

Kinship Caregivers Guide

A guide for adults who are caring for
the children of relatives or family friends



 **VERMONT**
AGENCY OF HUMAN SERVICES
DEPARTMENT FOR CHILDREN & FAMILIES

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Additional Copies

To request additional copies of the guide, please call Vermont Kin as Parents at (802) 871-5104.

It is also available online at <https://dcf.vermont.gov/pubs>.

Acknowledgments

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- ➔ People who have been in your shoes
- ➔ Government agencies and community organizations that support kinship caregivers

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CHAPTER 1: INTRODUCTION

The idea of kinship care is not new. Throughout history, relatives and friends have helped each other during times of need. They have cared for each other's children during the birth of a child, following the death of a loved one, during a serious illness and while the parents were out of town for work.

Today, however, increasing numbers of children are being cared for by "kin" on a full-time basis.

Kin can include:

- An adult relative such as a grandparent, aunt, uncle, cousin or older sibling
- A non-related adult who has a family-like bond with the child or family (sometimes referred to as *fictive kin*)

Why kinship care happens

It happens for many reasons, including when parents are:

- Separated from their children by choice or circumstance (e.g., deportation, incarceration, military deployment or substance use disorder treatment)
- Unwilling or unable to safely care for their children
- Deceased

Kinship care can happen through both formal and informal arrangements — on either a temporary or permanent basis.

It might start with grandparents caring for their grandchildren on weekends, then for longer periods of time and then, before they know it, all the time.

How kinship care happens

The two most common ways children come into the care of relatives or family friends are:

1. VOLUNTARILY:

When parents arrange for relatives or friends to care for their children while they can't — perhaps for a few months over the summer or for longer periods while the parents are completing military service or working out of the area.

2. INVOLUNTARILY:

When a family court orders the removal of a child from their home as the result of a juvenile proceeding in which the State alleged the child or youth:

- ➔ Was abused or neglected
- ➔ Was without or beyond the parents' control *OR*
- ➔ Committed a delinquent act

How this guide can help

If you're considering or already providing kinship care, this handbook is for you!

It includes information about:

- ➔ The kinship options in Vermont
- ➔ Caring for the child
- ➔ The court process
- ➔ Resources that can help

Research shows that kinship placements help children stay connected to their family histories, cultural identities and community connections. This sense of identity and belonging — of knowing who they are and where they come from — is essential to their well-being.

CHAPTER 2: KINSHIP OPTIONS

This chapter provides information about the kinship options available in Vermont and how the decisions you make may affect your family and the child in your care.

Different options may result in:

- ➔ Different sources of support to help you care for the child
- ➔ Varying levels of authority to make decisions for the child

Make sure you know and understand the differences between the available options before deciding which one to pursue. Reach out for help and advice if you need it.

The kinship options in Vermont

There are six types of kinship arrangements in Vermont. The ones available to you will depend on the situation.

WHEN THERE'S NO STATE CHILD ABUSE OR NEGLECT CASE:

1. Informal arrangement
2. Minor guardianship (*probate court*)

WHEN THE STATE HAS FILED A JUVENILE PETITION IN FAMILY COURT:

3. Conditional custody (*family court*)
4. Foster care (*family court*)
5. Permanent guardianship (*family court*)
6. Adoption (*family court & probate court*)

Consider your options

As you consider the options available in your situation, it's important to ask yourself questions such as:

- ➔ How long might the child live with us?
- ➔ How long can we provide a home for the child?
- ➔ What type of kinship arrangement would we like to have?
- ➔ What are the options available to us?
- ➔ What rights and responsibilities does each option bring?
- ➔ Will we need the authority to make certain decisions?
- ➔ What authority does each option give us?
- ➔ How might the arrangement we choose affect:
 - ⇒ The financial assistance that might be available to help us care for the child/youth
 - ⇒ The youth's ability to access financial aid for college

Get help to choose the best option

If you need help deciding which option to pursue, call Vermont Kin as Parents (VKAP) at (802) 871-5104.

VKAP can help you:

- ➔ Think through the issues you'll face
- ➔ Understand the options available and how each one could affect the child and your family
- ➔ Make the decision that's right for you

Depending on the complexity of your situation, you may also want to consult a lawyer with expertise in this area. See *Legal Resources* on page 44.

OPTIONS WHEN THERE'S NO STATE CHILD ABUSE OR NEGLECT CASE

1. Informal arrangement

Informal arrangements are made all the time between parents and kin — without the involvement of either the court or child welfare system. It usually starts when the parents ask someone they know to care for their child and they say yes.

Examples:

- Grandparents take care of their grandsons while the parents deal with a serious illness.
- An aunt takes care of her niece while the parents go out of state for work.

An informal arrangement:

- Does not have the force of a court order.
- Does not legally transfer any parental rights or responsibilities to the caregivers. This means you won't have the legal right to make most decisions for the child. *The parents retain the legal right to make decisions for their child, even if they are not present. As a result, it might be difficult to do things such as enroll the child in school and consent to medical care.*
- Does not grant “legal custody” to the caregivers. *The parents retain legal custody and either of them can step in and take the child home at any time.*
- Is generally appropriate for short-term situations, but not for longer periods.

Informal arrangement (continued)

If you agree to care for a child through an informal arrangement, you may want to do ONE of the following:

- A.** Ask the parents to write and sign a letter stating that you are the child’s caregiver. Try to include information such as:
- ⇒ Your name, address and phone number
 - ⇒ The child’s name and date of birth
 - ⇒ The parents’ names, address and phone number
 - ⇒ Any specific authority they are granting you (e.g., the right to enroll the child in school, consent to medical care and apply for benefits)
 - ⇒ How long it’s expected to last (if known)

While this letter doesn’t guarantee a school or health care provider will accept your authority, it may help.

- B.** Ask the parents to give you power of attorney over their minor child. By signing this legal document and having it notarized, they’ll be granting you the authority to make decisions for their child without giving up their parental rights. You don’t have to go to court to create a power of attorney, and the parents may revoke it at any time.

If kinship care goes on longer than expected, you may want to pursue the next option: minor guardianship in probate court.

You may be eligible for public assistance to help you meet the child’s basic needs. See Chapter 5 for more information.

2. Minor guardianship (probate court)

Parents are responsible for taking care of their children until age 18. If they are not able to care for their children, they may VOLUNTARILY arrange for relatives or friends to do so through a minor guardianship in probate court.

