

MANUAL TRANSMITTAL

Arkansas Department of Human Services
Division of Children and Family Services

{{ Policy {{ Form {X} Policy Directive
Service Programs Forms Manual

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From: Roy Kindle, DCFS Director

Expiration Date – Until
Superseded

Subj.: Executive Directive: **Legal Subsidy.**

The Division believes that all children have a right to a safe and permanent family, therefore: All children who are in the custody of the Department of Human Services or who are in an out-of-home placement with relatives (part of the R.T. class) are eligible for a Legal Subsidy without regard to whether or not the child is eligible for Title IV-E or State Subsidy or without regard as to whether or not they are special needs.

A Legal Subsidy is defined as “The Office of Chief Counsel will perform the legal tasks for the adoption.”

The following Procedures will be used to obtain a Legal Subsidy, the Adoption Specialist will submit the following:

- A Completed CFS-425 (Application for Special Subsidy) and specify “Use of Agency Attorney” to receive legal services from OCC. Children in DHS custody and Children in a Non-Custody/Out-of-Home Placement who do not meet the special needs criteria, and who are not eligible to receive IV-E or State Maintenance subsidy, or Non-Recurring subsidy are eligible for “Use of Agency Attorney” to finalize an adoption. **THE CHILD IS ONLY ELIGIBLE TO RECEIVE A LEGAL SUBSIDY AND IS NOT ELIGIBLE FOR ANY OTHER TYPE OF SUBSIDY.**
- A Completed CFS-427 (Determination Of Eligibility for Adoption Subsidy).
- A “Subsidy Profile” and document in the subsidy profile that “ The child(ren) are in DHS custody and are eligible to receive legal services”. For children in a Non-Custody Out-Home-Placement Services case (R.T. Class), document in the “Subsidy Profile” “But for the child’s placement with a relative or other person, the child would still be in foster care.”
- The Termination of Parental Rights (TPR) Court Order.

This Executive Directive is Effective Immediately.

Inquiries to: Policy Unit, 682-8750
Attachment