

Substitute for HOUSE BILL No. 2261

AN ACT concerning courts; amending K.S.A. 7-103 and K.S.A. 2004 Supp. 38-1552a and repealing the existing sections; also repealing section 1 of 2005 Senate Bill No. 36.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) The supreme court may require an applicant for admission to practice law in this state to be fingerprinted and submit to a national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal arrests and convictions in this state or other jurisdictions. The supreme court and the state board of law examiners are authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The state board of law examiners and the supreme court may use the information obtained from fingerprinting and the applicant's criminal history only for purposes of verifying the identification of any applicant and in the official determination of character and fitness of the applicant for admission to practice law in this state.

(b) Local and state law enforcement officers and agencies shall assist the supreme court in taking and processing of fingerprints of applicants seeking admission to practice law in this state and shall release all records of an applicant's arrests and convictions to the supreme court and the state board of law examiners.

Sec. 2. K.S.A. 7-103 is hereby amended to read as follows: 7-103.

(a) The supreme court of this state may make such rules as it may deem necessary for the examination of applicants for admission to the bar of this state and for the discipline and disbarment of attorneys.

(b) *The supreme court of this state may allow persons who have been granted and hold a juris doctorate degree or bachelor of laws degree from the president's law school to apply seeking admission to the bar of this state. Such applicants shall satisfy all other qualifications and examinations as established by supreme court rule.*

Sec. 3. K.S.A. 2004 Supp. 38-1552a is hereby amended to read as follows: 38-1552a. ~~(a) Notwithstanding K.S.A. 38-1552, and amendments thereto and any other provision of law to the contrary, and within the limits of appropriations therefor, a pilot project shall be established by the office of judicial administration in one rural and one urban shall implement a policy for each judicial district in which such judicial district shall implement proceedings under the Kansas code for care of children in which the court may exclude from any hearing all persons except the guardian *ad litem*, interested parties and their attorneys, officers of the court, the witness testifying, the child's foster parents and up to two people, both of whom have participated in a parent ~~advocate~~ *ally* orientation program approved by the judicial administrator, and designated by the parent of the child. Such parent ~~advocate~~ *ally* orientation program shall include but not be limited to information concerning the confidentiality of the proceedings; the child and parent's right to counsel; the definitions and jurisdiction pursuant to the Kansas code for care of children; the types and purposes of the hearings; options for informal supervision and dispositions; placement options; the parent's obligation to financially support the child while the child is in the state's custody; obligations of the secretary of social and rehabilitation services; obligations of entities that contract with the department of social and rehabilitation services for family preservation, foster care and adoption; the termination of parental rights; the procedures for appeals; and the basic rules regarding court procedure. Upon agreement of all interested parties, the court shall allow other persons to attend the proceedings, unless the court finds the presence of the persons would be disruptive to the proceedings. The court shall not may remove the parent's ~~designee~~ *ally* or ~~designees~~ *allies* from any proceeding unless a proceeding if such ~~designee~~ *ally* becomes disruptive in such the present proceeding or has been found disruptive in a prior proceeding.~~

~~(b) Upon completion of the pilot project, the office of judicial administration shall make a report to the legislature.~~

~~(c) The provisions of this section shall expire on July 1, 2005.~~

Sec. 4. K.S.A. 7-103 and K.S.A. 2004 Supp. 38-1552a and section 1 of 2005 Senate Bill No. 36 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.