

HB2098
House Judiciary Committee
WRITTEN TESTIMONY ONLY
February 4, 2021
SUPPORT

Chairman Patton and Members of the Committee:

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a statewide non-profit organization whose members are the 26 sexual and domestic violence programs serving victims across Kansas. KCSDV provides information; training; and analysis and policy work on issues impacting victims of sexual and domestic violence, their families, and their communities.

KCSDV supports HB2098 would provide the judge the discretion to change the first and/or surname of a spouse as part of a divorce proceeding. This bill would also allow the judge to make the name change at or after the time the decree of the divorce becomes final.

Shannon* presumed that the difficult victory in getting the Protection Order from the judge issued against her abusive husband would be enough to safeguard her from further domestic violence. Even with the PO, her advocate encouraged her to take further safety measures. Shannon didn't have children and assumed that her abuser wouldn't be able to find her if she moved to a new town, so Shannon packed her belongings and relocated to another part of the state. She informed the Kansas Department of Motor Vehicles of her new address and checked off the box on the change of address form that allows the DMV to send the change of address information to her Board of Elections for voting purposes. Recently, she connected with an advocate in her new community. During this meeting, Shannon learned that her abuser may be able to locate her from the information she already submitted through the DMV and other public records.

For many domestic violence victims, the fear of further violence is very real even after leaving the relationship. For some, the only option they see in ensuring that an abusive spouse will not be able to locate the victim involves changing her name. At this time, a victim must bring a separate action to the court petitioning for a name change as it cannot be done as part of the divorce process because she is not requesting a name she currently or formerly used. This law would allow Shannon to change her name at the time of the divorce, or after the decree is issued, allowing her to conduct this safety measure as a part of an existing court case. For Shannon, and other victims, KCSDV supports the passage of HB2098.

Respectfully submitted,
Sara Rust-Martin
KCSDV Director of Legal and Policy

*Name and facts changed to protect the privacy of the person represented here.