



Tennessee Department of Children's Services

Protocol for Court Exit of Child to Permanent Guardianship

Supplemental to DCS Policy: 15.15 Subsidized Permanent Guardianship

Permanency Specialists and Family Service Workers (FSWs) complete necessary paperwork and TFACTS documentation outlined in [Policy 15.15, Subsidized Permanent Guardianship](#) and the [Subsidy Manual for Adoption Assistance and Subsidized Permanent Guardianship](#).

1. When reunification and adoption are not sustainable permanency options for a child residing in a kinship placement, a Permanency Specialist is consulted and a Special Child and Family Team Meeting (CFTM) is held to determine if Subsidized Permanent Guardianship (SPG) is a viable permanency option for that child. Permanency Specialists and FSWs must follow the **Work Aid for Subsidized Permanent Guardianship** and the attached SPG Documentation Checklist to document eligibility criteria for SPG. The SPG eligibility must be documented on form [CS-0747 CFTM Summary](#) and in TFACTS.
2. Permanency Specialists review CFTM summary in TFACTS to ensure eligibility criteria has been documented, create a subsidy record in TFACTS, verify the child's permanency plan goal is permanent guardianship and requests SPG approval from Central Office Foster Care Division. Requests are submitted via email by sending the date of the Special CFTM, child and prospective guardian's names, and the child's TFACTS case identification number to Central Office Foster Care Division. Sibling requests can be submitted together.
3. Central Office Foster Care Division reviews TFACTS for eligibility criteria and notifies Permanency Specialists when the review has been completed. Permanency Specialist will continue with steps under section four and route subsidy records to Central Office for approval. If a request is denied, Permanency Specialists notify and consult FSWs to determine an appropriate permanency option.
4. **Permanency Specialist Tasks for Subsidized Permanent Guardianship:**
 - a) Rate negotiations, certifications of eligibility, intent and agreements must be complete **prior to the court date**. Guardianship Special/Extraordinary rate requests, justification forms and supporting documentation must be submitted to a Central Office Subsidy Supervisor prior to routing the subsidy record for approval. The Special/Extraordinary foster care rate must be in place at least 90 days prior to signing Guardianship agreements. A waiver request can be submitted to the Director of Foster Care and Adoptions if the 90 day requirement is a barrier to permanency. Refer to the [Subsidy Manual for Adoption Assistance and Subsidized Permanent Guardianship](#) for procedures on determining the daily rate.
 - b) Notification to DCS legal department to request a court date is necessary to exit the child from DCS custody.
 - c) Once Guardianship has been granted, update the child's TFACTS record to reflect the child has exited to Permanent Guardianship and end the child's placement. The child's exit date is the date on the Guardianship Order. The date the judge signs the Guardianship Order, is not always

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the date the Guardianship went into effect. The SPG agreement is effective the date on the Guardianship Order.

- ◆ Step 1: Enter Permanent Guardianship in the Court Case Actions link (may be completed by the Legal Division).
- ◆ Step 2: Terminate the current legal status by entering the date the Permanent Guardianship was granted, choosing **Permanent Guardianship** from drop down box and answering YES. Terminating the legal status will end the current placement (may be completed by the Legal Division).
- ◆ Step 3: All SPG subsidy case file information should be uploaded in TFACTS in accordance with DCS Policy 15.16, [Subsidized Permanent Guardianship Case File Content](#). Timely submission of documents is essential to avoid a delay in payment.