



ENACTMENT NEWS

House Bill 50 (Reps. Pelanda, Grossman) Fostering Connections & the Guardianship Guide Effective Sept. 13, 2016

On June 13, 2016, the Governor signed House Bill 50, which adopts the Federal Fostering Connections and requires probate courts to distribute a guardianship guide to all appointed guardians. The bill will go into effect on September 13, 2016.

The bill extends the age for which a person is eligible for federal foster care and adoption assistance payments under Title IV-E to age twenty-one. Under current law, these payments end at age eighteen. However, the child only qualifies for benefits if he/she is in the custody of a public children services agency on his/her eighteenth birthday. A court ordered emancipation will nullify the child's ability to qualify for these continued payments.

The bill requires a probate court to distribute a "guardianship guide" to all guardians upon appointment. The judge may choose between a guide created by the Ohio Judicial Conference (which is forthcoming) or by the Attorney General's office. However, the Judicial Conference must approve the AG's guide, and has not done so for the current version that was distributed to you last year. Because of this, distribution of that guide does not satisfy the bill's requirement.

The bill contains specifics on the manner of distribution. Each probate court must create a form that acknowledges a guardian's receipt of the guide. Guardians must sign this form when they receive the guardianship guide, and a copy of the form must be kept in the guardianship file.

The bill is retroactive. If a guardian was appointed prior to September 13, 2016, the bill requires the guide to be distributed, and the form signed, upon the next filing of either guardian's account (other than a final account) or guardian's report, whichever occurs first.