

# Permanency Planning Matrix

*This guide provides guidance specific to cases where a dependency action has been filed.*

Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for 15 months.

RCW 13.34.145(1)(c).



## Reunification

### PERMANENT PLAN

- The dependency is dismissed ending DCYF and court oversight after the children or youth have been reunified with the parent(s).
- DCYF no longer has placement and care authority for the children or youth.
- Children and youth are not considered foster children or youth once the dependency is dismissed.
- DCYF no longer provides services or supervision. Parents can call DCYF to request voluntary services.
- DCYF's goal is to achieve this plan within 12 months of Original Placement Date (OPD) to meet federal time frames.

### OBJECTIVE

- Reunification is the preferred permanent plan when children or youth can safely be returned to the family.
- Preserves the family unit.
- Maintains family connections and allows for lifelong legal and relational permanency.

### LEGAL REQUIREMENTS

- Dependent children or youth can be returned when the court finds the reason for removal no longer exists.
- Prior to dependent children or youth returning home, DCYF must:
  - Identify all adults residing in the home and complete a background check.
  - Identify any persons who may act as a caregiver for the children or youth in addition to the parent and determine whether they need any services to ensure safety of the children or youth, regardless of whether they are party to the dependency.
- If a dependency was established, the children or youth must be in-home with the parent(s) for a six-month trial return home period prior to court deciding if the dependency should be dismissed.
  - During the trial return home period, the parent has an ongoing duty to notify DCYF of all persons who reside in the home or may act as a caregiver.
  - DCYF is required to notify the court if any person acting as a caregiver fails to participate in recommended services.
  - Any party to the dependency action can motion for dismissal.

### PARENTS' RIGHTS & RESPONSIBILITIES POST-PERMANENCY

- All care and custody are returned to the parent(s). They are responsible for all aspects of parenting.



Washington State Department of  
**CHILDREN, YOUTH & FAMILIES**

## Reunification

<b>FINANCIAL SERVICES &amp; SUPPORTS</b>	<ul style="list-style-type: none"> <li>Parents can apply for assistance for children or youth at the DSHS Community Service Office (CSO) subject to eligibility requirements.</li> <li>If TANF benefits were previously ended due to the children's or youth's length of time in out-of-home care, assistance can be re-opened up to 30 days in advance of a children's or youth's return home.</li> <li>After the DCYF case closes, families may be eligible for up to 12 months of Working Connections Child Welfare Continuing Child Care (CWCCC), without co-pay or work requirements. The referral for CWCCC must be completed prior to DCYF case being closed.</li> </ul>
<b>MEDICAL</b>	<ul style="list-style-type: none"> <li>Once a dependency is dismissed, children or youth's family can choose to maintain their Apple Health Core Connections coverage for up to one year. The family must opt in.</li> </ul>
<b>EDUCATIONAL SERVICES</b>	<ul style="list-style-type: none"> <li>Youth who were in foster care any time after turning 13 may be eligible for dedicated financial aid resources for postsecondary education or job training through an apprenticeship program. (<a href="https://ospi.k12.wa.us/student-success/access-opportunity-education/foster-care/postsecondary-education-foster-care">https://ospi.k12.wa.us/student-success/access-opportunity-education/foster-care/postsecondary-education-foster-care</a>)</li> <li>Youth who were in foster care or a dependent at any time since age 13 are eligible to complete Free Application for Federal Student Aid (FAFSA) as an independent individual. (<a href="https://studentaid.gov/help-center/answers/article/can-i-receive-federal-student-aid-if-i-was-or-am-in-foster-care">https://studentaid.gov/help-center/answers/article/can-i-receive-federal-student-aid-if-i-was-or-am-in-foster-care</a>)</li> </ul>
<b>SERVICES POST 18 YEARS</b>	<ul style="list-style-type: none"> <li>Youth who are dependent when they turn 18 are eligible for extended foster care (EFC) services. (<a href="http://dcyf.wa.gov/services/foster-youth/extended-foster-care-program">http://dcyf.wa.gov/services/foster-youth/extended-foster-care-program</a>)</li> </ul>

## Guardianship

Title 13 guardianship and Title 11.130 Guardianship of a Minor will be discussed in this section. When not broken into two section the information is applicable to both types of guardianship when the child is involved in an underlying dependency with DCYF.

