

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
February 20, 2017**

PI 17-08

TO: Regional Supervisors
County Social Service
Division of Juvenile Services
Tribal Social Services
PATH
Residential Child Care Facilities (RCCF's)

FROM: Dawn Pearson, CFS Program Administrator

SUBJECT: Background Check for Prospective Guardian 623-10-10-15
Procedures for Background Checks 623-10-30-25

PROGRAMS: Subsidized Guardianship

EFFECTIVE: **Immediately**

RETENTION: Until Manualized

Children and Family Services (CFS) has revised policy specific to Background Checks for Prospective Guardians for clarification purposes. In addition, 623-10-30-25 Procedures for Background Checks is repealed as it is repetitive.

N.D.C.C. [50-11.3-01](#) requires that before appointment as a legal guardian under Chapter 27-20, the individual must be subject to an assessment that includes the result of a criminal history record investigation. In addition, any adult living in the household is also subject to a criminal history record investigation made under this section. In all cases, a criminal history record check will include a Bureau of Criminal Investigation (ND BCI) check and a fingerprint based FBI check.

Potential guardians and other adults living in the home who are applying for a subsidy under Service Chapter 623-10 Subsidized Guardianship are required to have a criminal background check specific to guardianship, meaning the "Guardianship" box must be checked on the "Personal Authorization for Criminal History background Check Inquiry" (SFN 838) form. A former background check completed for foster care, or any purpose other than guardianship, will not be accepted for the purpose of Service Chapter 623-10.

See **Procedures for Background Checks relating to Service Chapter 623-10 Subsidized Guardianship** for additional information.

For questions regarding Subsidized Guardianship for children in foster care, please feel free to contact Dawn Pearson, Program Administrator at 701-328-4934.