

Greetings,

The Illinois Department of Children and Family Services (DCFS) is seeking your partnership as we increase permanency options for children in the care of DCFS. We are seeking to substantially reduce the number of children in care, as well as their length of stay in care, by focusing on permanency options that provide safe and permanent living arrangements for children.

All children deserve a stable, secure, permanent living arrangement in a loving home that allows them to thrive and develop into successful adults. When children are placed in the care of DCFS, we work with parents to address the concerns that brought their children into care, with the goal of strengthening and reunifying the family.

When reunification is not possible, DCFS turns to several options, including the historically underutilized option of Guardianship. DCFS is committed to ensuring that Guardianship is recognized as a viable path to permanency for children and families.

Guardianship helps prevent children from having to experience unnecessarily lengthy stays in care and allows children to live permanently with relatives and fictive kin whom they know and love who will help them maintain a sense of belonging, identity and relationships with their parents and extended family. Guardianship is sometimes the best permanency option for children living with relatives and fictive kin who have strong emotional ties to the children's birth parents and termination of parental rights is not deemed in the best interest for children and the relative or fictive kin prefer the option of Guardianship. Through Guardianship, caregivers can provide a permanent, safe and stable environment for children when it is best to preserve existing family bonds. Guardianship does not require parental rights to be terminated before legal responsibility can be transferred to a relative or fictive kin. It honors the wishes of older children who may not want to consent to their adoption. It preserves children's rights of association with their siblings, grandparents and other extended family members that are essential to their long-term well-being. Birth parents also may retain residual rights to visit and maintain a presence in their children's lives, which can be difficult to guarantee after parental ties have been legally severed.

Guardianship under the federal KinGAP program can be considered for children who have been living for six consecutive months in the home of a relative or fictive kin who has been licensed for at least six months. A child who has attained 14 years of age must be consulted and agree to the guardianship arrangement. Children who do not qualify for subsidized guardianship under KinGAP, are 12 years of age and younger or have eligible siblings may also qualify for the state-funded option of guardianship.



Once Guardianship is legally granted, guardians assume the legal authority to make decisions that affect the children's life and development, such as school enrollment and routine medical care, and they can consent to marriage, major medical treatment and enlistment in the armed services. Although Guardianship legally ends when children turn 18 years of age, most guardians have family ties or a close relationship with the children and thus intend to commit to a lifetime relationship with the children. For children who are 16 years of age or older when the guardianship is awarded, the subsidy can continue until age 21 pursuant to the Fostering Connections program guidelines.

Amendments to the Illinois Juvenile Court Act (Public Act 102-0193), which became effective July 30, 2021, provide additional clarity regarding the review of available permanency options for children in care. The Illinois Juvenile Court Act recognizes Guardianship as a viable alternative when return home and adoption are deemed inappropriate and not in the best interests of the children. Guardianship provides an opportunity to support children's long-term permanent relationships with relatives and fictive kin in their community. DCFS is currently collaborating with its partners to review current practices and develop long-term system reform with respect to Guardianship.

Similar to parents who adopt children in care, DCFS provides a financial subsidy to legal guardians, for eligible youth, in order to help with the ongoing expense of caring for the children in their care. Families who become legal guardians of children formerly in the care of DCFS receive assistance and resources that includes a monthly stipend to assist with the children's food, shelter, clothing and personal allowance. Youth also receive health insurance that pays for necessary medical care and prescriptions. Legal guardians' subsidies may also include support services, such as counseling, physical therapy and medical equipment; and additional payments for daycare services, when applicable.

DCFS is in the process of developing a comprehensive work plan to review existing policies and practices that impact this permanency option. We are partnering with community providers and experts to create a more streamlined path for guardianship and improved outcomes for these youth. We ask that all public and private partners and stakeholders become familiar with Guardianship as a viable permanency option, review Public Act 102-0193 and partner with DCFS to create long-lasting permanent relationships for children in care.

Monica Mosley-Cantrell (Statewide Permanency Administrator) and Deborah Kennedy (Associate Deputy Director of Performance Monitoring and Execution), and their staff, will be available to provide additional information and support.

Sincerely,



Timothy Snowden
Chief Deputy Director
Permanency and Intact Services