## Rights and Responsibilities

### Adoption
Parents’ rights are ended on a permanent basis for adoption. Adoptive parents make all decisions concerning the child. Adoption is preferred when reunification is not possible, because it returns a child to a permanent place in a family (legally and socially).

### Permanent Guardianship (Title 8)
Parents’ rights are suspended for permanent guardianship. Guardians make all decisions concerning the child, except when there are court orders.

- **Permanent guardians have rights and responsibilities for:**
  1. Physical custody
  2. Every day decisions
  3. Decisions about health issues
  4. Where the guardian and child will live (e.g., move elsewhere)
  5. Where the child will go to school and educational services

### Visitation and Contact
Adoptive parents make all decisions about contact and visitation.

### Post Adoption Contact Agreement
Adoptive parents can voluntarily mediate a post adoption contact agreement with birth parents. If the adoptive parent does not follow the agreement, mediation and/or a hearing may be set. The agreement, however, is viewed as very difficult to enforce if not followed.

Visitation is an area where decisions are based on the child’s best interest. In general it is believed that some contact is best for most children, even if it is of the most indirect kind.

### Duration
Legal responsibilities end at 18 years of age, but children need “family” for life.

### Legal Security
Adoption affords the highest level of legal security. When the adoption is final the child has all the rights of a birth child. This security is often valued by families in adoption.

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## Subsidies and Supports

### Adoption
Adoption subsidy is based on factors related to the child. Almost all children in DCS care are eligible. It is recommended that you review your child’s eligibility for Adoption Subsidy during permanency planning. Subsidy is available only if the child is in the custody of DCS. Adoption subsidy will not be available for guardians who later adopt.

### Eligibility
- Adoption subsidy is based on factors related to the child.
- The court ordered a Title 8 guardianship and the child is a citizen or qualified non-citizen.

### Supports
- **Cash Assistance**
  - The daily guardianship subsidy rate is $12.95 per child. Special considerations may be given when a child enters guardianship from a licensed foster home. The subsidy rates are based on the child’s placement rate eligibility while in foster care. If a child receives Social Security or other benefits, the amount is deducted from the guardianship subsidy.
- **AHCCCS if eligible**
- **Insurance**
  - Medicaid:
    - Coverage may be available through Medicaid.
  - Child moves to another state through Medicaid.
  - Coverage is available through AHCCCS. Guardians will need to apply at DCS.
  - Renew the application annually.

### Behavioral Health Services
Behavioral health services may be available through the RBHA. Services are available if the child moves to another state through Medicaid.

### Tax Credit
- A federal adoption tax credit may be available. Consult with a tax professional.

### Education Supports
- **FAFSA:** Children adopted or going into permanent guardianship or adoption after their 13th birthday do not count parental income for determining college financial aid on FAFSA.
- **ETV:** Children adopted or going into permanent guardianship on or after their 13th birthday qualify for the ETV, providing up to $5,000 per year for post-secondary education based on need.

### Child Care
- DCS will no longer pay for child care once guardianship or adoption is established.

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