

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Emert at 10:12 on March 21, 2000 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Jerry Donaldson, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Janet Schalansky, Secretary, SRS
Joyce Allegrucci, Assistant Secretary, SRS
Judge Thomas Graber, Sumner County

Others attending: see attached list

SubSB 633—defining child in need of protection and youth in need of community intervention; creating the family services and community intervention fund

Conferee Schalansky testified in support of **SubSB 633**. She stated, “the primary goal of the bill is to prevent the unnecessary removal of children from their homes.” She explained that this could be accomplished by creating two categories under the child in need of care code: one for children in need of protection and one for youth in need of community services (YINCS). She also discussed how this legislation is in compliance with the federal government’s regulations in the Adoption and Safe Families ACT of 1997 (ASFA). ([attachment 1](#))

Conferee Allegrucci testified in support of **SubSB 633**. She presented a detailed overview of the legislation and what SRS hopes to accomplish through its enactment. She discussed: establishment of a family services and community intervention fund; YINCS; implementation of ASFA; and the critical nature of professional expertise and judgment before custody. She provided detailed handouts for each of the topics she discussed. Discussion followed. ([attachment 2](#))

Conferee Graber testified that **SubSB 633** still has some unresolved issues carried over from **SB 633**. He stated that “most judges still doubt that it is necessary or even advisable to separate the CINC code into children in need of protection and children in need of community services.” He recommended and discussed two changes in the bill which would allow the court flexibility with regard to not terminating parental rights to unfit parents and addition of language which would require the court to provide SRS with a written copy of the orders. ([attachment 3](#))

Written testimony in support of **SubSB 633** was submitted by Donna Whiteman, Kansas Association of School Boards ([attachment 4](#)) and Bruce Linhos, Children’s Alliance. ([attachment 5](#))

Written testimony opposing **SubSB 633** was submitted by Karen Langston, Assistant District Attorney, Sedgwick County ([attachment 6](#)), Sheryl Bussell, Assistant District Attorney, Wyandotte County ([attachment 7](#)), Joan Hamilton, District Attorney, Shawnee County, ([attachment 8](#)) and William Kennedy III, Riley County Attorney. ([attachment 9](#))

The meeting adjourned at 11:00 a.m. The next scheduled meeting is March 22, 2000.