

Grandparents Raising Grandchildren

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Issue

This report describes programs and resources Connecticut provides to grandparents raising grandchildren as well as additional measures other states have considered.

Summary

In Connecticut, grandparents can become the custodian of a grandchild by:

1. adopting a grandchild after a court terminates the parental rights of both parents to the child,
2. asking the probate court to appoint them as the child's guardian permanently or temporarily,
3. being awarded custody by the Superior Court when the child's parents divorce, or
4. informally assuming custody.

Grandparent Defined

Under Connecticut family law, "grandparent" means a grandparent or great-grandparent related to a minor child by (1) blood, (2) marriage, or (3) the child's adoption by the grandparent's child ([CGS § 46b-59\(1\)](#)).

Under these situations, grandparents are granted legal rights related to the child and some protection against a parent's attempt to regain custody, except when they informally assume custody of a grandchild. Relatedly, under certain circumstances, state law gives grandparents standing to petition the court for the right to visit their grandchildren.

Connecticut offers various programs and resources for which grandparents raising grandchildren may be eligible, such as:

1. childcare services through the Office of Early Childhood's (OEC) Care 4 Kids program;
2. various financial assistance programs, including (a) Kinship Fund and Family Respite Fund grants, (b) Department of Children and Families (DCF) subsidies for grandparents who adopt or serve as guardians for children under department care, and (c) the Department of Social Services (DSS) Temporary Family Assistance (TFA) program;
3. health services for certain low-income families through HUSKY A (i.e., Medicaid);
4. the state-wide Grandparents as Parents Support (GAPS) Network of grandparents, relative caregivers, and providers; and
5. tax credits, such as the Connecticut Earned Income Tax Credit (EITC) for qualified children, which may include a grandchild.

Like Connecticut, most states generally provide programs and resources similar to those listed above, in part because they are often eligible for some type of federal reimbursement. Additional policy options states may consider to support grandparents raising grandchildren include (1) establishing an alternative and streamlined court process to initiate minor guardianship; (2) formally studying issues faced by grandparents raising grandchildren; and (3) establishing temporary or permanent legislative entities (e.g., task forces or commissions) to address these issues.

How Grandparents Become Custodians of Grandchildren

Guardianship

For a grandparent to be appointed as a grandchild's guardian, DCF must, at the request of the probate court, investigate the physical, mental, social, and financial conditions of the parents and the grandparent applying for guardianship. If the court appoints the grandparent as guardian, the guardianship remains in effect until (1) a parent applies to be reinstated as guardian; (2) the guardian resigns or is removed; or (3) the child becomes an adult (i.e., attains age 18). By law, there is a rebuttable presumption that it is in the child's best interest to appoint a grandparent or other relative related by blood or marriage as a guardian, co-guardian, or permanent guardian ([CGS §§ 45a-617](#), et seq.).

Adoption

A grandparent may adopt a grandchild if parental rights have been terminated. Also, as in guardianship cases, an application must be filed with the probate court, and DCF must conduct an investigation. By law, if the child is age 12 or older, his or her consent is required to be adopted ([CGS § 45a-724\(1\)](#)).

Custody

Grandparents can ask the Superior Court to give them legal custody over a child, which is most often sought when a child's parents are divorcing. Similar to guardianship, legal custody is a court order giving the grandparent the right to care for and make decisions on the child's welfare. It is not permanent, and the court can modify the order and transfer custody back to a parent or to another adult ([CGS § 46b-57](#)). (Informal custody agreements between parents and grandparents do not provide the rights or protections of legal custody granted by a court.)

Visitation

Connecticut law provides third-party visitation rights to certain people (e.g., grandparents) who, among other things, have a parent-like relationship with the child. OLR Report [2023-R-0117](#) summarizes Connecticut's law that allows grandparents to petition for court-ordered visitation of their grandchildren and sets the standards under which third-party visitation rights may be granted.

Resources for Grandparents Raising Grandchildren

Childcare

Grandparents who need childcare during their work or TFA-approved employment training may qualify for [OEC's](#) childcare assistance program, [Care 4 Kids](#). The program generally provides up to 12 months of childcare subsidies to eligible low- and moderate-income families with children under age 13, or under age 19 for children with special needs. For additional information, visit: <https://www.ctcare4kids.com/>.

Financial Assistance

Kinship Fund and Family Respite Fund Grants. There are two funds that provide cash assistance to income eligible relatives, including grandparents, who were granted guardianship of a child by a probate court or Superior Court:

1. the Kinship Fund provides up to \$550 per child per year (with an annual family cap of \$2,200) for child-rearing costs, such as health or basic needs, enrichment and educational activities, and expenses that help children participate fully in school life, such as school field trips, sports equipment, or school supplies; and
2. the Family Respite Fund provides up to \$2,200 per family per year to directly benefit guardians. Funds can be used for rent, rental deposits, household furnishings, utilities, food, transportation, and other expenses the court deems appropriate.