This might happen, for example, when the:

- Parent is in jail
- Parent is on active military duty
- Parents are dealing with a serious illness
- Family home is not livable because of a natural disaster

Along with custody, the court typically grants guardians the right — as well as the responsibility — to make important decisions on the child’s behalf.

This includes:

- Enrolling them in school
- Making decisions related to their education, health and contact with others
- Consenting to medical treatment and medication *AND*
- Managing any funds paid for the support of the child (e.g., child support or government benefits)

You should be able to arrange a minor guardianship fairly quickly as long as the parents agree and you are suitable guardians. A significant number of the guardianships established in Vermont probate courts are done with the consent of both parents.

Minor guardianship (continued)

If the parents don't agree and the guardianship is INVOLUNTARY (*contested*), you may want to seek legal advice. Without the consent of both parents, you would have to prove by *clear and convincing evidence* that:

1. You are a suitable guardian *AND*
2. At least one of the following is true:
 - a. The parents abandoned or abused the child.
 - b. The child lacks proper parental care (e.g., subsistence, education, medical or other care necessary for their well-being).
 - c. The child is without or beyond the parent's control.

If a judge appoints you as a child's legal guardian:

- ➔ You'll be responsible for the child's care.
- ➔ You'll have to file a status report with the probate court once a year and send a copy to each parent.
- ➔ The parents will maintain some legal parental rights.
- ➔ The court can end the guardianship at anytime if the parents show they can resume care of their child.



DIGGING DEEPER:

➔ Guardian Information Booklet

<http://www.vermontjudiciary.org/probate/minor-guardianships>

You may be eligible for public assistance to help you meet the child's basic needs. See Chapter 5 for more information.

OPTIONS WHEN THE STATE HAS FILED A JUVENILE PETITION IN FAMILY COURT

The kinship options outlined on pages 14 - 21 result from juvenile proceedings in family court. It begins when a State's attorney files a juvenile petition asserting a child is or may be:

- ➔ In need of care or supervision because they were:
 - ➔ Abandoned or abused
 - ➔ Without proper parental care or subsistence, education, medical or other care necessary for their well-being
 - ➔ Without or beyond the parents' control
 - ➔ Habitually and without justification truant from compulsory school attendance
- ➔ Delinquent
- ➔ A youthful offender

When there is a court hearing to address custody, the judge will decide whether the child can safely stay home. If not, the judge will grant temporary custody to:

- ➔ A non-custodial parent (i.e., parent who doesn't have custody of their child as the result of a court order).
- ➔ A relative, family friend or other person known to the child or family (referred to collectively as *kin*)
- ➔ The Department for Children and Families (DCF)



DIGGING DEEPER:

- ➔ **Guide for Parents in CHINS Cases**

<https://www.vermontjudiciary.org/family/juvenile-court>

- ➔ **FSD Policy 82: Juvenile Court Proceedings - CHINS**
- ➔ **FSD Policy 83: Juvenile Court Proceedings - Delinquency**

<https://dcf.vermont.gov/fsd/policies>

3. Conditional custody (family court)

Conditional custody is an alternative to foster care. If the court or DCF asks you to consider providing kinship care, they may ask you which arrangement you'd prefer:

- A. Conditional custody *OR*
- B. Foster care

The court will consider your preference when determining custody of the child; so it's important that you understand the differences between these two options. Some of these differences are highlighted on pages 17 and 18. If you have any questions, ask the DCF Family Services worker. You may also call Vermont Kin as Parents at (802) 871-5104.

If you are open to conditional custody, the DCF Family Services worker will assess your suitability to care for the child. This includes:

- Evaluating your ability to meet the child's needs.
- Conducting background checks on all household members age 16 and older (e.g., criminal records and child protection registry checks).
- Assessing the safety of your home.

DCF will then present its recommendation to the court:

- A. Conditional custody or foster care (*be sure to let the worker know if you have a preference*).
- B. Further assessment if there are any concerns. *OR*
- C. Against placement in your household if it's determined to be unsafe.

Conditional custody (continued)

If the judge grants you conditional custody, they will:

- Issue a conditional custody order (CCO) granting you legal custody of the child.
- Impose any conditions and limitations they deem necessary to ensure the child's safety and well-being.
- Monitor the case for as long as you have custody.
- Most likely, order DCF to supervise the placement. This includes assigning a DCF Family Services worker to:
 - Visit your home regularly
 - Refer you to any needed services
 - Develop a case plan to achieve the goal of a safe and permanent home for the child

See a table highlighting some of the differences between conditional custody and foster care on pages 17 & 18.



DIGGING DEEPER:

➤ **Children in DCF Custody: Information for Relatives & Friends**

<https://dcf.vermont.gov/pubs>

➤ **FSD Policy 84: Conditional Custody Orders**

➤ **FSD Policy 91: Kinship Care & Collaboration with Relatives**

<https://dcf.vermont.gov/fsd/policies>

ASSISTANCE

You may be eligible for public assistance to help you meet the child's basic needs. See *Chapter 5* for more information.

4. Foster care (family court)

If a family court judge grants custody of a child to DCF, our Family Services Division (FSD) is responsible for placing the child in a licensed foster home.

If you'd like to pursue this option, tell the DCF Family Services worker. If the court agrees, you'll need to apply for a foster care license. Getting a license does not, however, guarantee the child will be placed with you.

The licensing process includes:

- Completing the application package.
- Authorizing background checks on all household members age 16 and older (e.g., criminal records and child protection registry checks).
- Having a worker visit your home to make sure it meets the licensing requirements and assessing your suitability as foster parents.
- Completing the required training.

See a table highlighting some of the differences between conditional custody and foster care on pages 17 & 18.



DIGGING DEEPER:

<https://dcf.vermont.gov/pubs>

- Guide for Foster & Kinship Foster Families in VT
- Licensing Regulations for Foster Homes in VT
- Provide Foster Care

There is support available to help foster parents care for the children placed with them. See *Chapter 5 for more information.*

Some of the differences between conditional custody and foster care are highlighted below and on the next page. If you have any questions, ask the DCF Family Services worker. You may also call Vermont Kin as Parents at (802) 871-5104.

