

## **SUCCESSOR GUARDIAN INFORMATION FOR LEGAL GUARDIANS**

As legal guardian(s), you have the right to name a “successor guardian” in your subsidy agreement per 42 U.S.C. 673(d)(3)(C).

A successor guardian is the person(s) you intend to care for your guardian child in the event of your death or incapacitation.

Naming a successor guardian in your subsidy allows them to be eligible to apply for subsidy on behalf of the child. It does NOT transfer legal custody to the successor guardian in your absence.

As the current guardian(s) you are responsible for communicating with named individuals about their willingness to serve as and responsibilities of a successor guardian. The information on the backside of this page may be completed and shared with the person(s) you have named as your successor guardian(s). This information will assist them should they need to assume the care of the child.

In addition to requesting and negotiating a subsidy agreement on behalf of the child, a successor guardian must also file a petition for guardianship with the probate court in order to obtain legal guardianship in the event you are not able to care for your guardian child. The successor guardian and all adult household members in the successor guardian’s home must be able to pass all background screenings required by the courts. Background screenings include but may not be limited to fingerprint-based criminal checks and Child Abuse and Neglect registry checks. In addition to fingerprinting, the court may have additional requirements for the applicant to be named as successor guardian. CD will reimburse the individual(s) for the fingerprinting charges upon the filing and acceptance by the court of the individual(s)’ petition for guardianship.

In the event the named successor guardian’s fingerprint results indicate they have a felony conviction for one of the crimes which makes them an ineligible placement for subsidy funding, a subsequent guardianship subsidy agreement may not be negotiated. If the successor guardian meets background screening requirements and is approved for subsidy, it will not go into effect until they have been awarded legal guardianship by the probate court.

**A successor guardian will only be eligible to apply for guardianship subsidy if you have named them in your contract. If you do not choose to name a successor guardian now, you may choose to amend your subsidy contract at any time to add a successor guardian.**

As Guardian for: \_\_\_\_\_

I/we would like to name the following as Successor Guardian:

Name: \_\_\_\_\_

Relationship to Child: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

As Guardian for: \_\_\_\_\_

I/we decline naming a successor guardian at this time but are aware that we may name a successor guardian via an amendment to the agreement at any time while this agreement is still active in our names.

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The above was explained by:

\_\_\_\_\_  
(Subsidy Worker)

To the following Guardian/s:

Guardian's Signature: \_\_\_\_\_

Guardian's Signature: \_\_\_\_\_

## **INFORMATION FOR THE SUCCESSOR GUARDIAN**

Thank you for agreeing to serve as successor guardian in the event of the guardian's death or incapacitation for \_\_\_\_\_. You have been named as successor guardian in the guardianship subsidy contract with the Missouri Children's Division. This allows you to make application for a subsequent guardianship subsidy on behalf of eligible child should it become necessary for legal guardianship to be transferred to you.

The following subsidy services are available:

- Monthly payments to assist with living expenses for the child such as food, clothing and shelter.
- Missouri Medicaid
- Child care for children up to age 13 for families where both parents are working or in school.
- Other subsidy services may be available based on the individual needs of the child, as long as there is documentation of need by appropriate professionals.

Please keep me advised of changes to your contact information or your ability to serve as successor guardian so that I may inform Children's Division should changes need to be made.

If it becomes necessary for you to assume care of the guardian child, you must contact the Children's Division to request background screenings and negotiation of a subsidy and you must also pursue legal guardianship with the appropriate probate court. The court may require additional background screening.

When you successfully complete and pass the background screening for Children's Division, a new subsidy will be negotiated in your name on behalf of the child. The subsidy services will then go into effect upon the probate court's order naming you successor guardian.

My current Children's Division subsidy worker's contact information is:

Name: \_\_\_\_\_

County Office: \_\_\_\_\_

Phone Number: \_\_\_\_\_

You may also locate the contact information for a county office at <https://dss.mo.gov/cd/office/>

Please contact the subsidy worker as soon as possible should the child be in your care. They will be able to assist you in the next steps. If you do not contact the Children's Division PRIOR to obtaining legal guardianship from the probate court, you may be ineligible to receive subsidized benefits on behalf of the child.

A copy of my current subsidy contract and information regarding the children receiving subsidy can be found:

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