

SOUL Family Legal Permanency

SOUL FAMILY LEGAL CUSTODIAN(S) VERSION

What is SOUL Family Legal Permanency?

SOUL Family Legal Permanency is a youth-centered permanency option that enables youth in foster care ages 16 and older to establish a legal relationship with one or more adults (called SOUL Family Legal Permanency custodians) while still maintaining existing family connections and access to important benefits to support their transition into adulthood. In addition to the SOUL Family Legal Permanency custodian(s), the court can formally recognize a broader network of caring adults to provide certain supports to youth.

- SOUL Family is the newest addition to existing legal permanency options which include reintegration, permanent custodianship, and adoption. With the support of their caseworkers and caring adults in their lives, the youth will be able to choose the permanency pathway that is right for them, subject to approval of the court.
- SOUL Family Legal Permanency does not require that parental rights of the youth's parents be terminated. However, if the court has earlier terminated the youth's parents' rights, the youth can still choose this option if they are 16 and older, subject to the court's approval.

SOUL FAMILY LEGAL PERMANENCY CUSTODIAN(S):

Who identifies the SOUL Family Legal custodian(s)?

- Youth can identify one or more adult SOUL Family Legal Permanency custodian(s) who do not need to be related to one another.
- Potential SOUL Family Legal Permanency custodian(s) need to be able and willing to meet basic caregiving requirements and be approved by the court.
- The court will ask the youth to choose which of their SOUL Family Legal Permanency custodian(s) will be the primary custodian in case there is a disagreement between the SOUL Family Legal Permanency custodians. *Note: This only occurs if there is more than one SOUL Family Legal custodian(s).*

Legal rights and responsibilities of SOUL Family Legal custodian(s)

- Make day-to-day decisions about the youth's care and exercise all the rights and responsibilities of a parent, except they may not:
 - Consent to the youth's adoption.
 - Be court-ordered to pay child support or medical support for the youth.
- May share some parental responsibilities with the youth's biological parents.
 - This can only happen if the youth's SOUL Family Legal custodian(s) determined this to be in the youth's best interest.



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- After the youth turns 18 years old (or graduates from high school during the year the youth turns 18):
 - SOUL Family Legal Permanency custodian(s) agree to continue to support the youth and have authentic supportive relationships with them throughout their life.
 - SOUL Family Legal Permanency custodian(s) still have responsibilities to the youth but no longer have a right to education and medical records unless the youth grants them access.

What are the Legal Rights and Responsibilities of the Birth Parents?

- If birth parents' rights are still intact, they must agree to SOUL Family Legal Permanency as a permanency goal for the youth.
- Once appointed by the court, the youth's SOUL Family Legal Permanency custodian(s) will share daily legal decision-making authority with each other, but the youth's birth parents will still be able to:
 - Visit and contact the youth (although this can be limited by the SOUL Family Legal Permanency custodian(s), the courts and by the youth under certain circumstances).
 - Know about the youth's health and educational status.
 - The above information and contact can only be done if the youth's birth parents keep the courts up to date about how to contact them by providing their current address and phone number.
- In some instances, the youth's birth parents:
 - May be ordered to pay child support for the youth.
 - May be ordered to pay medical support for the youth.
- If the youth's birth parents' rights are terminated, they retain no legal rights or responsibilities for the youth.

What Are the Rights and Responsibilities of the Youth?

- If youth choose Soul Family Legal Permanency, Kansas law requires youth to consent to and approve the SOUL Family Legal Permanency as their permanency option.

SOUL FAMILY NETWORK OF OTHER CARING ADULTS:

What is the SOUL Family network of other caring adults?

- In addition to SOUL Family Legal Permanency custodian(s), youth also can ask the court to formally acknowledge other caring adults who have agreed to provide specific supports to the youth as agreed by the youth and the SOUL Family Legal Permanency custodian(s). These caring adults do not need to be legally related to the youth or be related to one another. They can be family members, neighbors, friends, mentors or any other caring adults who have agreed to certain types of support.

Legal rights and responsibilities of SOUL Family network of other caring adults

- Do not have legal rights or responsibilities to the youth.
 - While these are not legally binding relationships, this is an important way for the court and the community to recognize a broader network of people who support the youth.

RESPONSIBILITIES OF THE CASE MANAGEMENT TEAM IN SUPPORTING THE YOUTH'S CHOICE IN HAVING A SOUL FAMILY?

- Notify the youth's potential SOUL Family Legal Permanency custodian(s) and SOUL Family network of other caring adults that they have been identified.
- Visit with the youth in the home of their potential SOUL Family Legal Permanency custodian(s) with whom they will live with and determine the ability to safely care for the youth.
- Run criminal background and abuse and neglect registry checks on the youth's potential SOUL Family Legal custodian(s).
- Submit a court report with the required information set out above.
- Prepare the youth to transition to SOUL Family Legal Permanency which includes (but is not limited to):
 - Identifying potential SOUL Family Legal Permanency custodian(s).
 - Identifying other caring adults willing to provide support to the youth as agreed to by the youth and the youth's SOUL Family Legal Permanency custodian(s).
 - Determining the medical, financial, and higher education benefits available to the youth.
 - SOUL Family Legal Permanency is established by the court.
 - *NOTE: This information must also be included in the court report referenced above.*
 - Informing and providing information on post-permanency supports that are available for the youth to access.
 - Informing the youth of the process and procedure to utilize if their SOUL Family Legal Permanency does not work out.

SOUL FAMILY BENEFITS

Caregiver Monthly Subsidy

- A monthly subsidy of \$500 paid to the residential custodian until the young person reaches 18 and has completed secondary education. If secondary education has not been completed by age 21, the subsidy will end.

Special One-Time Support

- A one-time payment of \$3,000 made to the residential custodian to support start-up costs upon finalization of the custodianship. This shall be issued once, unduplicated, per identified residential custodian with a lifetime maximum of \$9,000.

Health Care Coverage

- Medicaid coverage is available until the youth turns 18 or graduates from high school, whichever is later but ends at age 21.
- Aged Out Medicaid will become available until age 26.

Post-Secondary

- Education Training Voucher (ETV) which can provide up to \$5,000 per year, based on cost of attendance and need.
- *SOUL Post-Secondary / Certified Training (PSCT) Assistance which can provide up to \$5,000 per year based on cost of attendance and need.

ETV and SOUL PSCT can be accessed for a maximum of five years up to age 26. DCF Independent Living Program administers both ETV and SOUL PSCT.

**Education benefits can be stacked up for a total of \$10,000/year for a maximum of five years. Amount awarded based on FAFSA determined need and cost of attendance for educational institution.*

Independent Living

- Basic Chafee eligible
- IL Subsidy eligible
- Start-Up Funds eligible
- Vehicle Repair and Maintenance eligible

Questions? Email: DCF.SOULFamilyGuidance@ks.gov



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