CONDITIONAL CUSTODY	FOSTER CARE
<p>You don't need a foster care license; however, a DCF Family Services worker will visit your home to make sure it's safe.</p>	<p>You do need a foster care license and must comply with all foster care regulations.</p>
<p>You'll be responsible for most of the decisions made about the child.</p>	<p>DCF will be responsible for many of the decisions made about the child.</p>
<p>If you can no longer care for the child, you must ask the court to change the order.</p>	<p>If you can no longer care for the child, you may ask DCF to find another caregiver.</p>
<p>A DCF Family Services worker will be assigned to help you carry out the case plan.</p>	<p>A DCF Family Services worker will be assigned to help you carry out the case plan.</p>
<p>You're responsible for carrying out the plan for family contact (e.g., paying transportation and child care costs).</p>	<p>DCF will help you carry out the plan for family contact (e.g., reimbursing mileage and paying for child care).</p>
<p>You may apply for a <i>Child-Only Reach Up Grant</i> from DCF's Economic Services Division. Getting a grant makes the child eligible for Medicaid (you still need to apply for it).</p>	<p>You'll get a foster care reimbursement for each child that is placed with you and they will be eligible for Medicaid.</p>

CONDITIONAL CUSTODY	FOSTER CARE
<p>If the child gets Reach Up, most or all of any child support paid will go to the State.</p>	<p>Any child support paid will go to the State to offset the cost of the child's care.</p>
<p>The child can stay in their school until the disposition hearing. If you live in another town, you'll be responsible for transportation. The child may have to change schools.</p>	<p>The child will stay in their school unless it's not in their best interest. DCF may be responsible for paying transportation costs if the child goes to school in another town. See <i>FSD Policy 72</i>.</p>
<p>If child care is needed, it should be with an approved protective services child care provider. See <i>FSD Policy 73</i>.</p>	<p>If child care is needed, it should be with an approved protective services child care provider. See <i>FSD Policy 73</i>.</p>
<p>Conditional custody is meant to be temporary. As the case moves forward, the court may:</p> <ul style="list-style-type: none"> ⇒ Extend the conditional custody order ⇒ Transfer custody to a parent ⇒ Establish a permanent guardianship <i>OR</i> ⇒ Terminate parental rights so the child may be adopted 	<p>Foster care is meant to be temporary. As the case moves forward, the court may:</p> <ul style="list-style-type: none"> ⇒ Transfer custody to a parent ⇒ Establish a permanent guardianship <i>OR</i> ⇒ Terminate parental rights so the child may be adopted
<p>If you adopt or are awarded permanent guardianship of the child, you may be eligible for ongoing financial support through DCF (e.g., Reach Up or adoption assistance).</p>	<p>If you adopt or are awarded permanent guardianship of the child, you may be eligible for ongoing financial support through DCF (e.g., adoption or guardianship assistance).</p>

Conditional custody and foster care are meant to be temporary. If children can't safely reunite with their parents within a reasonable period of time, DCF must explore other options for achieving permanence: adoption or permanent guardianship.

While adoption is almost always the preferred option, permanent guardianship may be the right option for a particular child. We consider several factors when deciding which option is best. This includes the child's:

- ➔ Age
- ➔ Willingness to be adopted
- ➔ Relationship with the birth parents
- ➔ Family dynamics



DIGGING DEEPER:

FSD Publications

<https://dcf.vermont.gov/pubs>

- ➔ Adoption Assistance for Children Involved With DCF
- ➔ Agreement for Post-Adoption Contact or Communications
- ➔ Provide Permanency
- ➔ Vermont Consortium for Adoption & Guardianship

FSD Policies

<https://dcf.vermont.gov/fsd/policies>

- ➔ Policy 125: Permanency Planning for Children and Youth in DCF Custody
- ➔ Policy 193: Adoption Assistance Program
- ➔ Policy 195: Guardianship Assistance Program
- ➔ Policy 196: Post-Adoption Contact Agreements

5. Permanent guardianship (family court)

Permanent guardianship provides legal permanence for a child/youth who has been the subject of a juvenile court proceeding without requiring the termination of parental rights. To establish one, the judge must find that:

- Neither parent is able to assume or resume parental duties within a reasonable period of time.
- The child has lived with the permanent guardian for at least six months.
- Permanent guardianship is in the child’s best interests (based on factors such as the child’s age and relationship with the birth parents).
- The proposed guardian is suitable, able and willing to provide a safe, nurturing home for the child until they turn 18.

If you become a child’s permanent guardian:

- DCF will no longer be involved.
- You’ll be responsible for the child’s care, protection and education.
- The parents can’t petition the court to end the guardianship or get custody back.
- The court sets the plan for parent-child contact.
- The parents retain certain parental rights and responsibilities (e.g., the right to have contact with the child and the responsibility to pay child support).

You may be eligible for guardianship or other public assistance to help you meet the child’s basic needs. See Chapter 5 for more information.

6. Adoption (family court & probate court)

When you adopt a child, you assume full legal, physical and financial responsibility for them. It's permanent.

To be adopted, the child must first be legally freed for adoption. This can happen one of two ways:

1. The parents voluntarily surrender their parental rights.
2. The parents' parental rights are terminated by the court because of abandonment or child abuse/neglect. This is known as the *termination of parental rights* (TPR).

If you adopt a child who is in the conditional custody of kin or DCF custody, a worker will be assigned to help you through the process. This includes:

- ➔ Helping you gather the needed paperwork and filing it at court on your behalf.
- ➔ Scheduling the finalization hearing in probate court.
- ➔ Discussing the options for post-adoption contact between the child and birth family members.

Once the adoption has been finalized:

- ➔ You'll become the child's legal parent with all the rights and responsibilities that brings.
- ➔ The birth parents will no longer have any legal rights or responsibilities with respect to the child.

If you adopt the child in your care, there may be support available to help you meet their needs. See Chapter 5 for more information.

