



Senate

General Assembly

File No. 357

February Session, 2008

Substitute Senate Bill No. 66

Senate, April 1, 2008

The Committee on Human Services reported through SEN. HARRIS of the 5th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING SUPPORT FOR GRANDPARENTS AND OTHER RELATIVE CAREGIVERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective July 1, 2008*) A grandparent or other relative
2 caregiver who is appointed a guardian of a child or children through
3 the Superior Court and who is not a recipient of subsidized
4 guardianship subsidies under section 17a-126 of the 2008 supplement
5 to the general statutes or foster care payments from the Department of
6 Children and Families shall, within available appropriations, be
7 eligible to apply for grants under the Kinship Fund and Grandparents
8 and Relatives Respite Fund administered by the Children's Trust Fund
9 Council through the Probate Court.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2008</i>	New section
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AGE *Joint Favorable Subst. C/R*

HS

HS *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

No fiscal impact will result from expanding the list of persons eligible to apply for grants under the Kinship Fund or the Grandparents and Relatives Respite Fund to include certain guardians appointed through the Superior Court. Under the bill, and current practice, expenditures would be limited by available appropriations.

sHB 5021, (the Revised FY 09 Appropriations Act, as favorably reported by the Appropriations Committee) includes \$425,000 for the Kinship Fund and \$625,000 for the Grandparents and Relatives Respite Fund, under the Children's Trust Fund's budget.¹ These dollars are expected to be fully expended under current eligibility guidelines.² The exact number of additional applicants cannot be determined in advance. However, the volume is not anticipated to be large in magnitude.

The Out Years

No fiscal impact is anticipated in future years.

¹ Private contributions have also been generated by certain probate courts.

² From 7/1/07 - 1/31/08, 1,325 children and 785 families received grants from the Kinship Fund. Another 799 children and 530 families benefited from the Grandparents and Relatives Respite Fund.

OLR Bill Analysis**sSB 66*****AN ACT CONCERNING SUPPORT FOR GRANDPARENT CAREGIVERS.*****SUMMARY:**

This bill allows grandparents or other relative caregivers appointed guardian of a child through Superior Court and who are not receiving subsidized guardianship or foster care payments from the Department of Children and Families (DCF), to apply for grants under the probate-court administered Kinship Fund and Grandparents and Relatives Respite Fund. Currently, eligibility for these grants is restricted to grandparents or relative caregivers appointed guardian of a child through probate court. Grants are subject to available appropriations.

EFFECTIVE DATE: July 1, 2008

BACKGROUND***Probate Court Kinship Care and Respite Grants***

The Children's Trust Fund provides funds for one-time grants to help grandparents pay for some nonrecurring child rearing costs. These can pay for such things as a bed or winter coat or for activities like summer camp or tutoring. The funds are available only through (1) probate courts in Bridgeport, Hartford, Killingly, New Haven, New London, Norwich, West Haven, and Waterbury; (2) the regional children's probate court in New Haven; and (3) the Norwich Department of Social Services office. Grant amounts range from \$50-\$250 per child, with a family maximum of \$1,000.

The Children's Trust Fund also funds grants to help grandparents pay for respite costs. Grants are available for up to \$2,000 per family per year to pay for housing, transportation and child care expenses approved by the court.

Superior Court Guardianships

Grandparents may be appointed as guardians of a child either through the Superior or probate courts. Guardianship cases of children involved in the child welfare system (e.g., victims of child abuse or neglect) are handled in Superior Court. Once appointed guardian under DCF's Subsidized Guardianship Program, grandparents receive monthly payments equal to that of foster care payments, which currently range from \$746.17 to \$875.44 (CGS § 17a-126(c)).

Probate Court Guardianships

Cases involving grandparents whose grandchildren have not been committed to DCF are generally handled in the local probate court, which has flexibility to make the grandparent sole legal guardian or co-guardian with the child's biological parent or other responsible adult or to order a "springing" guardianship (one that becomes effective when an anticipated event, such as a parent's incarceration or death, occurs). These arrangements are not formally subsidized by the state, although a qualifying guardian receives a monthly "child only" Temporary Family Assistance payment through DSS. The current monthly payment level is \$344 for the first grandchild.

Exceptions

In certain limited situations, a grandparent of a child not involved with DCF may be appointed guardian in Superior Court. This may happen when a guardianship case in probate court is contested, at which point it may be transferred to Superior Court. It may also happen when DCF has filed or is about to file a motion in Superior Court to assume temporary custody of a child and a grandparent volunteers to take guardianship of the child before DCF gets temporary custody. The grandparent may not wish to have any involvement with DCF and choose not to participate in the Subsidized Guardianship Program.

COMMITTEE ACTION

Select Committee on Aging

Joint Favorable Substitute Change of Reference
Yea 11 Nay 0 (03/04/2008)

Human Services Committee

Joint Favorable Substitute
Yea 19 Nay 0 (03/13/2008)