

Approved

3-25-92

Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by SENATOR ROY M. EHRLICH at
Chairperson

10:00 a.m./~~p.m.~~ on March 19, 1992 in room 526-S of the Capitol.

All members were present except:

Committee staff present:

Bill Wolff, Legislative Research
Norman Furse, Revisor's Office
Jo Ann Bunten, Committee Secretary

Conferees appearing before the committee:

Senator B. D. Kanan
Elisa Breitenbach, National Child Abuse Defense & Resources Center, Overland Park
Carolyn Holliday, Paola
Clifford Holliday, Paola
Mike Moreno, Kansas City, Kansas

Chairman Ehrlich called the meeting to order at 10:00 a.m.

Continued Action on SB 458 - Licensure of alcohol and other drug abuse counselors.

Senator Walker made a motion to change the date from 1993 to 1992, on page 2, line 26, of the balloon copy of the bill, seconded by Senator Ward. No discussion followed. The motion carried. Committee discussion related to the question of what impact the sunset of an advisory committee would have on the Behavioral Sciences Regulatory Board.

Senator Salisbury made a motion to adopt the balloon copy of **SB 458 and recommended SB 458 as amended** favorably for passage, seconded by Senator Hayden. Senator Hayden withdrew his second. Senator Ward seconded the motion. During Committee discussion, it was pointed out that a request for credentialing has been before the Legislature in previous years and has been denied because the alcohol and drug abuse counselors had failed to make formal application and go through the credentialing process. Amendments to **SB 458** reflect the recommendations for registration made by the technical review committee and Secretary of Health and Environment. The vote was 2-4. The motion lost. Senator Salisbury and Senator Ehrlich requested their vote be recorded as "Yes." The Chairman thanked the subcommittee for their work on **SB 458**.

Hearing on SB 672 - Jury trial, rehearing and appeal procedure prior to termination of parental rights under code for care of children.

Senator B. D. Kanan expressed his support for **SB 672** and stated most of the people attending the Committee meeting were grandparents who wanted the right to take care of their grandchildren in case of a dispute in the family, and the right for a jury trial by their peers. A video tape of a suspected case of child abuse in the state of Washington on CBS "60 Minutes" was shown.

The following conferees appeared before the Committee in support of **SB 672** which would provide parents a chance to allow a group of their peers to make the decision rather than relying on the recommendations of SRS, and that children should have the right to be cared for by relatives rather than being placed in a foster home or facility.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 526-S, Statehouse, at 10:00 a.m./p.m. on March 19, 1992

Elisa Breitenbach, National Child Abuse Defense and Resource Center, read a letter from a lady who had been victimized by SRS and told of her personal experiences. Ms. Breitenbach also submitted suggested amendments to the bill. (Attachment 1)

Mr. and Mrs. Clifford Holliday of Paola, Kansas, told of their experiences with SRS involving their grandsons. (Attachment 2)

Mike Moreno, Kansas City, Kansas, told of his experiences in trying to obtain his three children that were taken from him by SRS.

Due to the time frame, the Chairman stated the Committee would stand at ease and continue the hearing at the next meeting scheduled for March 20, 1992, 10:00 a.m., Room 526-S. Pages assisting at the Committee meeting were from Chase, Kansas, and sponsored by Senator Ehrlich.

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE 3-19-92

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

Shelly A. Bucher

SRS

Barbara Huff

Keep For Networking

Jim Clark

KCDAA

Patricia Henshall

OJA

Tom Bell

Ks. Hosp. Assn.

Ethel Steichen

KSU Doctoral Practicum

PO Box 89
Thomas S. White Eldorado, KS 67042

Sindi Dunbar 7021 E. 124th Town & Village
Mr. Mrs. Edward B. Chapman
2957 5036 St. K.C. Mo.

Visitors

4801 W. 62nd Terr
Alvera S. Horner Mission, KS

Foster Parent

Tom Hollingsworth

James L Butcher

Mrs. Foster Parent

Margan & Breitenbach

VOCAL

Ann Brooks
21576 - 155th, Basehor, KS 66007

Maryellen McCormick K.C. Mo.

Patsy Breitenbach Belpre, Ks

Garman Breitenbach Belpre, Ks

Maice A. Mercer

Edward Zimmerman Marysville, Ks.

