

**Section 31 of the Probate Court Regulations is amended as follows:**  
*(Effective 90 days after submission to the Judiciary Committee of the General Assembly)*

**State of Connecticut**  
**Office of the Probate Court Administrator**  
**Probate Court Regulations**

Approved by the Probate Assembly's Executive Committee September 11, 2013

**Section 31**  
**Extended Family Guardianship and**  
**Assisted Care Pilot Program**

**31.1 Authority**

These regulations are issued pursuant to C.G.S. sections 45a-8b and 45a-77.

**31.2 Establishment of the Extended Family Guardianship and Assisted Care Pilot Program, Purpose, Designation of Judge to Administer the Program**

(a) The administrator shall establish, within available appropriations, an extended family guardianship and assisted care pilot program. The program shall be administered by the New Haven Regional Children's Probate Court.

(b) The purpose of the program is to reduce the number of children who are placed out of their communities and in foster care due to abuse and neglect. The program shall be designed to accomplish these goals through the following means:

- (1) Providing outreach to extended family members and non-relative caregivers in the community for possible appointment as guardians for children;
- (2) Seeking volunteers to act as assisted care providers to help guardians care for children;

- (3) Paying for needed services to assist guardians in meeting the needs of children under their care; and
- (4) Making monetary grants to assist guardians in meeting the needs of children under their care.

(c) The administrator shall designate a judge from among the judges whose probate districts are included in the New Haven Regional Children's Probate Court pursuant to C.G.S section 45a-8a (b) to manage the program, to determine eligibility to participate in the program under P.C.R. section 31.3, and to determine the amounts and purposes of grants under P.C.R. section 31.4. For the purposes of this section, "court" shall mean the judge designated to manage the program under this section.

(d) No judge designated to manage the program shall receive any compensation or benefits for such judge's services in connection with the program, other than the compensation and benefits that such judge receives from his or her court.

### **31.3 Applications and Eligibility**

(a) For the purposes of this section, "extended family guardian" means a permanent or temporary guardian who is related to a minor by blood, marriage, or step relationship or who is a non-relative determined by the court to have an existing personal relationship or some other connection with the minor through the local community.

(b) An extended family guardian may apply for a grant under the extended family guardianship and assisted care pilot program by completing an application in such form as the court may designate. The applicant shall:

- (1) indicate the amount and purpose for which the grant is sought **[and]**.

- (2) stipulate whether the guardian receives benefits or support from the Department of Children and Families in the current fiscal year, and
- (3) whether the guardian has previously received grants from the Family Respite Fund Program or Kinship Fund Program in the **[12 months preceding the application]** current fiscal year.

(c) To be eligible for a grant under the program, an extended family guardian must satisfy both of the following criteria:

- (1) The guardian must have been appointed by the New Haven Regional Children's Probate Court or by any **[probate court]** Probate Court serving a district included in the New Haven Regional Children's Probate Court pursuant to C.G.S section 45a-8a (b), provided that an extended family guardian who was appointed by any **[probate court]** Probate Court shall be eligible for the program if such guardian participates in the activities associated with the program; and
- (2) The guardian must qualify at the time of the grant application for a fee waiver or have been determined by the court to be in need of such a grant.

(d) No guardian who receives benefits or support from the Department of Children and Families shall be eligible to participate in the program.

(e) A guardian who received a grant from the Kinship Fund Program or the Family Respite Fund Program during the **[12 months immediately preceding]** current fiscal year before making an application for the extended family guardianship and assisted care pilot program shall be eligible for a grant for services under P.C.R. section 31.4 (a) or for a study performed by a private agency pursuant to P.C.R. section 31.4 (d), but shall not be eligible for monetary grants under P.C.R. section 31.4(b).

(f) A guardian may apply for a grant once during each **[twelve-month period]** fiscal year.

### **31.4 Grants**

(a) The court may authorize payment for any of the following services to assist a guardian who satisfies the eligibility criteria set forth in P.C.R. section 31.3 in meeting the needs of children in such guardian's custody:

- (1) Medical and dental care;
- (2) Nutritional counseling;
- (3) Psychiatric, psychological, or therapeutic counseling;
- (4) Developmental and educational services;
- (5) Summer and school vacation programs and camps;
- (6) Tutoring and mentoring programs; and
- (7) Extra-curricular activities.

(b) The court may authorize monetary grants in the maximum amount of one thousand dollars (\$1,000) per child to a guardian who satisfies the eligibility criteria set forth in P.C.R. section 31.3 to be used for one or more of the expenditure types set forth in the Department of Children and Families' Policy Manual section 36-55-25.4, as amended from time to time.

(c) The court shall be guided by the best interests of the child or children in the custody of the guardian when determining the amount and purpose of grants under P.C.R. sections 31.4 (a) and (b).

(d) The court may authorize payment for a study to be conducted by a private child-placing agency in connection with a guardianship proceeding in the New Haven Regional Children's Probate Court if the proposed extended family guardian satisfies the eligibility criteria set forth in P.C.R. section 31.3, and the court determines that having the study performed by a private agency is in the child's best interest. A private child-placing agency is an agency licensed or approved by the Commissioner of the Department of Children and Families under C.G.S. section 45a-707 (3).

### **31.5 Assisted Care Providers**

(a) The court shall seek to recruit volunteers willing to act as assisted care providers and shall maintain a list of such assisted care providers. The court shall perform a background check of the state criminal records and child protection databases before adding any proposed assisted care provider to the list.

(b) The list set forth in [\[subsection \(a\) of this section\] P.C.R. section 31.5 \(a\)](#), shall serve as a resource for extended family guardians who wish to accept the assistance of an assisted care provider and who agree to supervise the activities of the assisted care provider.

### **31.6 Funding and Administration**

(a) The administrator shall from time to time distribute available funds, in amounts determined by the administrator, to the New Haven Regional Children's Probate Court for use in the extended family guardianship and assisted care pilot program.

(b) The court shall maintain a bank account separate and distinct from any other court bank account, which account shall be used exclusively for the program.

(c) The court shall seek to inform eligible guardians about the program through outreach efforts, written communications, group meetings, and other appropriate means.

(d) The court shall submit quarterly reports to the administrator detailing the following information:

- (1) The amount and dates of disbursements of program monies;
- (2) A description of the uses of the program monies;
- (3) The balance remaining in the program bank account; and
- (4) The number of families and children served by the program during the reporting period.

(e) [The court may expend a maximum amount of ten per cent of the amount received for the program for administrative costs related to the operation of the program.]

(f) The administrator, or the administrator's authorized representative, may conduct periodic audits of the court's financial records pertaining to the program to ascertain compliance with the law, the P.C.R., and the policies and procedures established by the administrator.

[(g)] (f) Any funds not utilized for the purposes of the program shall be returned to the administration fund in such manner and at such time as the administrator directs.

*Section 31 is effective August 8, 2010*

*Approved by the Executive Committee April 21, 2010*

*Approved by the Judiciary Committee August 8, 2010*