CHAPTER 3: CARING FOR THE CHILD

Things you need to do

- ➔ Gather copies of important documents and keep them in a safe place (e.g., binder or storage box). This could include:
 - ➔ Child's birth certificate, Social Security card and health insurance card
 - ➔ Immunization, medical and school records
 - ➔ Legal documents giving you authority to have the child in your care
 - ➔ Benefit/child support payment records
- ➔ Keep track of important names and phone numbers. This could include the child's:
 - ➔ Parents and extended family members
 - ➔ Child care provider
 - ➔ Dentist, doctor, mental health provider
 - ➔ Educational surrogate, teacher
 - ➔ DCF Family Services worker
 - ➔ Attorney
 - ➔ Guardian ad Litem
 - ➔ Service providers
- ➔ Make sure the child's needs are met:
 - ➔ See Chapter 5: Help with Basic Needs on page 33
 - ➔ See Chapter 6: Other Resources on page 40



DIGGING DEEPER:

- ➔ **Guide for Foster & Kinship Foster Families**
<https://dcf.vermont.gov/pubs>

Health care

When the child moves into your home, you'll need to:

- ➔ Make sure the child has health insurance — either through the parents' private health insurance or Vermont's Medicaid Program (called Dr. Dynasaur).
- ➔ Make sure you have a copy of their health insurance card or plan number.
- ➔ Become familiar with their health coverage, including what providers they can use, what services are covered and any co-payments you're responsible for.
- ➔ Make sure you know the child's health status, including:
 - ➔ Any health conditions you should know about.
 - ➔ Whether they take any prescription or over-the-counter medicines. *You may want to call the child's doctor to confirm that the child should still be taking a medicine.*
- ➔ Find new health care providers for the child if necessary.
- ➔ Take them to all health-related appointments, including dental care.

If the child doesn't have health insurance, you'll need to apply for Medicaid (*Dr. Dynasaur*) for the child. It helps cover the cost of doctor's visits, prescriptions, mental health services, dental care and more. If the child is in foster care, the DCF Family Services worker will make sure the child has health insurance.



DIGGING DEEPER:

➔ **Vermont Health Connect**

<https://info.healthconnect.vermont.gov/Medicaid>

1-855-899-9600

Mental health

Mental health is important. It helps determine how we see ourselves, identify and regulate our emotions, relate to others and make daily choices.

You should consider whether the child you're caring for would benefit from mental health counseling. This is especially important if they:

- ➔ Experienced abandonment, abuse, neglect, trauma or parental substance use.
- ➔ Are dealing with feelings of grief and loss.

Be sure to check the child's health care plan to see what services are covered. Dial 2-1-1 for a list of local mental health centers and private therapists who can help.

It's also important to make sure you're taking care of yourself.



DIGGING DEEPER:

- ➔ **Designated and Specialized Service Agencies**
<https://mentalhealth.vermont.gov/individuals-and-families/designated-and-specialized-service-agencies>
- ➔ **Taking Care of Yourself**
<http://fosteringperspectives.org/fpv19n2/v19n2.htm>
- ➔ **The Continuing Journey of Children and Families: An Informational Guide for those Parenting by Adoption or Guardianship**
<https://www.vtadoption.org/anticipatory-guidance/>
- ➔ **Vermont Federation of Families for Children's Mental Health**
<https://www.vffcmh.org/about-us/>

Education

An important part of caring for the children includes making sure they go to, and do well at, school. Depending on your situation, this could include some or all of the following:

- ➔ Getting them enrolled at school. *If at all possible, keep them in their own school. Studies have shown that changing schools, even once, may negatively impact academic performance.*
- ➔ Making sure they attend classes and do their homework.
- ➔ Attending parent-teacher conferences, school meetings and other special events.
- ➔ Supporting them in their interests and extracurricular activities.
- ➔ Staying in regular contact with their teachers, guidance counselors and other school staff.
- ➔ Gathering a complete set of their educational records. *Ask the school for help to get these records if you need it.*
- ➔ Storing their school work and progress reports in one place (e.g., three-hole binder, storage box or folder).
- ➔ Advocating for special education services if you think it's necessary. They may qualify for federally-mandated evaluation services and interventions.
- ➔ Providing the school with some background information about their situation (as appropriate).
- ➔ Helping them plan for their education after high school.



DIGGING DEEPER:

- ➔ **Head Start/Early Head Start**
<http://vermontheadstart.org/>
- ➔ **Vermont Family Network (VFN)**
<https://www.vermontfamilynetwork.org/>

Higher education

Most Vermont families apply for financial aid to help pay for college or training after high school. This can include grants, scholarships and loans. Grants and scholarships are free money you don't have to pay back. Loans are funds you borrow and have to pay back — with interest.

Financial aid can come from many sources, including colleges, government, community groups, businesses and foundations. It's meant to help students who would otherwise not be able to pursue higher education. The main responsibility for paying, however, lies with the family (both parents and students).

Below is an overview of the process:

1. Most students begin by completing the *Free Application for Federal Student Aid (FAFSA)*, which can be completed and submitted online. Many high schools offer workshops to walk you through the process.
 - a. Once you submit it, the information from the FAFSA is shared with the colleges listed on your form, the Vermont Student Assistance Corporation (VSAC) and similar agencies in other states if applicable.
 - b. The financial aid office at each college uses this information to figure out how much aid you may get at their school. You may also have to complete other forms to get financial aid; ask or check each college's website to find out.
3. Vermont residents may also apply for grant money from the state through VSAC (vsac.org/grants). Vermont grants are awarded on a first-come, first-served basis so apply as soon as possible after October 1.

Dependent or Independent Student

There is a section on the FAFSA — Step Three (Student) — that asks questions to determine whether the applicant is a *dependent* or *independent student* for the purpose of federal student aid.

While the wording may change slightly from year to year, the questions pertinent to kinship care will be something like:

- ➔ At any time since you turned age 13, were both your parents deceased, were you in foster care or were you a dependent or ward of the court?
- ➔ Does someone other than your parent or stepparent have legal guardianship of you, as determined by a court in your state of legal residence?

If the student answers YES to any question in this section, they are considered to be an *independent student* and will not have to provide their parents' information. This means their eligibility for aid will be based on their own income and resources. The student may be required to provide proof, however.

If the student answers NO to every question in this section, they are considered to be a *dependent student* and will have to provide their parents' information.

If a dependent student cannot provide the parents' information, they may not be able to get any federal student aid other than an unsubsidized loan — unless they have special circumstances. This includes, but is not limited to, situations such as:

- ➔ The parents are incarcerated or incapacitated
- ➔ The parents whereabouts are unknown
- ➔ The custodial parent is deceased *OR*
- ➔ The student left home due to an abusive family environment

Dependency Override

If a dependent student has special circumstances, they can apply for a *dependency override* through each college they're applying to and through VSAC. Each college's financial aid administrator has the authority to override a student's dependency status from dependent to independent, on a case-by-case basis. VSAC can do this too. The decision to grant an override is for one year only.

To request one:

1. Complete and submit the FAFSA without the parent's information.
2. Send a letter to each college's financial aid administrator and to VSAC asking for a dependency override.
 - a. Summarize the circumstances that justify it.
 - b. Provide copies of independent, third-party documentation of the circumstances. This could include letters from social workers, clergy, teachers, guidance counselors, doctors or others familiar with the situation. Police reports documenting abuse can also help.

