

Six steps to guardianship from out-of-home care

Getting ready 1	Application 2	Assessment 3	Preparing for court 4	Going to court 5	After guardianship order 6
<p>a. Thinking about permanency</p> <ul style="list-style-type: none"> • Cultural consultation • Permanency consultation <p>Consider</p> <ul style="list-style-type: none"> • Belonging • Culture • Family time • Life story • Carer readiness <p>b. Talk with child, carer and family. Provide guardianship information, include changes to financial support</p> <p>c. Getting ready through action</p> <ul style="list-style-type: none"> • Family finding • Family meeting • Cultural connection • Carer development • Life Story Work • Other casework <p>d. Consultation about permanency</p>	<p>a. Carer submits application to be a guardian</p> <p>b. Complete probity, suitability and referee checks (for carer and household members over 16yrs)</p> <p>c. Prepare files and referral for assessor</p>	<p>a. Guardianship assessment and written report (include cultural consultation as needed)</p> <p>b. Consider assessment along with probity, suitability and other available information</p> <p>c. Complete guardianship suitability statement</p> <p>d. When managed by a PSP provider, provider to request DCJ approval to prepare guardianship application</p> <p>e. Discuss report and recommendation with carer and family</p> <p>f. Advise carer of outcome in writing</p>	<p>a. Prepare care plan with child, carer and family and complete a cultural consultation, if required</p> <p>b. Develop financial plan (approved by DCJ)</p> <p>c. Ask carer to seek independent legal advice</p> <p>d. With carer, complete 'prospective guardian's agreement' to guardianship order</p> <p>e. Finalise court documents including:</p> <ul style="list-style-type: none"> • Section 90 court application • Guardianship affidavit • Guardianship care plan (include final cultural plan) <p>f. DCJ Legal review and settle documents</p>	<p>a. File court documents</p> <p>b. Serve parents with court documents</p> <p>c. Prepare and file affidavit of service</p> <p>d. Inform carer, child, family and PSP provider (if applicable) of court dates</p> <p>e. Child over 12yrs meets with solicitor to give consent</p> <p>f. Magistrate may refer to Dispute Resolution Conference</p> <p>g. Court hearing (if orders are contested)</p>	<p>a. Inform child, guardian and family of the order</p> <p>b. Provide guardians with the court order and all relevant documentation</p> <p>c. Provide written confirmation to the parents</p> <p>d. Inform relevant agencies of the order</p> <p>e. Update administrative data such as ChildStory carer authorisation, legal, placement and financial records</p>
Decision: DCJ approve case plan goal change	Decision: approve probity and suitability checks	Decision: approve assessment and to prepare for court	Decision: DCJ signs court application	Decision: the court makes an order	Approved financials are managed by DCJ

e. Update case plan and action outstanding tasks. Update cultural support plan, if applicable

f. Check for any legal entitlements for the child including Victims of Crime. Complete an application if required.



Supporting children to live safely with their parents is always the first goal. When this is not possible, guardianship and open adoption are other permanent options.

Living with family and kin is preferred for Aboriginal and Torres Strait Islander children who are not able to live with their parents. Open adoption remains the last permanent option for Aboriginal children.

