

SOUL Family Legal Permanency

BIRTH PARENT 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, youth can still choose this option if they are 16 and older, subject to the court's approval.

What are my legal rights and responsibilities as a birth parent?

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



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SOUL FAMILY LEGAL PERMANENCY CUSTODIAN(S):

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

- Your child can identify one or more adult SOUL Family 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.
- Your child also decides 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 custodian.*

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

- Make day-to-day decisions about your child's care and exercise all the rights and responsibilities of a parent, except they may not:
 - Consent to your child's adoption.
 - Be court ordered to pay child support or medical support for your child.
- May share some parental responsibilities with you.
 - This can only happen if your child's SOUL Family Legal Permanency custodian(s) determined this to be in your child's best interest.
- After your child turn 18 years old:
 - Your child's SOUL Family Legal Permanency custodian(s) have indicated they plan to maintain authentic supportive relationships with your child throughout your child's life.
 - SOUL Family Legal Permanency custodian(s) still have responsibilities to your child but no longer have a right to education and medical records unless your child grants 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 Custodian(s), your child can also ask the court to formally acknowledge other caring adults who have agreed to provide specific supports to your child as agreed by your child and the 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 caring adults

- Do not have legal rights or responsibilities to your child.
 - 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 your child.

RESPONSIBILITIES OF MY CHILD'S CASE MANAGEMENT TEAM IN SUPPORTING THEIR CHOICE TO HAVE A SOUL FAMILY?

- Notify your child's potential SOUL Family Legal Permanency custodian(s) and SOUL Family network of other caring adults that they have been identified.
- Visit with your child in the home of their potential SOUL Family Legal Permanency custodian(s) with whom they will live and determine their ability to safely care for your child.
- Run criminal background and abuse and neglect registry checks on your child's potential SOUL Family Legal Permanency custodian(s).
- Submit a court report with the required information set out above.
- Prepare your child 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 your child as agreed to by your child and your child's SOUL Family Legal Permanency custodian(s).
 - Determining the medical, financial, and higher education benefits available to your child.
 - 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 support that is available to your child.
 - Informing your child of the process and procedure to utilize if their SOUL Family Legal Permanency does not work out.

Questions? Email: DCF.SOULFamilyGuidance@ks.gov