Get Help

Applying for financial aid can be confusing, especially for children in kinship care. If you need guidance, you should contact VSAC to schedule a meeting with an outreach counselor. Call 1-877-961-4369 ext. 6200 or email info@vsac.org.



DIGGING DEEPER:

- ➔ **Vermont Student Assistance Corp: Resources for High School Students (e.g., Guide to Financial Aid and VSAC Scholarship Booklet)**
<https://www.vvac.org/i-am/a-high-school-student>

CHAPTER 4: THE COURT PROCESS

This chapter describes the court hearings that may occur when there is a juvenile proceeding in family court. *See the flowchart on page 32 for a visual overview.*

It's important to know that while DCF makes recommendations to the court, only:

- ➔ Police officers may remove children from their homes
- ➔ Judges may grant custody to someone other than a parent

Court hearings that may occur

IF THE CASE BEGINS AS AN EMERGENCY:

Emergency Care Hearing

Children may be taken into emergency custody if they are in immediate danger, have run away or been arrested. Parents may not know about an *Emergency Care Hearing* beforehand as it happens quickly, day or night, in response to an emergency. The hearing takes place with a judge, by phone or at court. During this time, the child could be temporarily placed in foster care and the DCF Family Services worker gathers information to present at the next court hearing. An order for emergency care is followed by a *Temporary Care Hearing* within 72 hours.

Temporary Care Hearing

The judge decides who will have temporary custody of the child/youth until the next hearing. Based on the information presented, the judge will decide whether the child can safely live at home with the custodial parents. If not, the judge will grant temporary custody to a non-custodial parent, relative, family friend, other person known to the child/family or DCF.

IF THE CASE BEGINS AS A NON-EMERGENCY:

Preliminary Hearing

Typically the first hearing in non-emergency cases, it takes place within 15 days of the petition being filed at court. The judge reviews the information and hears from the parties. The next hearing is typically a *Pre-Trial Hearing*.

Pre-Trial Hearing

Held about 15 days after the *Temporary Care Hearing* or *Preliminary Hearing*, the purpose is to discuss whether the allegations in the petition will be admitted to or denied. If the allegations are admitted to, it's called reaching the "merits" of the case and the next step is the *Disposition Hearing*. If the allegations are denied, the next step is the *Merits Hearing*.

Merits Hearing

The case is presented to the judge without a jury. Witnesses may be called to testify under oath. Testimony may be presented by family, friends, teachers, doctors, police officers, DCF Family Services workers, witnesses, foster parents, children/youth and others. After listening to the evidence, the judge may dismiss the case or issue one of the following findings:

- ➔ *CHINS¹ A* – child was abandoned or abused by the parents, guardians or other custodian
- ➔ *CHINS B* – child is without proper parental care or subsistence, education, medical or other care necessary for his/her well-being
- ➔ *CHINS C* – child is without or beyond the control of their parents, guardian or other custodian
- ➔ *CHINS D* - child is habitually and without justification truant from compulsory school attendance
- ➔ *DELINQUENT* – child over the age of 10 committed a delinquent act

1. Children In Need of Care or Supervision

Merits Hearing (continued)

If the judge finds the child is in need of care or supervision or the youth is delinquent, the judge will order DCF Family Services to prepare a *disposition case plan* that identifies the permanency goal, an estimated date for achieving it and a plan for services.

Status Conference

This hearing allows the judge and other parties to hear what's going on with the case. It may be held at any stage of the case.

Disposition Hearing

This hearing is typically held within 35 days of the *Merits Order*. Before the hearing, all parties will get a copy of the disposition case plan. At the hearing, all parties will get the opportunity to voice their opinions and the judge will either accept or reject the case plan and make a final decision about custody.

Post-Dispositional Review Hearing

The court is required to hold this hearing 60 days after the *Disposition Order* is issued to monitor progress of the case plan. The judge may ask questions. *Caregivers may have the right to be at this hearing and any hearing thereafter. Be sure to ask.*

Permanency Hearing

This hearing happens within 12 months of a child entering the state's care; however, it may be held sooner for children under six. The purpose is to determine the permanency goal for the child and estimated time for achieving that goal.

