

SOUL Family Legal Permanency

FOUNDATIONAL INFORMATION FOR FAMILY WELL-BEING STAFF

GENERAL INFORMATION

What is SOUL Family Legal Permanency?

On April 15, 2024, Gov. Laura Kelly signed HB 2536 SOUL (Support-Opportunity-Unity-Legal Relationships) Family Legal Permanency Option, making Kansas the first state in the country to pilot a fifth permanency option for young people in foster care. The SOUL Family Legal Permanency option establishes primary legal relationships involving a young person — who is at least 16 years old — and one or more caring adults without a need for terminating the legal relationship with biological parents. It carries the legal status, rights and responsibilities of a familial relationship that will continue throughout the young person's lifetime.

Guiding Principles of SOUL Family Legal Permanency:

- All youth deserve permanency through the development and support of lifelong relationships that connect them to the people they consider their family and community.
- Providing permanency is the obligation of the child welfare system and the inability to connect young people to a permanent family represents a system failure.
- All permanency options must be guided by adolescent development principles, including the ongoing provision of social support continuing at least through age 26. **Refer to benefits comparison chart for specific eligibility age criteria*
- Permanency must allow for a network of supportive relationships that includes a legal relationship with a primary adult or multiple adults, ongoing connections to family members, and deep relationships with other caring adults.
- Permanency must honor young people's sibling relationships, including joint placement whenever possible and frequent visitation.
- Permanency begins with the family and community that youth identify as their own. This family network should play a key role in the permanency planning process.
- Permanency decisions must meaningfully engage youth and reflect their views and wishes.
- Long-term oversight and investments are needed to ensure that youth and families have the benefits, services, and emotional support needed to sustain permanent relationships.

BENEFITS SNAPSHOT

Upon appointment of a SOUL Family Legal Permanency custodian(s), young people and their SOUL Family are eligible for the following benefits:

- 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.
- A one-time payment of \$3,000 made to the residential custodian to be used to meet specific needs of the young person that cannot otherwise be met through Medicaid programs, monthly



subsidy payments or other resources, and to help with the young person's successful transition to the custodian's home. This shall be issued once, unduplicated, per identified residential custodian with a lifetime maximum of \$9,000.

- Health Care Coverage – Foster Care Medicaid is maintained by DCF until the monthly subsidy is discontinued. When the monthly subsidy is discontinued, the young adult will become eligible for Kansas Aged Out Medical Program coverage until age 26.
- Independent Living (IL) – Young person is eligible for the following IL benefits once the SOUL Family Monthly Subsidy ends: Chafee, IL Monthly Subsidy, Start Up Funds, Vehicle Repair Maintenance. Eligibility for IL benefits ends once the young person turns 21.
- Education – After the SOUL Family Monthly Subsidy ends, the young person is eligible for state-funded educational support, Education Training Voucher (ETV) and/or Post-Secondary / Certified Training (PSCT) up to \$5,000 per year for a maximum period of five years up to age 26. Education benefits can be stacked up for a total of \$10,000/year for a maximum of five years. Amount awarded is based on FAFSA determined need and cost of attendance for educational institution.

LEGAL SNAPSHOT

- If rights are maintained, consent from parents to the appointment of a SOUL Family Legal Permanency custodian is required.
- Once appointed, a SOUL Family Legal Permanency custodian shall stand “in loco parentis” to make decisions about day-to-day care of the young person, exercising all the rights and responsibilities of a parent, except for consent to adoption and being subject to child support or medical support.
- Required elements to be included in a court report requesting appointment of a permanent custodian:
 - Benefit information for SOUL Family Legal Permanency and other applicable permanency options.
 - Background check information for any person recommended to be appointed as a custodian.
 - The extent to which the case management provider has determined appointment to be in the best interest of the young person.

ELIGIBILITY REQUIREMENTS FOR ESTABLISHING SOUL FAMILY LEGAL PERMANENCY CUSTODIAN(S)

- Young person must be at least 16 years old.
- Young person must consent to the custodianship.
- Parents must consent to the custodianship if they maintain parental rights.
- Prior to recommending appointment, Case Management Providers must have assessed the potential custodian and prepared results of the assessment to provide to the court.

For more information contact: DCF.SOULFamilyGuidance@ks.gov or visit: [SOUL Family — Children's Alliance \(childdally.org\)](http://SOULFamily—Children'sAlliance(childdally.org))



SOUL Family
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