

## Kinship Legal Guardianship Frequently Asked Questions

Many prospective guardians may want to consider earning caregiver status for a child as a Kinship Legal Guardian. Here are the questions that embrella's staff receives most frequently regarding Kinship Legal Guardianship (KLG).

### *What is KLG?*

Kinship Legal Guardianship, or KLG, is a court-ordered plan for placing a child permanently in the care of someone with close ties to his/her family when the child's parents are unable to provide proper care. KLG status can be granted to relatives, family friends, teachers or an unrelated resource family with whom the child has been living with for at least one year.

The kinship legal guardian has similar rights and responsibilities as the child's parent, including making decisions about the child's care, consenting to medical treatment, making plans for the child's education, applying for services for the child and general responsibility for ensuring the child's safety and well-being. When KLG status is granted to an individual, parents no longer have legal custody of the child, however, their parental rights are not terminated. This means parents have the right to visit the child (as determined by court) and the obligation to pay child support.

### *Am I eligible for KLG?*

Eligible caregivers must be tied to the child biologically or emotionally and be committed to raising the child until they are 18 years old or graduate high school, whichever comes later. According to New Jersey's Division of Child Protection and Permanency (CP&P), KLG caregivers must meet requirements that screen for age, income and family size. The child must

have lived in the prospective KLG caregiver's home for the last 12 months. CP&P has two other requirements: 1) reasonable efforts have been made, but failed to reunify the child with their parents, and 2) adoption of the child is not feasible or likely. Adoption must be ruled out before KLG can be considered.

### *What if the child in my care was never under the supervision of CP&P?*

Refer to our KYI, Kinship Licensed Resource Parenting vs. The Kinship Navigator Program.

### *What services are available to KLG families?*

Families may contact their local county welfare agency to see if they qualify for state services and programs. There is additional assistance available through resources like the New Jersey Guardianship Resource Clearing House (aka KinConnect). You can learn more about KinConnect's services by visiting their website, [www.kinconnect.org](http://www.kinconnect.org), or by calling 877.KLG.LINE (877.554.5463). Kinship Wraparound Services provide funding for short-term or one-time expenses. To learn more, visit [https://www.nj.gov.dcf/documents/prevention/support/kinship\\_wa.pdf](https://www.nj.gov.dcf/documents/prevention/support/kinship_wa.pdf)

### *If I am granted KLG status, do the child's parents remain involved?*

Parents maintain the right to visit their child as determined by the court, to pay child support and to consent to adoption or a name change. They can also petition the court to seek to vacate (dissolve) a KLG.

### *If I am granted KLG status, do I receive a stipend or a board rate?*

Many KLG cases are eligible for participation in the CP&P KLG Subsidy Program. The rate paid in subsidy is mutually agreed upon based on the level of care the child needs and is typically the same as the current board rate at the time KLG is finalized. The subsidy rate is agreed upon by the KLG provider and CP&P before the court grants KLG. KLG providers continue to receive a subsidy until the child turns 18 years old or graduates high school, whichever is later.

### *How do I dissolve my KLG status?*

A KLG caregiver or parent may request that a KLG court order be vacated, however, KLG status can only be dissolved in court by a judge or when the child turns 18.

embrella recommends that anyone looking to dissolve KLG should contact their local family court.