<b>PERMANENT PLAN</b>	<ul style="list-style-type: none"> <li>The dependency is dismissed ending DCYF and juvenile court oversight after a final guardianship order is entered.</li> <li>DCYF no longer has placement and care authority for the children or youth.</li> <li>Children and youth are not considered foster children or youth once the dependency is dismissed.</li> <li>DCYF no longer provides services or supervision. Guardians can call DCYF to request voluntary services.</li> <li>DCYF's goal is to achieve this plan within 18 months of the OPD to meet federal time frames.</li> </ul>		
<b>OBJECTIVE</b>	<ul style="list-style-type: none"> <li>Allows the children or youth who cannot be safely reunified with their parent(s) to exit the foster care system and achieve legal permanency with the guardian(s) until the age of 18.</li> <li>Allows the original family unit to remain legally intact because it does not require termination of parental rights.</li> <li>Supports relational permanency with the family and guardian(s) through childhood and beyond 18 years of age.</li> </ul>		
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## Guardianship

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### LEGAL REQUIREMENTS

- Guardianship must be discussed with the parents and caregivers as an alternative to termination of parental rights (TPR) and adoption.
- DCYF must make efforts to support a guardianship and determine whether a guardianship is available as a permanent option for the children or youth.

- Title 13.36 Guardianship:  
<https://apps.leg.wa.gov/RCW/default.aspx?cite=13.36>
  - This type of guardianship requires an underlying dependency.
  - The children or youth must be removed from the custody of the parents for at least six consecutive months, and all other requirements of RCW 13.36040 must be met, unless all parties agree to the guardianship.
  - To qualify as a guardian, the person must be over 21 years of age and meet the minimum requirements to care for children or youth set forth in RCW 74.15.030.
  - If DCYF is the petitioner, the AAG will handle the legal requirements of the guardianship petition.
  - Youth 14 years of age and older must consent to this type of guardianship.

- Title 11.130 Guardianship of a Minor:  
<https://app.leg.wa.gov/RCW/default.aspx?cite=11.130>
  - This type of guardianship does not require an underlying dependency.
  - The children or youth don't have to be removed from the parents for a period of time before proceeding with this type of guardianship.
  - To qualify as a guardian, the person must be over 21 years of age and meet the minimum requirements to care for children or youth set forth in RCW 11.130.090.
  - The petitioner is responsible to handle all legal matters themselves or obtain an attorney.

### GUARDIANS' RIGHTS & RESPONSIBILITIES POST-PERMANENCY:

- The guardianship order will specify the guardian's rights and responsibilities concerning the care, custody, and control of the child.
- The guardian is granted full custody of the children or youth. They are responsible for all aspects of parenting the children or youth unless the court reserves rights and responsibilities for the parent.
- The guardianship and legal relationship end when terminated by the court or when the children or youth reach age 18 years of age. If adult guardianship is needed, please see RCW 11.130 for additional information.
- Children or youth subject to a guardianship are not the legal children of the guardian and do not have rights of legal children to inherit from the guardian. Guardians can choose whether to provide an inheritance to children or youth by a will.

# Guardianship

Title 13 guardianship and Title 11.130 Guardianship of a Minor will be discussed in this section. When not broken into two section the information is applicable to both types of guardianship when the child is involved in an underlying dependency with DCYF.

## PARENTS' RIGHTS & RESPONSIBILITIES POST-PERMANENCY:

- Birth parent(s) remain the legal parent(s), unless their rights have been terminated.
- Guardianship orders must address a visitation plan between the children or youth and parent(s) unless otherwise determined by the court.
- Visits are the responsibility of the guardian(s) and parent(s).
- After the guardianship is established, the parent(s), the guardian(s), or any party to the guardianship may petition the court to modify visitation and/or terminate the guardianship.
- If the guardian(s) apply for public benefits, federal law may require an order of child support unless a good cause waiver is requested and granted.

- Title 13.36 Guardianship:  
<https://apps.leg.wa.gov/RCW/default.aspx?cite=13.36>
  - The guardian has the right to make most decisions regarding children or youth's health, education, and care.
  - The court may terminate a guardianship if there is agreement of parties, and the court finds that the parent has successfully corrected the parenting deficiencies and termination of the guardianship is in the child's best interests. The court may terminate a guardianship at the petition of the parent if the court finds that the circumstances of the child or guardian have substantially changed based on facts that have arisen after or were unknown at the time the guardianship was entered and that termination is necessary to serve the best interests of the child.

- Title 11.130 Guardianship of a Minor:  
<https://app.leg.wa.gov/RCW/default.aspx?cite=11.130>
  - Title 11 guardianship orders may reserve rights to the parents that allow them more involvement in decision-making regarding children or youth's health, education, and care.
  - A guardianship can be terminated if the court finds the basis for the guardianship as articulated in the petition no longer exists, unless termination of the guardianship would be harmful to the child, and the child's interest in continuation of the guardianship outweighs the interest of any parent in terminating the guardianship.