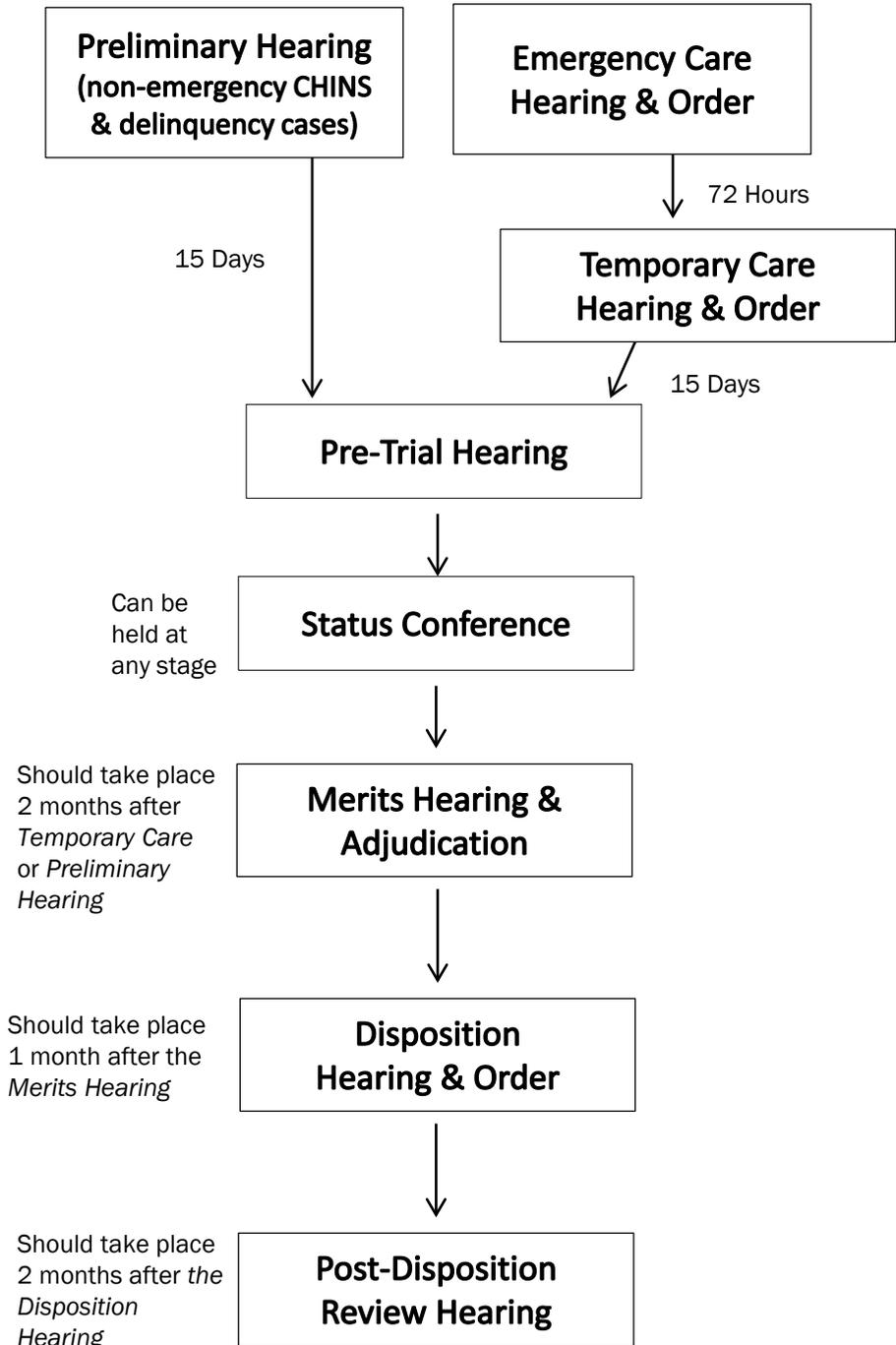


DIGGING DEEPER:

➔ **Court Overview Training for Caregivers, offered by the UVM-DCF Child Welfare Training Partnership**
<http://training.vermontcwtp.org/>

Juvenile proceedings flowchart

(Not all cases will follow this progression)



CHAPTER 5: HELP WITH BASIC NEEDS

This chapter provides information about resources available to help kinship caregivers meet the basic needs of the children in their care.

INFORMAL ARRANGEMENT • MINOR GUARDIANSHIP • CONDITIONAL CUSTODY • PERMANENT GUARDIANSHIP

➤ Child-Only Reach Up

Monthly cash assistance may be available to help you meet the basic needs of the children in your care. *Any child support you get for the child will go to ESD to offset the cost of public assistance.*

Children eligible for a Child-Only Reach Up grant are:

- Under 18
- Not in foster care
- Not getting SSI
- With little or no income of their own
- Living with and being cared for by someone other than a biological, step or adoptive parent. This includes:
 - Relatives (e.g., grandparents and older siblings)
 - Non-related adults who have a family-like bond with the children or parents

If your income is below a certain amount, you may also be included in the Reach Up grant. To learn more about eligibility and how to apply:

- Call 1-800-479-6151
- Visit an ESD district office (*see next page*)
- Go to dcf.vermont.gov/benefits/reachup/child-only

ESD DISTRICT OFFICES

Visit a district office during regular business hours

— 7:45AM to 4:30PM, Monday through Friday.

Barre District

5 Perry Street, Suite 150, Barre, VT

Bennington District

200 Veteran's Memorial Drive, Suite 6, Bennington, VT

Brattleboro District

232 Main Street, 2nd Floor, Brattleboro, VT

Burlington District

119 Pearl Street, John Zampieri Building, Burlington, VT

Hartford District

118 Prospect Street, White River Junction, VT

Middlebury District

156 South Village Green, Suite 201, Middlebury, VT

Morrisville District

63 Professional Drive, Suite 4, Morrisville, VT

Newport District

100 Main Street, Suite 240, Newport, VT

Rutland District

320 Asa Bloomer Building, 88 Merchants Row, Rutland, VT

Springfield District

100 Mineral Street, Suite 201, Springfield, VT

St. Albans District

27 Federal Street, Suite 400, St. Albans, VT

St. Johnsbury District

1016 US Route 5, Suite 3, St. Johnsbury, VT

1-800-479-6151

INFORMAL ARRANGEMENT • MINOR GUARDIANSHIP • CONDITIONAL CUSTODY • PERMANENT GUARDIANSHIP

➤ Child Care Financial Assistance Program

You may be able to get help paying for child care if you:

- Have an accepted reason for child care (e.g., job or school) or it's authorized based on the child's special needs
- Are getting *Child-Only Reach Up* for the child

Go to <https://dcf.vermont.gov/cdd/cccsa> or call 1-877-705-9008 to find a child care support agency that can help you apply.

TIP: If you're caring for the child under an informal arrangement, you will need to pursue a formal option to keep getting this benefit.

➤ Medicaid for Children and Adults

You can apply for Medicaid (*Dr. Dynasaur*) for the child you're caring for. It helps cover the cost of doctor's visits, prescriptions, mental health services, dental care and more. The only income counted is the child's. Apply online at <http://healthconnect.vermont.gov> or call 1-855-899-9600.

INFORMAL ARRANGEMENT • MINOR GUARDIANSHIP • CONDITIONAL CUSTODY • PERMANENT GUARDIANSHIP • FOSTER CARE

➤ School Breakfast & Lunch

The child is eligible for free meals at school (up to grade 12) if the school participates in a federal meals program and the child is either in foster care or getting *Child-Only Reach Up*.

Ask the school for an application form.

INFORMAL ARRANGEMENT • MINOR GUARDIANSHIP • CONDITIONAL CUSTODY • FOSTER CARE • PERMANENT GUARDIANSHIP

➤ WIC Nutrition Program

<http://healthvermont.gov/wic> • 1-800-649-4357

WIC provides healthy foods and nutrition resources to eligible Vermonters. Kinship caregivers may apply for the eligible children in their care.

Eligible children are under 5 AND:

- In foster care OR
- Getting 3SquaresVT, Child-Only Reach Up or Medicaid
(*Dr. Dynasaur*)

For more information, email wic@vermont.gov. To sign up, text VTWIC to 855-11.

