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April 8, 2010

Assembly Member Sheldon Silver
Speaker of the Assembly
932 Legislative Office Building
Empire State Plaza
Albany, NY 12248-0001

Re: Kinship Guardianship Assistance

Dear Speaker Silver:

On behalf of New York Children's Action Network (New York CAN), a broad-based coalition of over 190 coalitions, organizations, and individuals who are concerned about children, we are writing to support the Governor's proposed Kinship Guardianship Assistance program included in Article VII legislation.

Kinship guardianship arrangements can play an important role in children's lives for whom adoption and a return to family have been ruled out. Research studies have demonstrated that because kin placements are more stable, they are more likely to lead to better outcomes for these youth due to fewer disruptions in their lives and the greater probability that sibling relationships will be maintained. Kinship Guardianship is also a more culturally sensitive option for minority families.

Key aspects of the bill include:

- Children must be in a committed, relative foster care placement for a minimum of six months. Adoption and a return home must be ruled out before a kinship guardianship arrangement is considered.
- Provision of financial assistance for relatives to cover expenses associated with caring for a child in their homes.
- Assistance to extend until age 21 for youth who have entered a guardianship placement after age 16 under certain conditions.
- Reimbursement for up to \$2,000 in legal expenses incurred by relatives.
- Automatic eligibility for Title XIX medical assistance to children who are qualified under Title IV-E funding. Provisions are made for health insurance coverage for children who do not qualify.
- Independent living expenses and educational and training vouchers for youth who leave foster care for kinship guardianship after age 16.
- Access to a fair hearing process if a family's application is denied, if payments are discontinued, or if there is disagreement over the amount of the payments.

In addition, local departments of social services will save between \$4,000 and \$12,000 per child in administrative costs associated with case monitoring, case reviews, and court appearances. They


maintain their authority to make case assessments; make decisions related to reunification, adoption and kinship guardianship; and set the dollar amount for payments. They will also be reimbursed with federal funding for those children who are Title IV-E eligible. Courts also maintain their authority to review guardianship petitions and to hold hearings in situations where all parties do not consent to the guardianship arrangement. Determinations must be made in the best interests of the child.

We urge your full support for the Kinship Guardianship Assistance program in Article VII legislation.

Sincerely,



James Purcell
Chair
New York CAN Child Welfare Committee



Karen Schimke
Convener
New York CAN