

# Policy Transmittal

## Office of Child Welfare Programs



Lorri Harris - Post Adoption Program Manager

**Authorized Signature**

**Number:** CW-PT-20-012

**Issue Date:** 6/12/2020

**Topic:** Guardianship

**Transmitting (check the box that best applies):**

- New Policy   
  Policy Change   
  Policy Clarification   
  Executive Letter  
 Administrative Rule   
  Manual Update   
  Other: Form Update

**Applies to (check all that apply):**

- |  |   |
|--|---|
| <input type="checkbox"/> All DHS employees                     | <input type="checkbox"/> County Mental Health Directors                       |
| <input type="checkbox"/> Area Agencies on Aging: {Select type} | <input type="checkbox"/> Health Services                                      |
| <input type="checkbox"/> Aging and People with Disabilities    | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs             | <input type="checkbox"/> ODDS Children's Intensive In Home Services           |
| <input type="checkbox"/> County DD program managers            | <input type="checkbox"/> Stabilization and Crisis Unit (SACU)                 |
| <input type="checkbox"/> Support Service Brokerage Directors   | <input type="checkbox"/> Other (please specify):                              |
| <input type="checkbox"/> ODDS Children's Residential Services  |   |
| <input checked="" type="checkbox"/> Child Welfare Programs     |   |

<b>Policy/Rule Title:</b>	Consideration of a Relative as the Legal Guardian when the Relative is not the current Substitute Caregiver
<b>Policy/Rule Number(s):</b>	413-070-0668
<b>Procedure Manual:</b>	Chapter 6 Section 14A Approving and Implementing Guardianship as a Permanency Plan
<b>Form Updates:</b>	Central Office Guardianship Committee Form: <a href="https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/ce0270a.doc">https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/ce0270a.doc</a> Guardianship Study: Relative: <a href="https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2822r.docx">https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2822r.docx</a> Information & Responsibilities of a Caregiver & Legal Guardian: <a href="https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2424.docx">https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2424.docx</a>

<b>Effective Date:</b>	06/01/20
<b>Web Address:</b>	<a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/division_70.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/division_70.pdf</a>

**Discussion/Interpretation:** This rule/procedure/forms has been added to allow a relative of a child placed in substitute care to be considered as the potential legal guardian of the child when they are not the current substitute caregiver for that child and do not intend to be.

**Implementation/Transition Instructions:** Staff and supervisors should read and review the new rule in OAR [413-070-0668](#), Chapter 6 Section 14A and forms. Staff should advise a potential relative guardian and the substitute caregiver that under this rule the child will not be eligible for the Guardianship Assistance Program once the guardianship is ordered by the court.

**Training/Communication Plan:** Notification of rule/procedure/forms amendment through this policy transmittal. Additional information will be communicated through further policy transmittals, training at supervisor quarterlies, permanency quarterlies, and monthly program manager meetings.

**Local/Branch Action Required:** Read and implement the administrative rule, procedure and form changes.

**Central Office Action Required:** Read, implement and provide feedback on the administrative rule, procedure and form changes. Provide consultation as needed.

**Field/Stakeholder Review:**  Yes  No

**If yes, reviewed by:** Has been read and reviewed by Rule Advisory Committee (RAC), Peer Advisory Review Committee (PARC) and Policy Council.

*If you have any questions about this policy, please contact:*

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