To qualify for a grant, a relative court-appointed guardian cannot be receiving DCF benefits or subsidies. Grant applications are available at the probate courts and regional children's probate courts.

For more information, visit: <http://www.ctprobate.gov/Pages/Kinship-and-Grandparent-Respite-Fund.aspx>.

Subsidies for Adopting Parents. Under the law, if certain conditions are met, the DCF commissioner must provide an adopting parent one or more of the following subsidies, if the child is deemed a special needs child and the adopting family meets the standards for adoption:

1. a special-need subsidy, that gives a lump sum payment directly to the person providing the required service, to pay for an anticipated expense resulting from the adoption or
2. a periodic subsidy paid to the adopting family, which cannot exceed the current foster care maintenance rate.

In addition to the subsidies listed above, the DCF commissioner must provide an adopting parent with a continued medical subsidy for children receiving Medicaid before the adoption, so long as the child qualifies as the adoptive parent's dependent under the Internal Revenue Code ([CGS § 17a-117](#)).

A 2024 law allows the DCF commissioner to transfer these subsidies to a successor adoptive parent if the subsidy recipient dies or becomes seriously ill or severely disabled. The commissioner may do so under the same circumstances the law allows for successor guardians as described below ([PA 24-79](#), § 2, effective July 1, 2024).

DCF Subsidized Guardianship Program. Licensed relative guardians of children involved in the child welfare system (e.g., victims of child abuse) can receive benefits under the DCF Subsidized Guardianship program, provided the children have lived with the caregiver for at least six months. Guardians receive monthly stipends equal to the prevailing foster care rate (currently between \$779 and \$856 depending on the child's age). Relative guardians may also qualify for a one-time special-need subsidy of up to \$2,000 per child for exceptional expenses incurred by the family in the custody transfer process ([CGS § 17a-126](#), as amended by [PA 24-79](#), § 2, effective July 1, 2024).

The law authorizes the DCF commissioner to transfer the subsidy to a successor under certain circumstances, such as if the subsidy recipient dies, becomes seriously ill or severely disabled. The

successor must (1) meet the department's foster care safety requirements (e.g., passes a criminal background check) and (2) be the child's court-appointed legal guardian.

For more information, visit: <https://portal.ct.gov/DCF/Policy/Regulations/Subsidized-Guardianship>.

DSS TFA. Grandparents who become guardians of children not involved in the child welfare system may qualify for a substantially smaller subsidy under the DSS TFA program. This federal- and state-funded program provides monthly cash and employment assistance to eligible families throughout Connecticut to support basic needs such as food, shelter, and clothing.

Any relative who has a child living with them can receive TFA for the child only, regardless of the relative's income or assets or whether the custody arrangement is legalized. Among other things, relatives must verify that they are related, and that the child lives with them (DSS [notes](#) that many TFA-eligible households are grandparents caring for grandchildren.)

Generally, eligible grandparents may receive TFA child-only payments for up to 36 months, after which they may be eligible for an additional 12 months of services under the [Safety Net program](#), which provides case management and community-based services.

In addition to cash and employment assistance, families receiving TFA are also generally eligible for certain food assistance programs, such as the Supplemental Nutrition Assistant Program ([SNAP](#)) and school lunch and breakfast programs for children.

For more information, visit: <https://portal.ct.gov/-/media/departments-and-agencies/dss/economic-security/tfa-fact-sheet-2024.pdf>.

Health Services

Grandparents raising grandchildren may receive HUSKY A (i.e., Medicaid) health insurance coverage if they meet the program's income and other eligibility requirements. Legislation enacted in 2024 lowers the program's income limit for parents and caretaker relatives, including grandparents, from 160% to 138% of the federal poverty level (FPL, currently \$35,632 for a family of three) starting October 1, 2024. Those with incomes above 138% FPL will no longer qualify and must seek other health coverage ([PA 24-81](#), §§ 38 & 39).

For more information, visit: <https://portal.ct.gov/husky/how-to-qualify>.

Support Networks

Connecticut's GAPS Network is a state-wide network of grandparents, relative caregivers, and providers who share information about services and opportunities, offer support, and link grandparents, and other relatives raising children, to respite care and other services.

According to the Department of Aging and Disability Services (ADS), the network's main focus is to share information with its 150 member agencies, individuals, and community organizations across the state. For referral to a grandparent support group in Connecticut, a grandparent can call 2-1-1 or contact an [area agency on aging](#).

For more information, visit: <https://portal.ct.gov/AgingandDisability/Content-Pages/Programs/Grandparents-as-Parents-Support>.

Tax Credits

The state [EITC](#) is a state income tax credit for qualifying low- to moderate- income working individuals and families. The state credit currently equals 40% of the federal EITC. Both the federal and state EITC are refundable, meaning that when credit amounts exceed the amount of taxes owed, it results in a tax refund to those who claim and qualify for the credit.