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE 3-19-92

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

Mina Zimmerman Mayville

Patricia Zimmerman

Katherine Gonzalez

Mike Moreno

Ed Kern Chase

Helin Usman

Alizandrina A. Moreno

Mike M. Moreno II

Betty Kanan

Cardi Armstrong

Barbara ARMSTRONG 6341 CERNECH-KCK

Kenda Battlett

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Nancy Lindsay

Ethel Bridenstine

Donald Turner K.C. Ks.
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Mary Ann Duvon

Clita Remper

Betty Clover, Kansas Action for Children

CWA of KS

National Congress for Men & Children

LWV of Kansas

VOCALS-(Visitor)

Visitor-(PARENT)

Right to Life of KS

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE 3-17-92

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

Roberta Sue McKenna

KIDSRS

Larry Harclerode Paola KS.

Richard Kallitay Paola, KS.

Carolyn L. Holliday Paola, KS

Silvia Harclerode Paola, KS.

Donna J. Stehney Paola KS

Sam ~~Thatcher~~ GRANDVIEW, MO.

Teri McCasland
1403 S 37 ST KC KS 64106

National Congress For
Men And Children

Stan & Jackie Galland Parker, KS

VOCAL

Glen Burdne, 741 N. Clara, Wichita, KS 67212

None

PRESENTATION
(MARCH 19, 1992)

ONE MOTHER'S TRAGIC FACTS: MISCARRIAGE OF JUSTICE
WITH THE STATE OF KANSAS AND SRS

MY NAME IS ELISA MARIE BREITENBACH. MY SON AND DAUGHTER WERE PLACED IN SRS CUSTODY DURING A WAR-LIKE DIVORCE WHEN THEY WERE 4 AND 8 IN FEBRUARY 1984. I LEFT MY HUSBAND BECAUSE OF 12 YEARS OF FAMILY VIOLENCE. THE OVERLAND PARK POLICE CHIEF TOLD ME TO MOVE OUT OF OVERLAND PARK BECAUSE THEY COULD NOT PROTECT MY FAMILY FROM THE VIOLENCE. I MOVE TO MERRIAM. EIGHT SCHOOLS TOLD ME THEY WOULD NOT ENROLL MY DAUGHTER: NIEMAN ELEMENTARY, WEST ANTIOCH, MERRIAM ELEMENTARY, CRESTVIEW, FLINT ELEMENTARY, EAST ANTIOCH, MORSE ELEMENTARY, QUEEN OF THE HOLY ROSARY. IT WAS ST. JOSEPH CATHOLIC SCHOOL THAT DID ACCEPT HER. THE SCHOOL COUNSELOR TOLD ME SHE FELT SHE HAD BEEN ABUSED BY HER FATHER. THREE DAYS LATER MY SOON-TO-BE EX-HUSBAND GOT CUSTODY OF MY CHILDREN BECAUSE HE TOLD THE COURTS I WAS SUICIDAL. I WAS TAKEN TO K.U. HOSPITAL AGAINST MY WILL AND HELD FOR THREE DAYS.

I WAS LABELED "MANIC DEPRESSIVE." I WANTED A SECOND OPINION; I WAS TOLD THAT I WAS NOT MANIC DEPRESSIVE. SRS DID NOT BELIEVE IT, SO I WENT THROUGH ANOTHER EVALUATION; THEY DIDN'T BELIEVE IT EITHER. I WENT THROUGH FIVE OTHERS; THEY DIDN'T WANT TO BELIEVE ANY OF OF THEM. JULY 1, 1991 I WENT BACK TO THE FIRST DOCTOR WHO LABELED ME "MANIC DEPRESSIVE AND WENT THROUGH ANOTHER EVALUATION. HE NOW BELIEVES I AM NOT AND WAS NOT MANIC DEPRESSIVE.

*Sancti
attm. #1
3-19-92*

WHEN MY ESTRANGED HUSBAND TOOK OUR DAUGHTER TO HER OLD SCHOOL, INDIAN VALLEY, AFTER I WAS PLACED IN K.U., THE SCHOOL MADE A HOT LINE REPORT ON HIM. THE CATHOLIC SCHOOL COULSELOR NEVER REPORTED IT EVEN THOUGH IT IS MANDATED BY LAW TO DO SO.

THE CHILDREN WERE THEN PLACED IN FOSTER CARE. I WAS FORCED TO PAY SRS TO KEEP MY CHILDREN FROM ME. THEY ALSO PUT MY DAUGHTER UNDER HYPNOSIS. A FEW WEEKS LATER ANOTHER CHILD CAME FORWARD AND TOLD THE POLICE SHE HAD BEEN ABUSED BY MY HUSBAND. MY HUSBAND LATER ADMITTED TO THE COURT HE HAD ABUSED THE OTHER CHILD. FOR THAT CRIME, HE KNEW HE WOULD SERVE TIME IN PRISON. ONE WEEK BEFORE OUR DIVORCE WAS TO BE MADE FINAL AND A FEW WEEKS BEFORE HE WOULD START SERVING TIME, HE TOLD SEVERAL OFFICIALS I ABUSED MY SON WHEN I CHANGED HIS DIAPERS AS A BABY; NOTHING HAPPENED WITH THOSE ALLEGATIONS. FOURTEEN MONTHS LATER SRS RECEIVED A CALL FROM THE FOSTER MOTHER OF ALLEGATIONS OF ABUSE. THEY HAD A SERIES OF INTERVIEWS WITH MY SON ALL IN THE SAME DAY.

