of arrangement made. In some cases, child support may be ordered. In other cases, a relative may be able to receive K-TAP. If you are pursuing foster parent approval, you will receive a per diem.

## **Permanency Options**

### **What is adoption?**

When you adopt a child, you become his or her legal parent. A court order terminates the biological parent's rights to the child permanently. Legal representation is necessary to complete this process, regardless of whether a child is in DCBS custody at the time the adoption process begins.

### **What is guardianship?**

Guardianship is typically granted by District court rather than Family court and lasts until a child is 18. Parents do maintain parental rights although they do not have physical custody. Guardianship permits the caregiver to consent for educational and medical care and do everything the parent would do. Parent's can request to rescind guardianship but must return to court to do so.

### **What is permanent relative custody?**

If a child is placed with you by DCBS and you choose not to pursue becoming a foster parent, you may be granted temporary legal custody of the child. The goal will be reunification with the parents', however if that cannot occur due to the parents not making changes that allow the child to return home safely, a judge may grant permanent relative custody. The parents may petition the court in the future to request custody be returned and typically must show completion of case plan tasks.



# **CHFS**

*Cabinet for Health and Family Services*

## **Kentucky Relative Caregiver Program Department for Community Based Services (DCBS)**



## Why can't the child stay at home?

Sometimes children are abandoned, their parents die, or a parent incarcerated. Sometimes a child is being abused or neglected at home.

## What are the benefits of the related child being placed with me?

Placement with a relative or fictive kin caregiver can help prevent entry into the state foster care system. If DCBS has to find somewhere else for a child to live, it is often difficult for the child to be placed with strangers. It is important for family to be involved to provide support.

## What does fictive kin mean?

Fictive kin is an individual who is not related by birth, adoption, or marriage to a child, but who has an emotionally significant relationship with the child.

## What is family-planned care?

The parents informally ask a caregiver to care for the child. There is no court or DCBS involvement and no formal agreement between the caregiver and DCBS. Under this agreement, the parents can take the children back whenever they want to. You probably cannot make certain decisions. You may be able to get basic medical care but cannot make major decisions or enroll the child in school. If DCBS is involved, they may help to guide you in the best option for your family.

## What are things to consider when having a child placed with me?

Taking a child into your home is a major step. There are several options for caregivers.

### Types of arrangements

- Family-planned care
- Power of attorney for care of a child or affidavit for health and school decisions
- Legal custody by relative or fictive kin
- Guardianship

### DCBS Permanency Options

- Reunification with birth parent
- Permanent relative custody
- Guardianship Assistance Program (once available)
- Adoption

\*\*If you need assistance in deciding which option is best for your family, talk to your local DCBS worker first. You may also receive additional support by contacting us via the resources listed below.

**Kinship Support Hotline**  
**877-565-5608**

**relativecaregiver@ky.gov**  
**www.chfs.ky.gov**  
**www.kyfaces.ky.gov**

## What is a power of attorney or affidavit?

Power of attorney (POA) for the care of a child is a legal agreement between you and the parents, making you the official caregiver for the child. This designation enables you to make legal, medical and educational decisions for the child. To set up POA you don't need an attorney or have to go to court. You need to fill out a POA form and have two witnesses sign the form along with the parents. An affidavit to make health care treatment and school-related decisions is also an option for the relative to complete on behalf of the child for a period of a year and can be renewed each year.

## What is legal custody?

A judge grants an order for legal custody. With a custody order, you can make decisions about a child's schooling and medical care. The order also generally outlines guidelines for parental visitation or contact. Often orders require parents to pay child support. If you are a relative you may apply for Kentucky Transitional Assistance Program (KTAP) for some financial assistance.