## FINANCIAL SERVICES & SUPPORTS

- Guardians may be eligible to receive Working Connections Child Care (WCCC).
  - Guardians must be in an approved work activity to be eligible for WCCC.
  - The guardian's income is **not** considered when determining WCCC eligibility.
- Subsidized:
  - The Guardianship Assistance Program (GAP) can provide financial supports to assist with the ongoing care of the children or youth to guardian(s) who have met all the eligibility requirements.
  - Eligibility requirements include:
    - The child is a dependent and has been placed in the home of the proposed guardian for at least six consecutive months while under the jurisdiction of the juvenile court through a dependency action.
    - The proposed guardian has a kinship or foster care license, and cares for the child for at least six consecutive months post licensing. The six-month period does not include the time period when the guardian has an Initial License.
    - The GAP agreement must be signed prior to establishing the guardianship.
  - Financial benefits may include:
    - Reimbursement for non-recurring expenses up to \$2,000 towards legal expenses for establishing Guardianship. This must be negotiated prior to expense.
    - Monthly Cash Subsidy: Negotiated monthly cash payment up to 80 to 95% of the foster care maintenance payment and is based on age and needs.
- Non-Subsidized:
  - Guardians who do not qualify for GAP may apply for financial support from the Temporary Assistance for Needy Families (TANF) program through the CSO.
    - The guardian's income is not considered, but the income of the child or youth in the guardianship is counted.
    - The guardian(s) may request a good cause waiver to prevent child support from being collected from the parent(s) when applying for TANF.
  - Additional information about financial services and support can be found in the publication *Guardianship and Adoption Comparison Guide* (CWP\_0117).



## Guardianship

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<b>MEDICAL</b>	<ul style="list-style-type: none"> <li>Medical and dental benefits are complicated. For detailed information review the publication <i>Guardianship and Adoption Comparison Guide</i> (CWP_0117) <ul style="list-style-type: none"> <li>For <b>subsidized guardianships</b>, medical and dental benefits through Apple Health Core Connections may be available as part of the GAP subsidy.</li> <li>For <b>unsubsidized guardianships</b>, child and youth may be eligible for Washington Apple Health (Medicaid) coverage without the guardians' income being counted for eligibility requirements.</li> <li><b>Private Health Insurance:</b> Some private policies allow for the children or youth to be included but not all. Medicaid coverage would become secondary to private insurance.</li> </ul> </li> </ul>
<b>EDUCATIONAL SERVICES</b>	<ul style="list-style-type: none"> <li>Youth who were in foster care any time after turning 13 may be eligible for dedicated financial aid resources for postsecondary education or job training through an apprenticeship program. (<a href="https://ospi.k12.wa.us/student-success/access-opportunity-education/foster-care/postsecondary-education-foster-care">https://ospi.k12.wa.us/student-success/access-opportunity-education/foster-care/postsecondary-education-foster-care</a>)</li> <li>Youth who enter a relative guardianship on or after the age of 15 may be eligible for the Chafee Education and Training Voucher (ETV) Program which provides financial assistance to eligible youth to attend an accredited college, university, vocational or technical college.</li> <li>Youth who are in a guardianship through the age of 18 are eligible to complete Free Application for Federal Student Aid (FAFSA) as an independent individual, regardless of the age at which the guardianship was established.</li> <li>Youth in a guardianship may qualify for the Governors' Scholarship for Foster Youth.</li> </ul>
<b>SERVICES POST 18 YEARS</b>	<ul style="list-style-type: none"> <li>The GAP subsidy will automatically stop on the youth's 18th birthday. For additional information refer to <i>Extended Support Programs for Youth and Young Adults</i> (CWP_0121) <a href="https://www.dcyf.wa.gov/publications-library/CWP_0121">https://www.dcyf.wa.gov/publications-library/CWP_0121</a></li> <li>If you received a GAP subsidy regardless of children or youth's age at the time the guardianship is finalized, youth may be eligible to receive Extended GAP (EGAP) support until the age of 21 if the youth meet eligibility requirements. Both the guardian and young adult must agree to EGAP and jointly apply for the program.</li> <li>Young adults remain eligible for EGAP subsidies if they are adopted after the age of 18, contingent upon meeting all other EGAP eligibility criteria.</li> <li>Youth who were in an established dependency through DCYF or tribal court, with an out-of-home placement for at least 30 days between the ages of 15 and 17 years of age, may be eligible for the Independent Living (IL) program from ages 15-22.</li> </ul>