To qualify for the state EITC, the taxpayer must (1) be eligible for the federal EITC; (2) have earned income from employment, self-employment, or another source; and (3) meet certain rules. Additionally, the taxpayer must either meet the rules for filers without a qualifying child or have a child that meets all the [qualifying child rules](#) (e.g., a grandchild under the age of 19 (or 24 and a full-time student) that lives with the grandparent for more than half the year).

A grandparent may also be eligible for other federal income tax credits for qualifying children, such as the [child and dependent care tax credit](#).

Additional Resources

The links below provide information on additional programs and resources that are available to grandparents in Connecticut:

- [ADS](#) provides information and access to various supports for grandparents raising grandchildren (<https://portal.ct.gov/aginganddisability/content-pages/programs/grandparents-as-parents-support>);
- [2-1-1 of Connecticut](#) provides information for kinship caregivers, grandparents raising grandchildren, and custodial relatives, including information on custody and guardianship

issues, adopting a grandchild, resources for kinship caregivers, and financial assistance (<https://uwc.211ct.org/kinship-caregiversgrandparents-raising-grandchildrencustodial-relatives/>); and

- The Connecticut Judicial Branch Law Libraries' publication [Rights of Grandparents and Third Parties in Connecticut](#) (2024 Edition) provides a research guide on the topic.

Other Policy Options

Like Connecticut, most states generally provide programs and resources similar to those described above, in part because they are often eligible for some type of federal reimbursement. For example, under [Title IV-E of the Social Security Act](#), states may receive partial federal reimbursement for providing foster care, adoption assistance, and kinship guardianship assistance to children who meet federal eligibility criteria.

Examples of other policy options states may consider to support grandparents raising grandchildren include (1) establishing an alternative and streamlined court process to initiate minor guardianship; (2) formally studying issues faced by grandparents raising grandchildren; and (3) establishing temporary or permanent legislative entities (e.g., task forces or commissions) to address these issues.

Improving Court Guardianship Processes

Because states generally have jurisdiction over family law issues, the process for grandparents to obtain legal guardianship of a grandchild varies across states. A recent [report](#) from the National Conference of State Legislatures analyzed guardianship laws in six states (Georgia, Indiana, Michigan, Nevada, Tennessee, and Washington) and recommended that states consider the following:

1. minimizing the need for lengthy civil court processes by creating alternatives for families to initiate minor guardianship arrangements with simplified court involvement (e.g., notifying the court rather than asking the court to rule on an arrangement) and
2. simplifying, clarifying, and defining terminology and processes to help prospective guardians, including grandparents, understand their options to minimize court involvement.

Additionally, a recent Pew Charitable Trusts [report](#) made several recommendations on how states can improve court access and effectiveness for families in need of stronger caregiving arrangements. For example, the report recommends that state legislatures, with guidance from courts, child welfare agencies, legal aid providers, and kinship advocacy organizations, review

minor guardianship statutes to identify any needed updates to help courts better respond to families' needs efficiently and effectively.

As another example, the report also recommends states provide grandparents and other nonparent caregivers with online tools to complete and file required minor guardianship forms. As of 2023, the report found that only six states (Idaho, Indiana, Montana, New Hampshire, Utah, and West Virginia) do so. (While Connecticut provides statewide forms with instructions, it does not provide online tools.)

Formal Studies

State legislatures may also consider enacting legislation requiring state agencies and other stakeholders to study and make recommendations on issues facing grandparents raising grandchildren. For example, the California legislature recently considered, but did not pass, a bill that would have required the Department of Aging to consult with specified state agencies and study the following:

1. the financial, emotional, and legal support needed, as well as the resources required, for grandparents (ages 60 and older) who are raising their grandchildren;
2. any inequities in these supports and resources; and
3. strategies to expedite the process of placing grandchildren with their grandparents and help with related expenses (2023-2024 [SB 431](#)).

Legislative Entities

States may also consider establishing temporary or permanent entities, such as task forces or commissions, to address issues facing grandparents raising grandchildren and evaluate related service needs and access.

For example, the Massachusetts legislature recently established a permanent commission on the status of grandparents raising grandchildren to do the following:

1. foster unity among grandparents raising grandchildren, communities, and organizations in the state by promoting cooperation and information sharing and encouraging collaboration and joint activities;
2. serve as a liaison between government and private interest groups on matters of unique interest and concern to grandparents raising grandchildren;

3. assess programs, regulations, and practices in all state agencies that affect grandparents raising grandchildren and advise executive and legislative bodies of the potential effect of proposed legislation on grandparents raising grandchildren and advocate for any changes;
4. investigate the merits of establishing a state agency dedicated to grandparents' issues and determine how it would be set up; and
5. identify issues faced by relatives, other than parents, who are raising children ([Mass. Gen. Laws Ann. ch. 3, § 69](#)).

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