

**Updated 2-8-16**

**Comparison Between Transfer of Guardianship (STOG for Relatives and Fictive Kin,  
Permanent STOG and Non funded TOG  
and Adoption**

	<b>Transfer of Guardianship</b>	<b>Adoption</b>
<b>Legal Status</b>	<p><b>TOG-</b> The court may grant a straight non-funded transfer guardianship to any fit and willing person with or without DCF agreement at any point during the legal process. Parents can petition the court to regain custody.</p> <p><b>Regular STOG (Subsidized Transfer of Guardianship)</b> A youth age 14 or older must be consulted about the TOG plan. The child must be placed in the home for 6 months following full licensure. Parents can petition the court to regain custody.</p> <p><b>Permanent STOG (Subsidized Transfer of Guardianship)</b> A youth 12 years and older must consent to the plan of permanent guardianship. Permanent guardianship requires a TPR ground. The child must be placed in the home for a minimum of one year. Once finalized the birth parents cannot petition the court to regain custody.</p> <p>Birth parents no longer have the right to make decisions for the child, but maintain certain parental rights which may include visitation when in the child's best interests.</p>	<p><b>Adoption</b> is a permanent legal relationship involving the complete severance of all parental rights of the birth parents.</p> <p>Birth parents do not have rights to future decision making regarding the care, custody or supervision of the child. Birth parents cannot ask the court for consideration to regain custody. Birth parents do not have rights to visitation unless expressly agreed to by the adoptive parents as a part of the TPR process in Superior Court for Juvenile Matters.</p>

<p><b>Caregiver Rights</b></p>	<p>Guardians have legal and physical responsibility for the child and assume the rights of care, custody and supervision of the child. If birth parent petitions to regain custody following a regular TOG, the guardian has the right to object. Birth parents cannot petition to regain custody if the court orders permanent transfer of guardianship.</p>	<p>Adoptive parents have all the rights and responsibilities of a parent.</p>
<p><b>Decision Making for Child</b></p>	<p>Guardians make all decisions regarding school, medical treatment and consent for major life decisions regarding the child, subject only to court orders.</p>	<p>Adoption allows for all decision making by the adoptive parents.</p>
<p><b>Process</b></p>	<p><b>Guardian for Regular and Permanent STOG</b> must be a relative or fictive kin (special study home or a licensed home with a private child placing agency) home that is recommended by DCF.</p> <p><b>STOG Packet to be Submitted to CO</b> In order to receive CO approval the packet must comply with the following reimbursement requirements: the STOG study must document the relationship of all the parents, the rationale for not pursuing reunification or TPR and reflect that the relative was counseled about the difference between TOG (subsidized and non-subsidized), Permanent TOG and TPR/Adoption.</p> <p><b>Successor Guardian-</b> Can currently be identified in the STOG packets so that in the event of death of the caregiver or incapacitation a new caregiver can be identified. In the event that this occurs, the new caregiver still needs to meet the standard of the licensing criteria and the matter must be brought before the court to reaffirm the successor guardianship.</p>	<p>TPR is needed in order to free the child for adoption. Once the child/youth is legally freed they are available for adoption up until the age of 18. Youth 12 and older must sign the adoption court paperwork and need to be in agreement with the plan of adoption.</p>

