ALLIANCE for CHILDREN'S RIGHTS

| | Federal Kin-GAP | State Kin-GAP | AAP | AFDC-FC |
|---|---|---|---|---|
| **Non-Related Legal Guardianship:** **Federally eligible youth** exits foster care to guardianship with a non-relative (any age) | Eligible for federal Kin-GAP until age 18** | Not eligible | Not eligible | Eligible for AFDC-FC from age 18 – 21 (transfers from fed Kin-GAP to state AFDC-FC at age 18)** |
| **Non-Related Legal Guardianship:** **Non-federally eligible youth** exits foster care to guardianship with non-relative (any age) | Not eligible | Not eligible | Not eligible | Youth eligible for AFDC-FC until age 21 |
| **Relative Guardianship:** Youth exits foster care to guardianship with a relative and **negotiated payments begin BEFORE age 16** | Youth eligible for federal or state Kin-GAP (linked to youth's IV-E status while in foster care) until age 18. EXCEPTIONS:<br>• Eligible until 21 IF youth has mental/physical disability<br>• Eligible until 19 OR graduation for high school (whichever comes first) IF youth is expected to graduate by age 19 | | Not eligible | Not eligible |
| **Relative Guardianship:** Youth exits foster care to guardianship with a relative and **negotiated payments begin AFTER age 16** | Youth eligible for federal or state Kin-GAP (linked to youth's federal eligibility status while in foster care) until age 21. | | Not eligible | Not eligible |
| **Adoption:** Youth exits foster care to adoption with a relative OR non-relative and **AAP Agreement signed BEFORE age 16** | Not eligible | Not eligible | Youth eligible for AAP until age 18. EXCEPTION:<br>• Eligible until 21 IF youth has mental/physical disability | Not eligible |
| **Adoption:** Youth exits foster care to adoption with a relative OR non-relative and **AAP Agreement signed AFTER age 16** | Not eligible | Not eligible | Youth eligible for AAP until 21 | Not eligible |

** IF the non-relative is NOT a NREFM, adult member of the child's tribe or former foster parent, the youth would go straight to guardianship supported with AFDC-FC and continue to be eligible for AFDC-FC until age 21 (the youth would not start in the federal Kin-GAP program and then transfer to AFDC-FC at age 18).

For more information, contact Angie Schwartz, Policy Director, Alliance for Children's Rights at a.schwartz@kids-alliance.org

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