

# **State Resources Relevant for Temporary Custody, Permanent Guardianship, and Adoption In Hall and Dawson County**



**Developed by Jessica Green, CASA Volunteer  
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**Dedicated to June Beharry, a devoted grandmother  
whose struggles with these issues inspired me to create this guide.**

## State Resources Relevant to Temporary Custody, Permanent Guardianship, and Adoption

As CASA volunteers, we often see children who are unable to continue living with their biological parent due to deprivation issues. Most often a concerned relative steps forward to offer a stable and loving home for these children. There are a number of questions that arise when a relative accepts the legal responsibility of taking care of such a child. Many of these questions have to do with supportive resources. Whether or not the relative has ever used public benefits, most find DFCS (Department of Family and Children Services) procedures quite confusing! A CASA volunteer who knows the relevant available programs will be able to educate and assist the relative in their new role as a custodian, guardian, or adopting parent.

The main public programs that I am addressing are Medicaid (state health insurance), child subsidies and TANF (monthly financial assistance), CAPS (child care), SNAP (food stamps), clothing allowances, and legal expenses for adoption. This guide is not a training manual, and listed figures and phone numbers are bound to change over time. This basic information is to inform the relative caregiver that they may be eligible for a public program, and if so, how to apply. Keep in mind that every case is different.

When a child is legally placed in the care of a relative caregiver, there are three placement pathways. The child (1) may be placed in Temporary Custody, (2) may be placed in Permanent Guardianship, or (3) may be Adopted following TPR (Termination of Parental Rights). The benefits and resources available are different based on which of the three pathways is made use of, as well as if DFCS is involved and approves the pathway. The first section of this guide addresses Temporary Custody and Permanent Guardianship without and then with DFCS involvement and approval. The second section addresses Adoption without and then with DFCS involvement and approval.

Please be aware that DFCS is bound by state policies and legal codes, and the DFCS case manager may not be able to officially approve a placement awarded by the judge even if the DFCS case manager may personally agree that it is the best option for a child. As such, it is important that the CASA volunteer and the relative work with the DFCS case manager in hopes that DFCS may officially approve the legal placement.

This guide does not address community services or resources such as counseling, emergency assistance, holiday assistance programs. United Way can be a helpful guide for these needs, and can be reached online at [www.211unitedway.org](http://www.211unitedway.org) or calling “211” on your phone. Remind caregivers that at tax time they may file for Earned Income Tax Credit, Child and Dependent Care Credit, and Child Tax Credit. The number for the IRS about questions is 1(800)829-1040. The GA Relative Caregiver Hotline provides free legal and resource advice and can be reached Monday through Friday from 9:00am to 2:00pm at 1 (888)257-9519. Kinship Care of Legacy Link is a good resource for advocacy, caregiver information, and monthly grandparent support groups. Julia Jessie, the coordinator, can be reached at (770)538-2650.

My hope is that the following pages will help you to be a better CASA volunteer by understanding the basics of state resources available to your CASA families.

**State Resources Relevant to  
Temporary Custody, Permanent Guardianship, and Adoption**

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**State Resources Relevant to  
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**\*\*\*MEDICAID/ public health insurance for low income families**

RSM (“*Right from the Start Medicaid*”) Medicaid is a free government health insurance program for low-income children which covers medical expenses including preventive care, immunizations, screening and treatment of health conditions, doctor and hospital visits, and vision and dental care. If the household income is over the limit for Medicaid, they may be eligible for PeachCare. PeachCare is also a public health insurance program for low-income children, but may have premiums, copayments, and limited coverage. Both Medicaid and PeachCare coverage must be renewed yearly.

	GROSS ANNUAL INCOME LIMITS			
Household size	RSM Medicaid	RSM Medicaid	RSM Medicaid	PeachCare
	child 0-1 yo	child 1-5 yo	child 6-19	child 0-18
2	\$32,256	\$23,448	\$20,928	\$38,868
3	\$40,596	\$29,508	\$26,340	\$48,912
4	\$48,912	\$35,556	\$31,740	\$58,932

**A custodian or guardian is responsible for applying for Medicaid for the child even if the child comes into their care with Medicaid.** Applications can be completed online or over the phone. The online address is [www.compass.ga.gov](http://www.compass.ga.gov). The Georgia One Phone System center number is 1(877)423-4746. Many phone applicants have complained about long waits and dropped calls on this system. If the applicant has difficulty, they can call a Hall or Dawson County DFCS’s RSM Medicaid workers from the list below for personal assistance. Once approved by DFCS, Medicaid will be retroactive to the first day of the month that it was applied for.

