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**Written Proponent Testimony to Senate Committee on Public Health and Welfare:
HB 2536 Establishing the SOUL Family Legal Permanency Option.
March 6, 2024**

Chair Gossage, Vice Chair Erickson, Ranking Minority Member Pettey, and Members of the Committee, I am writing as the Child Advocate with the Kansas Division of the Child Advocate, Office of Public Advocates, as a proponent in support of HB 2536 establishing the SOUL family legal permanency option. The Division of the Child Advocate (KDCA) provides independent oversight and increased accountability to ensure that children who are alleged to be a child in need of care or adjudicated as a child in need of care and their families receive adequate coordination of child welfare services, for child maltreatment prevention, protection and care through services offered by the Department for Children and Families, the Department for Aging and Disability Services, the Department of Corrections, the Department of Health and Environment and juvenile courts.

When young people with lived expertise speak and share their experiences and insight, we have a duty to pause, listen, and take heed. HB 2536 is a culmination of voices coming together to identify the needs and provide a solution for many of our young people languishing in foster care. SOUL family legal permanency option provides another path to permanency beyond that of traditional permanent custodianship, adoption, or APPLA (Another Planned Permanent Living Arrangement) for youth ages 16 and older, where reunification is no longer a viable option. Youth experiencing foster care face insurmountable challenges including placement instability, disruption in mental health and other needed services, education instability, and loss of relationships, community, and connections. Rather than continuing to create additional loss and further diminishing connections, SOUL allows young persons to expand their circle and bring those to the table that they identify a connectiveness.

As the first State to have the opportunity to formalize this new path to permanency, it allows Kansas to envision and execute the implementation, legality, and operationalization of this alternative. In many ways it is effectively expanding the traditional concept of a permanent custodian, providing an additional arm, giving opportunity and permission for the Court to encourage thinking of permanency outside of the box, guided by youth voice.

In thinking outside of the box, it is essential that youth safety remains paramount, including their physical, emotional, social, and financial safety. HB 2536 contains important safeguards. It requires that the Secretary for the Department for Children and Families (DCF) do a number of things, including (1) observe the child in the home of the potential SOUL family with whom the child would reside, (2) complete registry and criminal history background checks, and (3) submit a report to the Court with this information including a recommendation as to the appropriateness applying best interest analysis. Additionally, it requires DCF to include in the report information related to necessary support benefits for the youth. The Court then makes an informed determination as to whether the proposed SOUL family legal permanency custodian is in the youth's best interest.

Ensuring access to benefits for our older youth in care is a critical component of SOUL family legal permanency option. Youth often face an impossible choice between having a permanent legal connection versus the assurance of having necessary access to benefits designated to assist youth aging out of care as they become young adults working towards self-sufficiency. As a GAL, this was a difficult and impossible conversation to have with youth desiring permanency and connection. A choice no young person should be forced to consider. HB 2536 is a collaboration that includes that of DCF and our federal partners. It is through this collaboration that a commitment to ensuring our young people have access to needed benefits is acknowledged.

KDCA appreciates your time and attention in recognizing the critical need for another permanency option, giving power to the voice of our young people with lived expertise, reducing the number of youth aging out of care, and ensuring older youth in care have the connected circle of a SOUL family legal permanency custodian.

KDCA supports the passage of HB 2536 favorably.

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