

SOUL Family Legal Permanency

YOUTH 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 caregiving relationship with one or more adults (called SOUL Family Legal 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, youth will be able to choose the permanency pathway that is right for the youth, subject to approval of the court.
- SOUL Family Legal Permanency does not require that your parents' rights be terminated. However, if the court has previously terminated your parents' rights, you can still choose this option if you are 16 and older, subject to the court's approval.

What are my responsibilities and rights if I choose SOUL Family Legal Permanency?

If you choose SOUL Family Legal Permanency as your permanency option, Kansas law requires you to consent to and approve SOUL Family as your permanency option.

What are the legal rights and responsibilities of my birth parents if I choose SOUL Family Legal Permanency?

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

SOUL FAMILY LEGAL PERMANENCY CUSTODIAN(S)

Who identifies the SOUL Family Legal Permanency custodian(s)?

- You can identify one or more adults to be your SOUL Family Legal Permanency custodian(s).
- Adult SOUL Family Legal Permanency custodian(s) do not need to be related to you or be related to one another.



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- Potential SOUL Family Legal Permanency custodian(s) need to be able and willing to meet basic caregiving requirements and be approved by the court.
- If you choose more than one SOUL Family Legal Permanency custodian, the court will ask you to choose one of these custodians as the primary custodian in case there is disagreement between the SOUL Family Legal Permanency custodians. *Note: This only occurs if there is more than one SOUL Family custodian.*

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

- Make day-to-day decisions about your care and exercise all the rights and responsibilities of a parent, except they may not:
 - Consent to your adoption.
 - Be court-ordered to pay child support or medical support for you.
- May share some parental responsibilities with your biological parents.
 - This can only happen if your SOUL Family Legal custodian(s) determined this to be in your best interest.
- After you turn 18 years old (or graduate from high school during the year you turn 18):
 - Your SOUL Family Legal custodian(s) have indicated that they plan to maintain authentic supportive relationships with you throughout your life.
 - Legal custodian(s) still have responsibilities but no longer have a right to education and medical records unless you grant them access.

SOUL FAMILY NETWORK OF CARING ADULTS

What is the SOUL Family network of other caring adults?

- In addition to SOUL Family Legal Permanency custodians, you also can ask the court to formally acknowledge other caring adults who have agreed to provide specific supports to you as agreed by you and your SOUL Family Legal Permanency custodian(s). These caring adults do not need to be legally related to you 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

- Your SOUL Family network of other caring adults do not have legal rights to or responsibilities for you.
 - 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 you.

CASE MANAGEMENT TEAM'S RESPONSIBILITIES IN SUPPORTING YOU USING SOUL FAMILY LEGAL PERMANENCY AS A PERMANENCY GOAL

- Notify your potential SOUL Family Legal Permanency custodian(s) and SOUL Family network of caring adults that they have been identified.
- Visit with you in the home of your potential SOUL Family Legal Permanency custodian(s) with whom you will live with and determine their ability to safely care for you.
- Run criminal background and abuse and neglect registry checks on your potential SOUL Family Legal Permanency custodian(s).

- Submit a court report with the required information set out above.
- Prepare you 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 you as agreed to by your SOUL Family Legal Permanency custodians.
 - Informing and coordinating SOUL Family Permanency benefits available for you to use.
 - Informing and providing information on post-permanency supports that are available to you.
 - Informing you of the process and procedure to use if your SOUL Family Legal Permanency does not work out.

SOUL FAMILY BENEFITS

Caregiver Monthly Subsidy

- A monthly subsidy of \$500 is paid to the residential custodian until you reach the age of 18 and have 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 will be made to your 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 you turn 18 or graduate 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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