## Adoption

<b>PERMANENT PLAN</b>	<ul style="list-style-type: none"> <li>The dependency is dismissed ending all DCYF and court oversight after the adoption is finalized.</li> <li>DCYF no longer has placement and care authority for the children or youth.</li> <li>Children and youth are not considered foster children or youth once the dependency is dismissed.</li> <li>DCYF's goal is to achieve this plan within 24 months of the OPD to meet federal time frames.</li> </ul>
<b>OBJECTIVE</b>	<ul style="list-style-type: none"> <li>Allows the children or youth to become legal members of the adoptive family with all the legal rights of a birth child.</li> <li>Ends the legal relationship between the children or youth and the parent(s) to allow them to integrate into a stable and permanent home.</li> <li>Allows the children or youth to exit the foster care system with a lifelong legal relationship with a new family unit.</li> </ul>
<b>LEGAL REQUIREMENTS</b>	<ul style="list-style-type: none"> <li>Parental rights must be terminated before an adoption of children or youth under the age of 18 can occur.</li> <li>Youth 14 years of age and older must consent to adoption.</li> <li>The adoptive parent must have a home study that recommends adoption as outlined in RCW 26.33.190.</li> <li>The adoptive parent's spouse must also adopt the children or youth and be approved for adoption.</li> </ul>

# Adoption

<b>ADOPTIVE PARENTS' RIGHTS &amp; RESPONSIBILITIES POST-PERMANENCY</b>	<ul style="list-style-type: none"> <li>• The adoptive parent(s) have full care and custody of the children or youth, the same as would apply to any birth child.</li> <li>• They are responsible for all aspects of parenting the children or youth.</li> </ul>
<b>PARENTS' RIGHTS &amp; RESPONSIBILITIES POST-PERMANENCY</b>	<ul style="list-style-type: none"> <li>• Parental rights are relinquished or terminated.</li> </ul>
<b>FINANCIAL SERVICES &amp; SUPPORTS</b>	<ul style="list-style-type: none"> <li>• The Adoption Support Program can provide families with financial supports to assist with the adoption finalization and with ongoing care of children or youth, if eligibility requirements are met.</li> <li>• Benefits may include: <ul style="list-style-type: none"> <li>- Finalization costs including legal fees.</li> <li>- A monthly maintenance payment, which is determined through discussion and negotiation based on the needs of the children or youth and the circumstances of the family.</li> </ul> </li> <li>• Adoptive parent(s) may be eligible for up to 12 months Working Connections Child Care (WCCC) regardless of income if they apply as a non-needy or in-loco parentis family before the adoption is finalized. (<a href="https://www.dcyf.wa.gov/services/earlylearning-childcare/getting-help/wccc">https://www.dcyf.wa.gov/services/earlylearning-childcare/getting-help/wccc</a>)</li> <li>• Adoptive parents can apply for ongoing child care through WCCC after 12 months; however, they must meet all eligibility standards.</li> <li>• Working Connections Child Welfare Continuing Child Care is not available for adoptions.</li> </ul>
<b>MEDICAL</b>	<ul style="list-style-type: none"> <li>• If the children or youth meet eligibility requirements, the Adoption Support Program may be able to provide post-adoption services such as: <ul style="list-style-type: none"> <li>- Medical and dental coverage</li> <li>- Pre-authorized counseling including individual, family, or adoptive parent counseling</li> <li>- Specific contracted in-home services</li> </ul> </li> </ul>
<b>EDUCATIONAL SERVICES</b>	<ul style="list-style-type: none"> <li>• Youth who were in foster care any time after turning 13 may be eligible for dedicated financial aid resources for postsecondary education or job training through an apprenticeship program. (<a href="https://ospi.k12.wa.us/student-success/access-opportunity-education/foster-care/postsecondary-education-foster-care">https://ospi.k12.wa.us/student-success/access-opportunity-education/foster-care/postsecondary-education-foster-care</a>)</li> </ul>
<b>SERVICES POST 18 YEARS</b>	<ul style="list-style-type: none"> <li>• Adoption support benefits will automatically stop on the youth's 18th birthday, unless they meet eligibility requirements, and the parent(s) have provided documentation of the youth's continuation in high school prior to their 18th birthday.</li> <li>• If adopted after the age of 16, youth may be eligible to receive support up to age 21 through the Extended Adoption Support Program. Additional information can be found in WAC 110-80-0200 and RCW 74.13.031(13).</li> <li>• Youth ages 15-17 years who are/were in an established dependency, or in out-of-home placement for at least 30 days, are eligible for the Independent Living (IL) Program from ages 15-22. (<a href="https://www.dcyf.wa.gov/services/foster-youth/ilp">https://www.dcyf.wa.gov/services/foster-youth/ilp</a>)</li> <li>• For additional information refer to <i>Extended Support Programs for Youth and Young Adults</i> (CWP_0121) <a href="https://www.dcyf.wa.gov/publications-library/CWP_0121">https://www.dcyf.wa.gov/publications-library/CWP_0121</a></li> </ul>