**Hall County DFCS Medicaid workers**  
 Brad Williams (770) 531-6437  
 Erica Pittman (770) 531-6436  
 Todd Scott (770) 531-6439

**Dawson County DFCS Medicaid workers**  
 Todd Scott (770) 531-6439 until Feb 2015  
 Gina Allen (770) 844-3337 beginning Feb 2015

**\*\*\*TANF/ state child support for low-income families**

TANF stands for “*Temporary Assistance for Needy Families*”, and is a monthly state child support payment. A person normally applies on behalf of their household. The household’s income and countable resource limits are listed in the chart below. (A countable resource is primarily your bank account; pensions and retirement funds are not counted.) Adults in the household between the age of 18 and 59 are required to work or attend school 36 to 40 hours per week and are eligible to receive CAPS child care funding.

Household Size	Gross Monthly Income Limits	Resource Limits	Maximum TANF Award
1	\$435	\$1,000	\$155
2	\$659	\$1,000	\$235
3	\$784	\$1,000	
4	\$925	\$1,000	

But, if the guardian applies for TANF as a “payee” on behalf of the child, the child is considered as a “household of one” and only the child’s income and resources would be considered. The guardian is not required to work or attend school if they are labeled as a payee instead of a beneficiary. A guardian who is receiving any child subsidy is not eligible for TANF. If any part of the application regarding the biological parents of the child is left blank, the application will not be considered. If the applicant doesn’t know an answer in this section they need to note that. A child support referral is generated on all biological parents unless good cause exists. If a biological parent is living in the same household as the guardian and the child, the biological parent must apply for TANF for the child.

The maximum one child with no income or resources can receive from TANF is \$155 a month; for two children, \$235 a month. A guardian 60 years old or older or disabled according to Social Security or the Veterans Administration may be eligible for “Senior SNAP” and receive an extra \$50 per child.

TANF can only be applied for through a paper application. Paper applications can be requested either by calling Georgia One Phone System at 1(877) 423-4746 or at the local DFCS office. The Hall County DFCS office is located at 970 McEver Road Extension in Gainesville; the Dawson County DFCS office is located at 424 Highway 53 in Dawsonville. The applicant will receive an appointment letter in the mail for a phone interview. If they miss the phone appointment, the applicant will have 10 days to schedule a new appointment. The application will be denied if a new appointment is not made.

**\*\*\*CAPS /day care**

CAPS stands for “*Childcare And Parent Services*”. The state may pay for child care expenses for a guardian who works or attends school 36 to 40 hours a week under the CAPS program. The standard household income limits are listed below, though a DFCS case manager may waive the income limits for guardians.

Household Size	160% Federal Poverty Level Gross Annual Income Limits
1	\$16,640
2	\$22,400
3	\$28,160
4	\$33,920

CAPS can be applied for online at [www.compass.ga.gov](http://www.compass.ga.gov) or by calling Georgia One Phone System center at 1(877) 423-4746. If you are unable to wait on a lengthy hold until a live operator assists you, call (404) 651-6316 to leave a call back number.

### **\*\*\*SNAP /Food Stamps**

SNAP (“*Supplemental Nutritional Assistance Program*”), which includes the Food Stamp program, provides monthly benefits to low-income households to help pay for the cost of food. To be eligible, the household income limit is 130% of the Federal Poverty Level (see chart below) and resource limit is \$2,250. If someone in the household is 60 years old or older or disabled, the countable resource limit is raised to \$3,250. (A countable resource is primarily your bank account; pensions and retirement funds are not counted.) Most recipients between the age of 18 and 60 will be required to participate in a work or school activity. Benefits will vary depending on the number of deductions taken. If approved, the household receives a “Quest” debit card in the mail which can be used at any place that sells food. (The average recipient in 2014 received what amounted to \$1.38 per meal.)

