



SOUL Family

SUPPORT • OPPORTUNITY • UNITY • LEGAL RELATIONSHIP

A Proposed Legal Permanency Option for Older Youth in Foster Care



ABOUT THE ANNIE E. CASEY FOUNDATION

The Annie E. Casey Foundation is a private philanthropy that creates a brighter future for the nation's children by developing solutions to strengthen families, build paths to economic opportunity and transform struggling communities into safer and healthier places to live, work and grow. For more information, visit the Foundation's website at www.aecf.org.

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Introduction

All children and youth deserve a caring network of family, friends and mentors to guide them through their teenage years and their adult lives. For young people experiencing foster care, supportive adult relationships are not only critical in navigating the challenges and uncertainty of the child welfare system, they are cornerstones of successful reunification, adoption and guardianship — the current pathways to legal permanency.

These existing legal options work well for many young people. But others find that these options fail to address the complexities of their lives and relationships. Many young people report that existing permanency arrangements are decided for them instead of with them and, as a result, do not support their needs for lifelong relationships and healing. In addition, young people feel that existing permanency options are grounded in legal traditions that do not reflect and honor their cultures and communities.

What if there were a new legal pathway to permanency that would allow a young person to define their own family?

Picture This

Seventeen-year-old Danielle is smart, outgoing and has spent the last five years of her life in foster care. After being placed in two previous foster homes, she has settled happily with a caring and supportive foster mom. She visits her mother and siblings often, but

she has not been able to return to live with her family full-time because of her mother's substance use.

Danielle also regularly spends time with her great uncle who checks in on her often and makes sure she stays in touch with her dad's side of the family. Through school and dance, she has developed close relationships with her ballet teacher, her longtime neighbor and her best friend's mom. Danielle refers to this close circle of caring adults as her "chosen family." Together, they help her take on life's challenges and prepare for adulthood.

To choose the permanency pathway that works best for her, Danielle and her caseworker have explored the child welfare system's three longstanding options — reunification, adoption and guardianship. After careful consideration, she has opted for an alternative pathway, a proposed permanency option designed by and for young people with personal

THE INSPIRATION: A PROPOSED PERMANENCY OPTION DESIGNED BY YOUTH IN FOSTER CARE

A determined and visionary group of Jim Casey Young Fellows from the Jim Casey Youth Opportunities Initiative began meeting in 2018 with adult allies at the Annie E. Casey Foundation and national legal experts to discuss strategies to strengthen existing legal permanency options to better meet their needs. As a result of these conversations, the young leaders concluded that, in addition to reforming current legal pathways, a fourth permanency alternative is needed. Their work illustrates the imperative to put young people in the driver's seat and, with proper support and guidance, to help create a new permanency alternative that will enable them to thrive as healthy, productive adults.

experience in foster care — SOUL Family (Support • Opportunity • Unity • Legal Relationship).

Danielle has chosen SOUL Family because it recognizes the complexities and breadth of her relationships with the caring adults in her life. Based on extensive conversations among Danielle, her caseworker and her adult supporters, the court finalizes a SOUL Family order that:

- Establishes a primary legal relationship between Danielle and her foster mother and with her uncle. These relationships convey the rights and responsibilities of a parent-child relationship that continues into adulthood and throughout her life;
- Articulates the specific commitments of Danielle's other caring adults. Her dance teacher will mentor her toward becoming a professional dancer. Her neighbor will regularly check in on her and

be present for milestones, such as birthdays and graduations. Her best friend's mother will continue to welcome her for the holidays and other family celebrations;

- Maintains Danielle's legal relationship with her mother, siblings and the rest of her extended family so she can continue regular visits with her brother and sister;
- Outlines the support and connections that the child welfare system and other government agencies, community-based organizations and her SOUL Family network will provide to Danielle until she becomes an adult; and
- Connects Danielle to continuing resources, such as guidance from her caseworker or the support of a mediator, to help her address relationship challenges with the caring adults in her life that might arise once her child welfare case is closed and she has transitioned out of foster care.

WHAT IS PERMANENCY?

By definition, the word "permanency" implies lasting relationships that endure over time. It has also been the word that describes the child welfare system's legal obligation to do all that it can to find loving and supportive families to raise every young person in its care. For too many young people in foster care, the term is a false promise — a traumatic reminder of the system failures that lead to uncertain legal status, disrupted relationships and a difficult road to adulthood. The young leaders who created the SOUL Family legal option use the term "permanency" in this document because it is readily understood by key decision makers and uniformly used in important state and federal laws. In designing the SOUL Family legal option, many young people are committed to redefining the term "permanency" to better reflect its true meaning.

