

Determining a Specified Relative

18 NYCRR 369.1(b)

To be eligible for Aid to Dependent Children (ADC), and therefore for Title IV-E, a child must reside with a parent or other adult caretaker relative of the child related to the child by blood, marriage, or adoption (or, for purposes of Title IV-E only, have been residing with at the time of removal from the home or in one of the six months preceding the removal). The term parent or other adult caretaker relative includes the following:

1. the child's father, mother, brother, sister, grandfather, great-grandfather, great-great-grandfather, grandmother, great-grandmother, great-great-grandmother, uncle, great-uncle, great-great-uncle, aunt, great-aunt, and great-great-aunt, of whole or half blood;
2. the child's first cousin, nephew, and niece, of whole or half blood;
3. the child's stepfather, stepmother, stepbrother, stepsister, but no other step relative;
4. in the case of a child who has been surrendered to an authorized agency or who has been adopted:
 - any of the blood or step relatives included in the above; and
 - the child's adoptive parents and:
 - the other children of the adoptive parents and the children of such children;
 - the parents, grandparents and great-grandparents of the adoptive parents;
 - the brothers and sisters of the adoptive parents and the children of such brothers and sisters; and
 - the aunts, uncles, great-aunts and great uncles of the adoptive parents.
5. the spouse of any person described above even though the marriage may have been terminated by death, divorce, or annulment; and
6. in the case of a child born out of wedlock, any relative in the maternal line included above and, if paternity has been adjudicated or acknowledged in writing, any relative in the maternal and paternal lines included above.

Not included as an eligible relative are individuals identified as godparents who have no other relationship to the child.