190

**IN THE DISTRICT COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, KANSAS**

IN THE INTEREST OF

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_

**Year of Birth** **\_\_\_\_\_\_\_\_\_\_\_\_ A minor child**

# **AFFIDAVIT OF SOUL FAMILY LEGAL PERMANENCY CUSTODIAN**

Pursuant to K.S.A. 38-2272a

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(name of custodian)*, hereby declare my willingness to serve as a SOUL Family Legal Permanency Custodian for, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(name of child)*.

I am willing to stand in loco parentis to the child and exercise all the rights and responsibilities of a parent, except the right to consent to an adoption of the child or be subject to court-ordered child support or medical support for the child.

 I verify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

X\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

Printed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City, State, Zip: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Fax #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Authority

K.S.A. 38-2272a(r)

Notes on Use

 All SOUL family legal permanency custodians must execute a sworn document confirming the custodian’s willingness to serve as a SOUL family legal permanency custodian and also be appointed as a SOUL family legal permanency custodian by an order of the court. This document must be filed with the court.

 A SOUL family legal permanency custodian shall stand in loco parentis to the child and exercise all of the rights and responsibilities of a parent, except that such custodian shall not (1) consent to an adoption of the child; or (2) be subject to court-ordered child support or medical support for the child. In addition, if a SOUL family legal permanency custodian is appointed after a judicial finding of unfitness without a termination of parental rights the custodian does not have the right to inherit from the child. The court may impose limitations or conditions on the rights and responsibilities of the SOUL family legal permanency custodian as determined by the court to be in the best interest of the child.

 Absent a judicial finding of unfitness of a parent or court-ordered limitations on the SOUL family legal permanency, a SOUL family legal permanency custodian may share parental responsibilities with a parent of the child if the custodian determines sharing of parental responsibilities is in the best interest of the child. Sharing parental responsibilities does not relieve the SOUL family legal permanency custodian of legal responsibility.