SOUL Family

(Support • Opportunity • Unity • Legal Relationships)

This innovative proposal would allow young people ages 16 and older to establish a legal relationship with one or more primary adults who will be responsible for their care while still maintaining family connections, legally recognize additional relationships with a broader network of caring adults and access critical benefits and services to support them along the path to adulthood and throughout their lives. In partnership with the Casey Foundation and other organizations, a growing group of young leaders are working to make SOUL Family available to all older youth in foster care as an essential component of a strong and youth-centered legal permanency continuum.

Every Young Person Deserves a Family

Separation from family is a traumatic and often unnecessary blow to a young person's sense of identity, security and belonging. It should be considered only

as an option of last resort. When safety concerns require that young people be removed from their homes and placed temporarily in foster care, child welfare systems are required to do everything possible to return the youth home safely and, when that is no longer possible, connect them with another loving and lasting family.

Currently, reunification, guardianship and adoption are the only legal permanency options available to ensure that children and youth in foster care have the love, security and family they deserve to support them, not just until they become adults but throughout their lives.

Every year, approximately 20,000 young people — almost half of youth 16 and older in foster care — "age out" of the child welfare system without a loving, supportive and permanent family. As compared to White youth, the odds of aging out without a permanent legal family are even greater for youth of color: Black youth are 28% more likely to leave care without a permanent legal relationship; Hispanic youth are 17% more likely to leave care without a permanent legal relationship; and, youth of other races are 5% more likely to leave care without a permanent legal relationship.

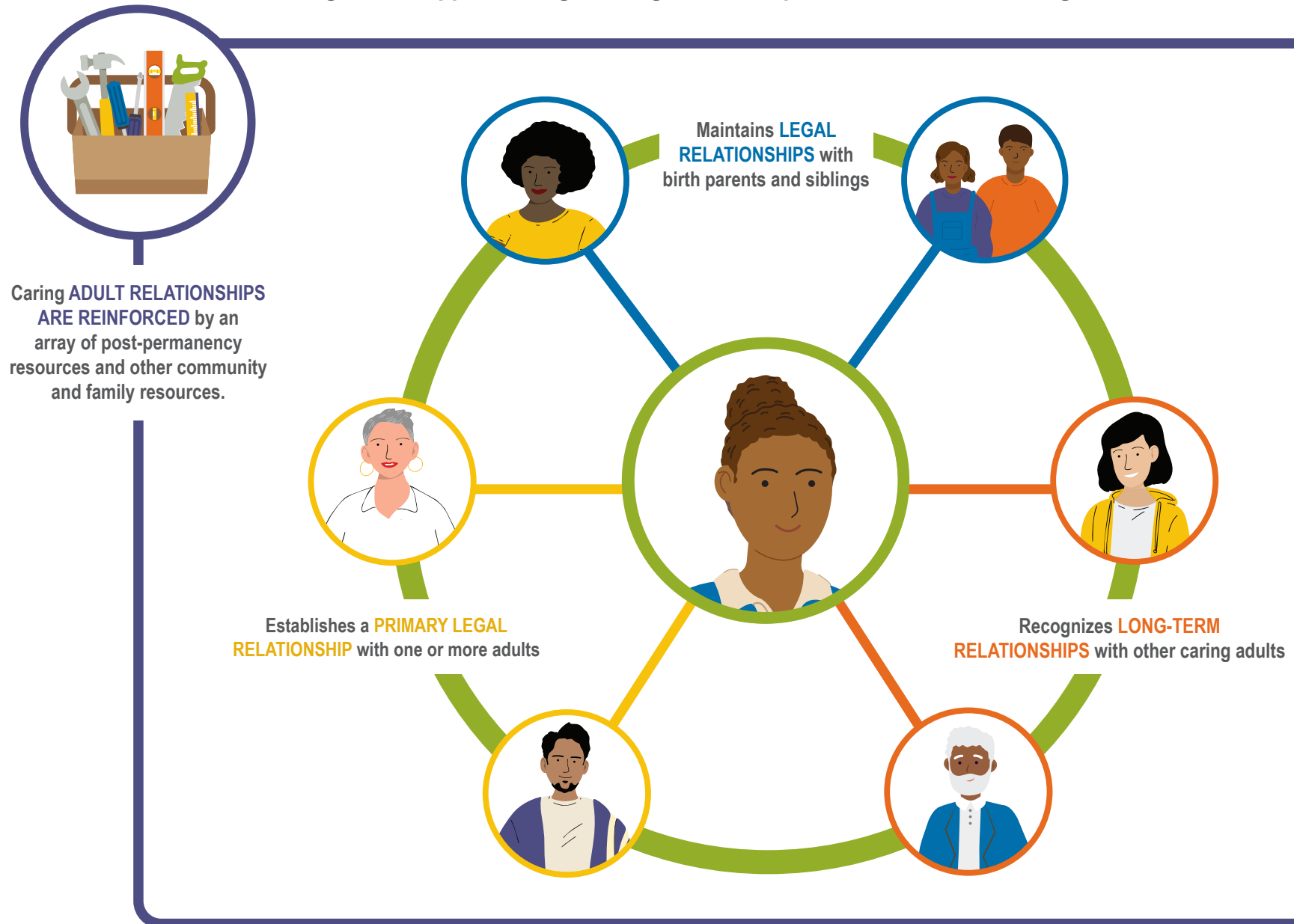
Even for those young people who are placed with a permanent family, challenges continue. Some young people return home or join a new family without the services and support they need to foster healthy and strong relationships. As a result, they experience "disrupted" reunifications, guardianships or adoptions that undermine the promise of a permanent connection.