To schedule an in-person appointment to apply, call your local Department of Health Office:

- **Barre:** 1-888-253-8786, (802) 479-4200
- **Bennington:** 1-800-637-7347, (802) 447-3531
- **Brattleboro:** 1-888-253-8805, (802) 257-2880
- **Burlington:** 1-888-253-8803, (802) 863-7323
- **Middlebury:** 1-888-253-8804, (802) 388-4644
- **Morrisville:** 1-888-253-8798, (802) 888-7447
- **Newport:** 1-800-952-2945, (802) 334-6707
- **Rutland:** 1-888-253-8802, (802) 786-5811
- **St. Albans:** 1-888-253-8801, (802) 524-7970
- **St. Johnsbury:** 1-800-952-2936, (802) 748-5151
- **Springfield:** 1-888-296-8151, (802) 289-0600
- **White River:** 1-888-253-8799, (802) 295-8820

FOSTER CARE

➤ Foster Care Reimbursement

You'll be reimbursed a set amount each month to help cover the costs of caring for the child. In addition:

- Subsidized child care is available through the Child Care Financial Assistance Program if it's authorized by DCF's Family Services Division (FSD)
- Health insurance is available either through the parents' insurance or Medicaid
- DCF may pay other costs (e.g., case plan-related transportation)

PERMANENT GUARDIANSHIP

➤ Guardianship Assistance Program (GAP)

You may be eligible for assistance if you:

- Had been providing kinship foster care for the child for at least the past six months
- Are either the child's relative or you had a significant relationship with the child prior to DCF custody
- Meet other requirements

Assistance could include:

- Monthly payments to help you meet the child's ongoing needs
- Medicaid for the child

To learn more, call DCF's Adoption Unit at (802) 241-2131.

You must apply and be approved for guardianship assistance before the adoption is legally finalized.

If you become a permanent guardian but don't qualify for Guardianship Assistance, the child may still be eligible for a Child-Only Reach Up grant and related benefits.

ADOPTION

➤ Adoption Assistance

Children must meet *all* of the following criteria to be eligible for adoption assistance. They:

- Are in DCF custody or the conditional custody of someone other than a parent as the result of a juvenile proceeding in family court
- Are legally freed for adoption
- Have at least one special need that makes adoption unlikely without assistance

Assistance could include:

- Monthly payments to help you meet the child's ongoing needs
- Medicaid for the child

To learn more:

- Call DCF's Adoption Unit at (802) 241-2131.
- Read *Adoption Assistance for Children Involved With DCF*. Ask the worker finalizing the adoption for a copy or get it online at <http://dcf.vermont.gov/pubs>.

You must apply and be approved for adoption assistance before the adoption is legally finalized.

PERMANENT GUARDIANSHIP • ADOPTION • MINOR GUARDIANSHIP (FOR SOME SERVICES)

➤ Post-Permanency Support

The Vermont Consortium for Adoption and Guardianship is comprised of agencies and groups from around the state who have joined together for a common purpose: *to provide support, information and education to Vermont families formed through adoption or guardianship.*

Some services may also be available to families caring for children through minor guardianship in probate court.

The Consortium:

- Recognizes that adoption and guardianship are lifelong processes with both rewards and challenges.
- Partners with individuals, families and communities to further an understanding of the needs of children being raised by people other than their birth parents.
- Strives to make sure all people whose lives have been touched by adoption and guardianship have access to quality support services throughout Vermont.



DIGGING DEEPER:

- **Vermont Consortium for Adoption & Guardianship**
<https://www.vtadoption.org>
- **Continuing Journey of Children & Families: An Informational Guide for those Parenting by Adoption or Guardianship**
<https://www.vtadoption.org/anticipatory-guidance>

CHAPTER 6: OTHER RESOURCES

ADOPTION/FOSTER CARE/GUARDIANSHIP

- **Vermont Consortium for Adoption & Guardianship**
<https://www.vtadoption.org/> • (802) 241-0901
A consortium of agencies & groups that provide support, information and education to Vermont families formed through adoption or guardianship.
- **Vermont Kin as Parents (VKAP)**
<http://vermontkinasparents.org> • (802) 871-5104
A grassroots organization that supports kin who are raising their relatives' children.
- **Voices at the Table Blog & Website**
<https://voicesatthetable.wordpress.com>
A bi-weekly blog and website for kinship, foster and adoptive families in Vermont.

ASSISTANCE & REFERRAL

- **Vermont 2-1-1**
<http://vermont211.org>
Dial 2-1-1 from anywhere in Vermont to connect with a specialist who can help you find programs and services provided by community groups, government agencies and others.
- **Vermont's Senior Help Line**
1-800-642-5119
If you're age 60 or over, staff can help you find and apply for benefits, programs and services.

CHILD CARE

► Child Care Referral Service

<https://dcf.vermont.gov/cdd/cccsa>

Your local community child care support agency can help you find child care in your area. Call 1-877-705-9008 to be directed to the agency that can help you.

CHILD DEVELOPMENT

► Children's Integrated Services (CIS)

<http://dcf.vermont.gov/child-development/cis>

CIS may be able to help if you are caring for a child:

- ⇒ Up to age 3 – with a disability or developmental delay
- ⇒ Up to age 5 – with a behavioral challenge or social-emotional issue

CIS services are available at low or no cost to families. This could include early intervention, home visits, parenting support and speech/language/vision services.

To find out more:

1. Dial 2-1-1 toll free.
 2. Ask the operator for the name and phone number of your local CIS coordinator.
 3. Contact the coordinator to discuss your concerns.
-
- ### ► Help Me Grow Phone Line
- <https://helpmegrowvt.org/>
- Dial 2-1-1 to talk with a trained child development specialist who can answer questions about your child's development and connect you to resources in your community.

ECONOMIC ASSISTANCE

► Child Tax Benefits

<https://dcf.vermont.gov/childcare/parents/tax-credit>

You could qualify for child tax benefits if you work, have a child living with you and meet income guidelines.

► Community Action Agencies

These agencies help lower-income Vermonters meet their basic needs through services such as emergency food help, fuel and utility assistance, housing assistance and training.