Household Size	130% Federal Poverty Level Gross Annual Income Limits	Average Monthly SNAP Benefit (2014)
1	\$15,180	\$140
2	\$20,460	\$247
3	\$25,728	\$367
4	\$31,456	\$443

SNAP can be applied for online at [www.compass.ga.gov](http://www.compass.ga.gov) or by calling Georgia One Phone System center at 1(877)423-4746. If you are unable to wait on a lengthy hold until an operator can assist you, call (404) 651-6316 to leave a call back number.

### **\*\*\*SSI (Supplemental Security Income)**

A child receiving SSI may continue to be eligible regardless of the custodians’ or guardians’ income. The guardian must notify the Social Security Administration of the changes in address and payee status. The automated Social Security line is open 24 hours a day at 1(800)772-1213. The local office in Hall County can be reached at 1(866) 331-2309 and for Dawson County at 1(800) 772-1213.

**State Resources Relevant for**  
**Temporary Custody or Permanent Guardianship**  
**WITH Official DFCS Approval**

**In addition** to the benefits and resources on pages 4-6, the custodian or guardian may also be eligible for a subsidy and a clothing allowance if DFCS is involved and approves.

**\*\*\*ENHANCED RELATIVE RATE PROGRAM**

A relative may be eligible for the Enhanced Relative Rate Program if a child in the legal custody of DFCS is placed by DFCS into their home. This monthly payment provides financial support to assist relative caregivers with the basic care of the child.

The DFCS case manager will complete a Relative Care Subsidy Assessment. This includes home visits to the relative by the DFCS case manager and a Safety and Home Assessment which is completed by a contracted and independent group. Anyone in the household age 18 or older is fingerprinted, has a criminal records check, and a DFCS history check. All calls to “911” made from the house phone are checked. The primary caregiver(s) needs to provide a medical statement confirming their physical ability to take care of a child, and to have a drug screen. The primary caregiver(s) also needs to provide proof of driver’s license, liability insurance, proof of income, and lease or mortgage documentation. After the assessment is approved, the DFCS case manager and relative will sign the Enhanced Relative Rate Placement Agreement and monthly payments will begin within 2 months. This monthly subsidy will continue until the child turns 18 provided that the child remains in school. Rates vary depending on the age of the child.

<b>Age of Child</b>	<b>Monthly Rate</b>
newborn to 5	\$365.91
6 to 12	\$413.67
13 to 18	\$471.15

**\*\*\*CLOTHING ALLOWANCE**

A custodian is given an initial clothing allowance for the child, depending on the age of the child.

<b>Age of Child</b>	<b>initial allowance</b>
newborn to 12 years	\$306
13 to 18 years	\$409

Following the initial year, each child is eligible for an annual clothing allowance of \$409. The custodian must mail or bring original clothing receipts and a DFCS clothing invoice to the DFCS case manager within 30 days of the purchase to be reimbursed. Hall County DFCS office is located at 970 McEver Road Extension, Gainesville 30504-3938. Dawson County DFCS office is located at 424 Highway 53, Dawsonville 30534 and their mail address is P.O. Box 867, Dawsonville 30534-0867.

### **\*\*\*SUBSIDIZED GUARDIANSHIP/ ENHANCED SUBSIDY GUARDIANSHIP**

Through the Subsidized Guardianship Program, DFCS is able to provide financial assistance to relatives that have obtained permanent guardianship of a child who was in the legal custody of DFCS for a minimum of 12 months. If the child has been in custody for less than a year, this time requirement can be waived if the state office approves the DFCS case manager's request. The monthly rate of payment for Subsidized Guardianship is \$313.30. There are no financial eligibility requirements for a relative to qualify for this program.

A relative whose income is at or less than 200% of the Federal Poverty Level may qualify for the Enhanced Subsidy Guardianship Payments. (See chart below.) If the relative qualifies they need to ask the DFCS case manager about this at the start. Once the relative begin receiving the standard Subsidized Guardianship, they are not allowed to switch over to the Enhanced Subsidy Guardianship program, even if they meet income requirements. Enhanced Subsidy Guardianship rates vary depending on the age of the child.