What's more, even those young people who are placed with a permanent family through the more traditional

SOUL Family Permanency Option

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A proposed youth-centered legal permanency option for young people ages 16 and older designed to support strong, lifelong relationships with a network of caring adults.



legal options struggle to access the same financial, educational, health and career support available to their peers who age out of the system. The inequities in benefits and support often force young people to choose between permanency and the other critical support they need to thrive. Certain educational and financial benefits, for example, are designed only to support young people without a permanent legal connection to family, a situation which may discourage adoption or guardianship.

SOUL Family: What It Is

SOUL Family includes the following key components:

- Establishes primary legal relationships between the young person and one or more adults that carry the legal status of a familial relationship and continue throughout the young person's lifetime. Establishing these primary legal relationships would not require the termination of legal relationships with a young person's biological family and would be supported with the same funding and services attached to other permanency options.
- Includes a youth and family-centered permanency planning process that significantly expands and honors the roles that youth, families and communities play in ensuring permanency and support along the road to adulthood and beyond. This process enables the young person to understand the short and long-term implications of all legal permanency options, get the emotional support they need to sort through them and choose the permanency plan that is right for them.
- Enables an array of funding and services to reinforce the youth's network of supportive adult relationships and to ensure that young people do not have to choose between permanent, caring

long-term relationships and the benefits needed to prepare them for adulthood. Such benefits include learning how to live independently; accessing educational, employment and housing support; and participating in other developmentally appropriate, life-enhancing activities.

- Creates a youth- and family-focused oversight system through the court and local child welfare agency to provide young people and the caring adults in their lives access to support they need to keep their relationship strong, work through problems as they arise and access and manage available funding and other benefits.

Make SOUL Family a Permanency Option in Your State

Whether you are a young person who has experienced foster care or an adult ally, you can join the growing national movement to make SOUL Family a legal option available to all eligible young people as part of a healthy continuum of permanency pathways. Everyone has a role to play in educating policy makers about the need for SOUL Family in their states, and the Casey Foundation, in partnership with a growing group of foster care alumni leaders, is committed to providing the

PLANNED BUT NOT PERMANENT: APPLA

Another Planned Permanent Living Arrangement (APPLA) is a term used in federal law to describe those situations in which a young person lives independently in a "stable, secure living arrangement that includes relationships with significant adults" under child welfare agency supervision until they "age out" of the foster care system. Originally intended as a narrow exception available only to young people for whom reunification, adoption or guardianship have been ruled out, APPLA is no longer considered an appropriate permanency option.

support and technical assistance to help make this new youth-designed permanency option a reality in every state:

Young Leaders

- Organize and connect with young leaders at the national, state and local levels to learn more about SOUL Family, why it is important and how it meets the needs of young people and their families.

Adult Allies and Child Welfare Advocates

- Speak with young leaders about what kinds of support and resources they need to educate policy makers, agency leaders, lawyers, judges and other stakeholders about why a new permanency option is needed.

Child Welfare Agency Leaders

- Partner with young leaders and other stakeholders to help design the full array of services, resources and oversight to support SOUL Family as a new permanency option.