⇒ **BROC - Community Action in Southwestern Vermont**

<http://broc.org> • (802) 775-0878, 1-800-717-2762

45 Union Street, Rutland, VT 05701

⇒ **Capstone Community Action (Central Vermont)**

<http://capstonevt.org/> • (802) 479-1053, 1-800-639-1053

20 Gable Place, Barre, VT 05641

⇒ **Champlain Valley Office of Economic Opportunity (CVOEO)**

<https://cvoeo.org/> • (802) 862-2771

255 South Champlain Street, Burlington, VT 05402

⇒ **Northeast Kingdom Community Action (NEKCA)**

<http://nekcavt.org/> • (802) 334-7316

70 Main Street, Newport, VT 05855-5110

⇒ **Southeastern VT Community Action (SEVCA)**

<http://sevca.org/> • (802) 722-4575, 1-800-464-9951

91 Buck Drive, Westminster, VT 05158

► Social Security

<https://www.ssa.gov/>

If the child you're caring for has a physical or mental disability or the child's parents are disabled or deceased, they may qualify for financial assistance. Visit the website above or a local Social Security office.

Internet Essentials through Comcast

www.internetessentials.com • 1-855-846-8376

You may qualify for affordable internet service and an affordable laptop or desktop computer if:

- You live in an area with Comcast internet service *AND*
- Someone in your household is eligible for at least one of the following public programs:
 - 3SquaresVT (*SNAP*), Fuel Assistance (*LIHEAP*), Head Start, Medicaid, National School Lunch Program, Public housing assistance, Reach Up (*TANF*), Supplemental Security Income (*SSI*), Tribal Assistance, VA Pension or WIC.

EDUCATION

➤ Head Start/Early Head Start

<http://vermontheadstart.org>

Comprehensive early education, health, nutrition, parental engagement and family support services primarily for at-risk children from birth to age 5 and their families.

➤ Vermont Family Network (VFN)

<http://vermontfamilynetwork.org> • 1-800-800-4005

VFN offers services and supports to families of children with special needs and learning difficulties. They can help you advocate for the child's needs, learn about special education issues and access community resources.

➤ Vermont Student Assistance Corp. (VSAC)

<https://www.vsac.org> • 1-800-642-3177

VSAC helps Vermont students of all ages to save, plan and pay for college or career training.

LEGAL RESOURCES

- ▶ **South Royalton Legal Clinic (VT Law School)**
<http://www.vermontlaw.edu/> • (802) 831-1500
Helps residents from several Vermont counties who can't afford lawyers with issues such as children's rights, family law, housing and welfare.
- ▶ **Vermont Bar Association's Online Lawyer Referral**
<https://www.vtbar.org/LRS/> • 1-800-639-7036
Lawyers provide initial 30-minute consultations for no more than \$25. Go online or call during regular business hours.
- ▶ **Vermont Legal Help Website**
<http://www.vtlawhelp.org>
Find answers to your questions about Vermont law and how to solve your legal problem.
- ▶ **Legal Services Vermont**
<https://legalservicesvt.org/> • 1-800-889-2047
If we can help with your legal issue, you will be referred to a paralegal or lawyer at Legal Services Vermont or Vermont Legal Aid. Services are free.

MENTAL HEALTH

- ▶ **Community Mental Health Centers**
<https://mentalhealth.vermont.gov/individuals-and-families>
Agencies that provide services to children and families (e.g., crisis response, treatment, support and referral).
- ▶ **Federation of Families for Children's Mental Health**
<https://www.vffcmh.org/> • 1-800-639-6071
The federation supports families of children up to age 22 who are experiencing or at risk of experiencing emotional, behavioral or mental health challenges.

PARENTING SUPPORT

➤ Kids VT

<http://www.kidsvt.com/>

A great resource for parents, with county-by-county information on local events, playgroups, classes, summer camps and activities for children and families.

➤ Parent Child Centers

<http://dcf.vermont.gov/partners/pcc>

A network of centers throughout Vermont that helps families make sure children get off to a healthy start. Services include early childhood services, home visits to families with young children, playgroups, parent education, parent support and information & referral. Visit the website listed above or dial 2-1-1 to find your local parent child center.

RESPIRE & OTHER SUPPORT

➤ Family Caregiver Support Program

If you're age 55 or older and raising the child of a relative or friend, you may be eligible for supportive services provided through your local Area Agency on Aging.

This could include:

- ⇒ Access to respite (e.g., help paying for child care, afterschool programs and summer camp)
- ⇒ Caregiver training
- ⇒ Help finding programs and services
- ⇒ Support groups and individual counseling

To connect to your local agency, call 1-800-642-5119 or go to <https://www.vermont4a.org/>.

► Respite Care through Vermont Kin as Parents

<http://vermontkinasparents.org/respice>

VKAP has funds available to pay for respite care for children under 18. *Funds are limited. Grants are available once a year and are awarded on a first come, first serve basis.*

If the funds are exhausted when you apply:

- ⇒ You'll get a letter explaining the situation.
- ⇒ Your application will be kept on file in case additional funds become available.

To apply, call VKAP at (802) 871-5104. If you're age 55 or older, you'll be referred to your local Area Agency on Aging.

SUPPORT GROUPS

► Support Groups for Kin

<http://vermontkinasparents.org/support-groups>

Kinship support groups can be a lifeline for people raising the children of relatives or friends. Resource information, friendship, emotional support and understanding all help kinship caregivers when they get together.

Some groups offer childcare. This makes it easier for folks to attend and allows the children to connect with each other.

There are kinship support groups throughout Vermont. For information about groups near you, go to the website listed above or call Vermont Kin as Parents at (802) 871-5104.

DCF Family Services Division

DISTRICT OFFICES

Barre: (802) 479-4260

Bennington: (802) 442-8138

Brattleboro: (802) 257-2888

Burlington: (802) 863-7370

Hartford: (802) 295-8840

Middlebury: (802) 388-4660

Morrisville: (802) 888-4576

Newport: (802) 334-6723

Rutland: (802) 786-5817

Springfield: (802) 289-0648

St. Albans: (802) 527-7741

St. Johnsbury: (802) 748-8374

<https://dcf.vermont.gov/fsd>

Benefits Available Through DCF

Find out about public benefits available through the Department for Children and Families, including 3SquaresVT, Child Care Financial Assistance, Energy Assistance, Fuel Assistance and Reach Up.

<http://dcf.vermont.gov/benefits>

Vermont 2-1-1

- ⇒ Free, confidential information and referral service for all Vermonters — 24 hours a day, 7 days a week.
- ⇒ Call specialists can help you find government programs, community-based organizations, support groups and other resources.

Dial 2-1-1 • <http://vermont211.org>

Vermont Kin as Parents

VKAP can help you:

- ⇒ Find programs, services, educational opportunities and other resources.
- ⇒ Connect with kinship caregivers and support groups throughout Vermont.

(802) 871-5104

<http://vermontkinasparents.org>