Age of Child	Monthly Rate	200% Fed. Poverty Level	
		Household Size	Enhanced Subsidy Income Limit
newborn to 5	\$365.91	1	\$22,980
6 to 12	\$413.67	2	\$31,020
13 to 18	\$471.15	3	\$39,060
		4	\$47,100

The two main components for getting Subsidized Guardianship are for DFCS to approve the relative and for the Juvenile Court to appoint the relative as the permanent guardian of the child.

In order to approve the relative, the DFCS case manager needs to complete a Relative Care Assessment, make home visits to the relative, and do a Safety and Home Assessment. All over the age of 18 in the household will have a DFCS history check and a criminal records check. DFCS may place the child with the relative caregiver at this point. DFCS can approve for the relative caregiver to begin receiving subsidy payments for up to 6 months prior to the guardianship being finalized in court. The DFCS case manager and relative will sign a Guardianship Application and Agreement.

The legal process of being named guardian normally takes 9 to 12 months. The DFCS requirements must all be completed and approved by the time that the judge awards guardianship to the relative caregiver or they will not be eligible for this subsidy. The Juvenile Court must transfer the child from the legal custody of DFCS to the guardianship of the relative. Once the caregiver is appointed as the Permanent Guardian, they will receive the Subsidized Guardianship monthly payments until the child turns 18 provided the child stays in school.



## State Resources Relevant for Adoption of a Child by a Relative

### \*\*\*MEDICAID/ public health insurance

There are many different types of Medicaid programs, and eligibility differs from case to case. Unless the child qualifies as “Special Needs” and is eligible for Adoption Assistance from DFCS, (see page 11) the adopted child is not given any extra consideration when applying for Medicaid. A child having Medicaid prior to adoption may not be eligible for Medicaid after adoption. Eligibility depends on the household’s size and income. (See chart below.) If the adopting relative is interested in the child receiving Medicaid, they are responsible for applying for this from DFCS. Neither the court nor DFCS will apply for them.

RSM (“*Right From the Start*”) Medicaid is a free government health insurance program for low-income children which covers medical expenses including preventive care, immunizations, screening and treatment of health conditions, doctor and hospital visits, and vision and dental care. If a household income is over the limit for Medicaid, they may be eligible for PeachCare. PeachCare is also a public health insurance program for low-income children, but may have premiums, copayments, and limited coverage. Both Medicaid and PeachCare coverage must be renewed yearly.

	GROSS ANNUAL INCOME LIMITS			
<u>Household size</u>	RSM Medicaid	RSM Medicaid	RSM Medicaid	PeachCare
	<u>child 0-1 yo</u>	<u>child 1-5 yo</u>	<u>child 6-19</u>	<u>child 0-18</u>
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Applications can be completed online or over the phone. The online address is [www.compass.ga.gov](http://www.compass.ga.gov). The Georgia One Phone System center number is 1(877)423-4746. Many phone applicants have complained about long waits and dropped calls on this system. If the applicant has difficulty, they can call a Hall or Dawson County DFCS’s RSM Medicaid workers from the list below for personal assistance. Once approved by DFCS, Medicaid will be retroactive to the first day of the month that it was applied for.

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### \*\*\*TANF/ state child support for low-income families

TANF stands for “*Temporary Assistance for Needy Families*”, and is a monthly state child support payment. The child is not eligible to receive TANF if they receive any other child subsidy.

A person applies on behalf of their household. The household’s income and countable resource limits are listed in the chart below. (A countable resource is primarily your bank account; pensions and retirement funds are not counted.) Adults in the household between the age of 18 and 60 are required to work or attend school 36 to 40 hours per week and are eligible to receive CAPS child care funding.

Household Size	Gross Monthly Income Limits	Resource Limits
1	\$435	\$1,000
2	\$659	\$1,000
3	\$784	\$1,000
4	\$925	\$1,000

An adopting parent who is 60 years old or older or disabled according to Social Security or the Veterans Administration may be eligible for “Senior SNAP” and receive an extra \$50 a month per child.

TANF can only be applied for through a paper application. Paper applications can be requested either by calling Georgia One Phone System at 1(877) 423-4746 or at the local DFCS office. The Hall County DFCS office is located at 970 McEver Road Extension in Gainesville; the Dawson County DFCS office is located at 424 Highway 53 in Dawsonville. The applicant will receive an appointment letter in the mail for a phone interview. If they miss the phone appointment, the applicant will have 10 days to schedule a new appointment. The application will be denied if a new appointment is not made.

