



GUIDE · CALIFORNIA

Raising a relative's child: your legal options in California

Guardianship, custody and adoption compared, for grandparents, aunts, uncles, older siblings and family friends who are already raising a child.

Current as of September 2026 · General information for families in California, not legal advice.

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Start here

The right legal arrangement depends on three questions. Do the child's parents agree, or at least not object? Is the child welfare system already involved (in Los Angeles County, the Department of Children and Family Services, or DCFS)? And do you need something that can end when a parent is ready, or something permanent?

If a child is in danger now, call 911. To report suspected abuse or neglect in Los Angeles County, call the DCFS Child Protection Hotline on (800) 540-4000.

The options at a glance

How the four main options compare

	Caregiver's Authorization Affidavit	Probate guardianship	Guardianship in dependency court	Adoption
Court case?	No	Yes, in the Probate Division	Yes, in juvenile court, in a DCFS case	Yes
Parents' rights	Unchanged	Parents lose custody while it lasts but remain parents	Parents lose custody while it lasts but remain parents	Ended permanently
What you can do	Enroll the child in school; relatives can also consent to most medical care	Custody and day-to-day decisions	Custody and day-to-day decisions	Everything a parent can do

	Caregiver's Authorization Affidavit	Probate guardianship	Guardianship in dependency court	Adoption
Can a parent undo it?	Yes, at any time	A parent can ask the court to end it	Only the juvenile court can end it	No
When it ends	When revoked, or when the child leaves your home	At 18, or earlier by court order	At 18, or later in some cases	Never
Possible financial help	CalWORKs child-only grant	CalWORKs child-only grant	Kin-GAP payments	Adoption Assistance Program payments

Caregiver's Authorization Affidavit

The simplest option. It is a short form you complete and sign under penalty of perjury. There is no court case and no filing fee. It lets you enroll the child in school and, if you are a relative, consent to most medical and dental care ([Cal. Fam. Code § 6550](#)).

It does not give you custody and it cannot stop a parent from taking the child back. It suits short-term or informal arrangements where the parents are not objecting.

Probate guardianship

For a longer arrangement outside the child welfare system, you can ask the Superior Court's Probate Division to appoint you guardian of the child ([Cal. Prob. Code § 1500](#) and following). In Los Angeles County, these cases are heard by the Probate Division of the Los Angeles Superior Court.

1. File a Petition for Appointment of Guardian of Minor (GC-210), the Child Information Attachment (GC-210(CA)) and the Confidential Guardian Screening Form (GC-212).
2. Give notice to the child's parents and other close relatives.
3. A court investigator looks into your home, and background checks are run.
4. At the hearing, the judge decides whether a guardianship is necessary and in the child's best interest. If it is granted, you receive the Order Appointing Guardian (GC-240) and Letters of Guardianship (GC-250), which prove your authority.

A guardianship can lead to adoption. Where a child has lived with a guardian for at least two years, the court can, in an adoption case, free the child from the parents' custody and control if that is in the child's best interest ([Cal. Prob. Code § 1516.5](#)).

If DCFS is involved

Once the juvenile court has taken jurisdiction, the court and DCFS decide where the child lives. Relatives who ask to care for the child must be given preferential consideration ([Cal. Welf. & Inst. Code § 361.3](#)).

- **Resource Family Approval.** To have the child placed with you, you apply to become an approved resource family. It covers a home check, background checks and training ([Cal. Welf. & Inst. Code § 16519.5](#)).
- **Speak up early.** Tell the social worker and the court, in writing, that you want to be considered, and ask how you will receive notice of hearings.

- **Permanent plans.** If the parents do not reunify with the child, the court chooses a permanent plan at a hearing. Adoption is preferred, and legal guardianship is also available ([Cal. Welf. & Inst. Code § 366.26](#)).
- **Money.** Approved resource families receive foster care payments. Kin-GAP can continue payments after a guardianship ([Cal. Welf. & Inst. Code § 11360](#) and following), and the Adoption Assistance Program after an adoption. Ask DCFS in writing what you qualify for before the case closes.

Native American children. If the child may be a member of, or eligible for membership in, a tribe, the Indian Child Welfare Act gives the tribe a voice and prefers placement with extended family. California also offers tribal customary adoption, in which the tribe approves the adoption without terminating parental rights ([Cal. Welf. & Inst. Code § 366.24](#)).

Adopting a relative's child

Adoption is the only permanent option. You become the child's legal parent and the birth parents' rights end. Depending on the situation, it runs through the dependency court, follows a probate guardianship, or proceeds with the parents' consent.

California recognises that relatives who adopt often want the birth family to stay part of the child's life. A written contact agreement, approved by the court, can set that out ([Cal. Fam. Code § 8616.5](#); [Cal. Fam. Code § 8714.5](#)). The usual 10-year age gap between parent and child can be waived for a sibling, aunt, uncle or first cousin ([Cal. Fam. Code § 8601](#)).

Where to get help

- [California Kinship Navigator](#): free help finding local services.
- [Los Angeles County DCFS](#): relative caregivers.
- [California Courts Self-Help Guide](#): Guardianship.

Sources

- [Cal. Fam. Code § 6550](#)
- [Cal. Fam. Code § 8601](#)
- [Cal. Fam. Code § 8616.5](#)
- [Cal. Fam. Code § 8714.5](#)
- [Cal. Prob. Code § 1500](#)
- [Cal. Prob. Code § 1516.5](#)
- [Cal. Welf. & Inst. Code § 361.3](#)
- [Cal. Welf. & Inst. Code § 366.24](#)
- [Cal. Welf. & Inst. Code § 366.26](#)
- [Cal. Welf. & Inst. Code § 11360](#)
- [Cal. Welf. & Inst. Code § 16519.5](#)

This is general information about California law as of September 2026. It is not legal advice, and reading it does not create an attorney–client relationship. The law changes and every family's situation is different, so please get advice about your own circumstances before acting on it.