<p><b>Visitation with Birth Parents</b></p>	<p>The birth parents have the right to request visitation, which a court may grant based on best interests of the child. If no court order, visitation decisions are made by legal guardian.</p>	<p>After finalization, visitation is in the sole discretion of adoptive parents. If this is an Open Adoption, visitation or other contact is negotiated between the birth and adoptive parents before finalization and is part of the SCJM TPR process.</p>
<p><b>Financial Assistance (subsidized programs only)</b></p>	<p>Guardian may receive a subsidy that shall be negotiated up to 100% of the foster care rate. The subsidy continues until youth is 18, or up to age 21 if the youth remains in full time attendance at a secondary (high) school, technical school, college or state-accredited job training program. Yearly compliance will be required to confirm full time attendance in a secondary or post secondary educational program.</p> <p>An <b>annual subsidy review</b> is completed for all STOG cases and for all medically complex children a yearly updated 2101 is required from the primary medical provider. Should the child no longer be medically complex the subsidy will be reduced to the basic rate.</p>	<p>Families must be licensed or approved by DCF or a DCF-licensed private child placing agency as a foster home. A child must be certified as having "special needs" prior to adoption in order to be eligible for a financial subsidy. Adoptive parents may receive a subsidy that shall be negotiated up to 100% of the foster care rate depending on the "special needs" of the child. The financial subsidy continues until the child's 18<sup>th</sup> birthday. All youth adopted from 16-18 years will receive a monthly subsidy until their 21<sup>st</sup> birthday provided they are attending a full time post-secondary education program.</p> <p><b>Day care</b> can be provided per DCF policy for one year post-finalization as an adoption addendum item which must be negotiated prior to the adoption finalization and the adoptive families must apply for Care 4 Kids through the Department of Social Services within two weeks after the adoption finalization.</p> <p>A <b>bi-annual subsidy review</b> is completed for all adoption cases and for all medically complex children an updated 2101 is required for each review. The rate will be reduced to basic rate if the child is no longer medically complex.</p>
<p><b>Medical Coverage (subsidized programs only)</b></p>	<p>Medical coverage is available to the youth through his or her 18<sup>th</sup> birthday, or age 21 (for CT residence only after the 18<sup>th</sup> birthday).</p>	<p>Medical coverage is available to the youth through his or her 18<sup>th</sup> birthday, or age 21 (for Ct Residence only after the 18<sup>th</sup> birthday).</p>

<p><b>College Assistance</b> (subsidized and non-subsidized programs)</p>	<p><b>There is no college assistance provided by DCF.</b></p>	<p>Within available state appropriations, youth adopted after 12/31/04 are eligible for financial assistance with tuition and room and board up to but not exceeding the in state cost of the University of Connecticut up until a Bachelors Level.. This amount may be indexed for inflation. Youth must apply for FAFSA (available federal and state grants) and scholarships to qualify for the above. Each semester students are responsible to provide to the Subsidy Unit in CO, a copy of their semester grades and overall GPA. Overall GPA requirement is 2.0 to remain in good standing. Each year the youth is required to contribute \$500 towards their own education and provide the receipts to the CO Subsidy Unit.</p> <p>Youth must be enrolled prior to the age of 21 years old in a post-secondary educational program in order for the Department to pay for their education until the age of 23 years old.</p>
<p><b>Taxes</b></p>	<p>Subsidy income is not taxable if the child is considered a dependent. It may be considered a declarable asset when applying for other federal or state assistance programs for the child or family.</p>	<p>Subsidy income is not taxable if the child is considered a dependent. It may be considered a declarable asset when applying for other federal or state assistance programs for the child or family.</p> <p>Federal adoption tax credits may be available to adoptive parents upon filing federal tax returns.</p>
<p><b>Other Items</b></p>	<p>Youth in legal guardianship can be considered as "independent" for purposes of seeking their own financial aid when applying for FAFSA for college as of 7/1/2009.</p>	<p>Beginning with the scholastic year 2009, FAFSA allows youth adopted at age 13 or older to be considered "independent" students. Adoptive parents' income is not taken into consideration for financial aid for college.</p>

<p><b>Is the case with DCF open or closed?</b></p>	<p><b>Closed in the Area Office.</b> A subsidy case remains open at DCF Central Office with an assigned processing technician for financial and review purposes only.</p>	<p><b>Closed in the Area Office.</b> A subsidy case remains open at DCF Central Office with an assigned processing technician for financial and review purposes only.</p>
<p><b>Post-Adoption Services/Post-Subsidized Guardianship Services</b></p>	<p><b>Post STOG/TOG Services</b> are available until the child/youth turns age 18 via the Adoption Assistance Program. Contact # 860-679-4006.</p> <p>A guardian may request DCF Voluntary Services through the Careline #1-800-842-2288</p> <p>Guardians may call the Subsidy Office at DCF Central Office for help with direct deposit, lost checks and some issues related to the child's medical card. The Department of Social Services administers the child's medical insurance.</p>	<p><b>Post-Adoption Services</b> are available until the child/youth reaches age 18 via the Adoption Assistance Program. Contact # 860-679-4006.</p> <p>Adoptive parents may request DCF Voluntary Services through the Careline #1-800-842-2288.</p> <p>Adoptive families may call the Subsidy Office at DCF Central Office for help with direct deposit, lost checks, and some issues related to the child's medical card. The Department of Social Services administers the child's medical insurance.</p>