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### **\*\*\*SSA-R FEDERAL PAYMENTS TO CHILD**

People who paid taxes into Social Security while they were employed will receive SSA-R (*Social Security Administration- Retirement*) payments starting between the ages of 62 (at early retirement) and 65 years. If the adopting relative is receiving SSA-R, the child can also receive Social Security Administration payments as a dependent until the child turns 18 years old. For more information on this, contact the Social Security office automated line at 1 (800) 772-1213 24 hours a day. The local office in Hall County can be reached at 1(866) 331-2309 and for Dawson County at 1(800) 772-1213.

### **State Resources Relevant for Adoption of a Child by a Relative WITH Official DFCS Approval**

In addition to the benefits and resources on pages 9-11, the adopting relative may also be eligible for both a subsidy with Medicaid and coverage of legal expenses if DFCS is involved and approves.

### **\*\*\*ADOPTION ASSISTANCE (child subsidy & Medicaid)**

The Adoption Assistance financial aid program is only provided to adopted children with Special Needs. In order to qualify for Special Needs, the child must meet one of the following three criteria:

- the child has a disability- physical, mental, or emotional-validated by a licensed physician or psychologist, or
- the child is adopted along with one or more siblings, or
- the child must have lived apart from the parent’s care for more than 24 consecutive months

**In addition:**

- **DFCS must have had legal custody** of the child prior to the child being adopted by the relative.
- The relative’s household has a gross income at or below 200% Federal Poverty Level

Household Size	200% Federal Poverty Level
1	\$22,980
2	31,020
3	39,060
4	47,100

Then the following process must be completed. If the process is not completed by the time the court finalizes the adoption, the relative caregiver will not be eligible for a child subsidy.

- DFCS conducts and approves an Adoption Home Study on the relative’s home. This includes home visits by the DFCS case manager and a Safety and Home Assessment which is completed by a contracted and independent group. Anyone in the household age 18 or older is fingerprinted, has a criminal records check, and a DFCS history check. All calls to “911” made from the house phone are checked. The primary caregiver(s) needs to provide a medical statement confirmed their physical ability to take care of a child, and to have a drug screen. The primary caregiver(s) needs to provide proof of a driver’s license, liability insurance, proof of income, and lease or mortgage documentation.
- DFCS and adopting relative signs a Placement Agreement.
- Both biological parents’ rights are terminated.
- Adoption is finalized in Juvenile court.

The monthly subsidy for an adopted Special Needs child depends on the age of the child.

Age of Child	Monthly Subsidy
Newborn to 5	\$441.04
6 to 12	\$463.85
13 to 18	\$486.67

An additional benefit to receiving Adoption Assistance is that the child will also receive Medicaid until age 18 yrs.

**\*\*\*NON-RECURRING ADOPTION ASSISTANCE**

**(One-time only assistance for the legal expenses of adoption)**

Once the Juvenile Court approves the DFCS request for Termination of Parental Rights and DFCS officially recommends that the child be placed with the relative caregiver with the goal of adoption, the relative caregiver will need to hire a private adoption attorney.

If covering the legal and court expenses involved with the adoption would be a financial hardship for the relative caregiver and the child is classified by DFCS as “special needs”, they may be eligible for Non-Recurring Adoption Assistance of up to \$1,500.

A child is “special needs” if they meet one of these three situations:

- the child has a disability validated by a licensed physician or psychologist, or
- the child is adopted along with one or more siblings, or
- the child must have lived apart from the parent’s care for at least 2 years, though DFCS can request a waiver on this time frame from the state

In order to obtain this program, the relative would need to apply for Non-recurring Adoption Assistance from the adoption assistance caseworker at your local DFCS office. The relative must apply after their private attorney has filed a petition for adoption in the Superior Court but before the final adoption hearing. Reimbursement is made after the adoption is finalized. Helpful agencies which offer free legal advice and resource information are the Atlanta Legal Aid Society (404) 524-5811, the Georgia Senior Legal Hotline 1(888)257-9519, and The GA Center for Resources & Support (404) 929-0401.