Lawyers and Policymakers

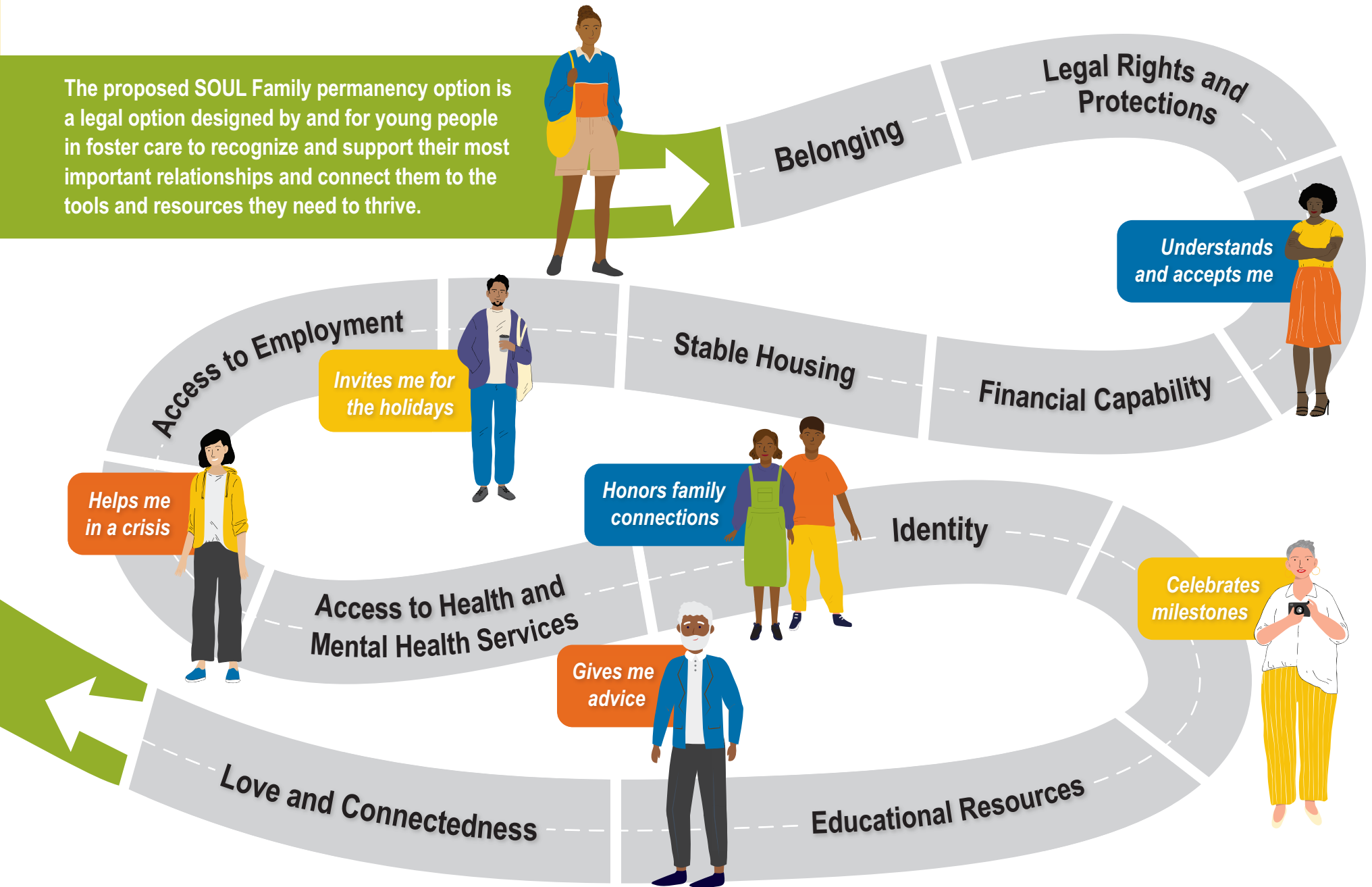
- Respect and honor the real-life experiences of young people in foster care and learn how their ideas and perspectives have shaped the need for SOUL Family.

Navigating the Pathway to Permanent, Supportive Relationships

SOUL Family Permanency Option

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The proposed SOUL Family permanency option is a legal option designed by and for young people in foster care to recognize and support their most important relationships and connect them to the tools and resources they need to thrive.





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