

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 10: Guardianship and Adoption Section 23: Guardianship Overview	
	Effective Date: January 1, 2026	Version: 3

POLICY OVERVIEW

When reunification with parents or adoption is not in the child's best interest, legal guardianship may help give the child a permanent home.

POLICY STATEMENT

Legal guardianship is a permanency option that uses the court to create a legal relationship between a child and a trusted adult or relative. Guardianship gives the adult the legal right to care for the child without ending the parents' rights.

Guardianship:

1. Removes the child from the child welfare system;
2. Lets the caregiver make important decisions for the child; and
3. Gives the child a long-term caregiver.

When it is not safe or best for a child to return to their parents, the Indiana Department of Child Services (DCS) will hold a Child and Family (CFT) meeting or Case Plan Conference.

At the meeting, DCS will:

1. Talk about whether legal guardianship with a responsible adult is a good option; and
2. Identify any services or reasonable accommodations the child or caregiver may need to support the plan of guardianship.

LEGAL REFERENCES

- [IC 29-3-5-4.1: "Disability"; guardianship](#)
- [IC 31-9-2-107\(c\): "Relative"](#)
- [42 USC 673\(d\): Kinship guardianship payments for children](#)
- [42 USC Ch. 126 12102: Definition of disability](#)
- [465 IAC 4-2-1: Purpose](#)