

10A NCAC 70P .0104 GUARDIANSHIP ASSISTANCE PROGRAM ELIGIBILITY

The following eligibility criteria shall be met in order to receive Guardianship Assistance:

- (1) A determination by the Court that reunification and adoption are not appropriate permanency options for the child;
- (2) The child was placed in the licensed home for a minimum of six months;
- (3) The child is the placement responsibility of a North Carolina county department of social services at the time of entry into the Guardianship Assistance Program;
- (4) The child is at least age 14 years but not older than age 18 years and demonstrates a strong attachment to the prospective guardian and has been consulted regarding the guardianship arrangement;
- (5) The prospective legal guardian has a strong commitment to caring permanently for the child and has entered into a guardianship assistance agreement with the county department of social services who holds custody of the child prior to the order granting legal guardianship; and
- (6) If the child was placed in a legal guardianship arrangement at the age of 16 years or 17 years, he or she remains eligible to receive Guardianship Assistance until 21 years of age if, upon turning 18 years of age, he or she meets any of the following conditions:
 - (a) Completing secondary education or a program leading to an equivalent credential;
 - (b) Enrolled in an institution that provides post-secondary or vocational education;
 - (c) Participating in a program or activity designed to promote or remove barriers to employment;
 - (d) Employed for at least 80 hours per month; or
 - (e) Is incapable of doing any of the previously described educational or employment activities due to a medical condition or disability.

History Note: Authority G.S. 143B-153; 42 U.S.C. 671;
Eff. March 1, 2017.