MY SON WAS PUT IN A SITUATION WHERE HE WAS INTIMIDATED BY ALL OF THESE ADULTS WHO WERE ASKING HIM LOTS AND LOTS OF LEADING AND SUGGESTIVE QUESTIONS. INITIALLY, HE KEPT STATING THAT NOTHING HAD HAPPENED; HE TOLD THEM THERE WASN'T ANYTHING WRONG.

AFTER THE FIRST INTERVIEW WAS CONCLUDED AND TERMED TO BE NON-PRODUCTIVE, MY SON LEFT WITH THE FOSTER MOTHER AND AT SOME POINT IN TIME RETURNED TO TALK WITH HIS SRS THERAPIST WHO IS NOT LICENSED IN KANSAS. THAT INTERROGATION WAS NOT RECORDED. HOWEVER, ONCE THE TAPE RECORDER WAS TURNED ON, SRS WORKERS, SRS THERAPIST, AND A DETECTIVE FROM THE POLICE, THE INTERROGATION WAS RESUMED. MY SON WAS ASKED ANOTHER WHOLE SERIES OF LEADING AND

SUGGESTIVE QUESTIONS. THIS WAS THE INTERVIEW THAT BASICALLY PROVIDED MY SON ALL THE INFORMATION THE HE NEEDED TO TELL THE STORY. IN FACT, THERE WAS AT LEAST 18 DETAILS FURNISHED TO MY SON.

IT WAS THROUGH THIS SERIES OF LEADING AND SUGGESTIVE QUESTIONS THAT ALLOWED MY SON TO PARROT BACK THE STORY THAT SRS WANTED TO HEAR. WHEREAS HIS INITIAL STATEMENTS THAT NOTHING HAD HAPPENED WERE COMPLETELY PUSHED ASIDE. THROUGH REPEATED INTERVIEWS THAT TOOK PLACE ON THAT DAY AND ALSO INTERVIEWS THAT FOLLOWED FOR SEVERAL WEEKS AND BECAUSE OF THE RESPONSE BEING REINFORCED, THE STORY BECAME A SUBJECTIVE REALITY TO MY SON SO THAT HE CAME TO BELIEVE IT.

I WAS PLACED IN A CRIMINAL COURT IN JOHNSON COUNTY, KANSAS. AS I WAITED TO GO TO COURT, MY CHILDREN WERE GIVEN TO MY EX-BROTHER-IN-LAW (WITH A CRIMINAL RECORD) TO TRANSPORT THE CHILDREN TO AND FROM PRISON TO SEE THEIR FATHER. NO ONE IN MY FAMILY WAS ABLE TO SEE THE CHILDREN. THE CHILDREN WERE DENIED THE RIGHTS MOST COMMON CRIMINALS HAVE--THE PRIVILEGE OF VISITS WITH FAMILY AND FRIENDS, PHONE CALLS, AND LETTERS FROM LOVED ONES. NO ONE IN MY FAMILY HAS EVER HAD A POLICE RECORD. BEFORE I COULD MAKE IT TO CRIMINAL COURT, I WAS TAKEN TO JUVENILE COURT AND PLACED BEFORE A JUDGE PRO TEM. HE PUNISHED ME FOR HIS BELIEF OF MY INVOLVEMENT IN ANOTHER CASE FOR WHICH HE WAS GUARDIAN AD LITEM. IT TOOK ME YEARS TO OBTAIN A COPY OF A REPORT HE MADE TO PROVE ACTUAL PREJUDICE AND FRAUD ON HIS PART. I HAVE NOT HAD LEGAL SIGHT OR SOUND OF MY CHILDREN SINCE JUNE OF 1985. MY FAMILY MEMBERS HAVE ASKED TO ADOPT MY CHILDREN. MY EX-BROTHER-IN-LAW,

EDDIE, AND HIS WIFE OFFERED TO ADOPT THEM ALSO. LINDA AND JIM BUTCHER, FORMER CERTIFIED FOSTER PARENTS, HAVE ALSO ASKED TO ADOPT MY CHILDREN. THE OLATHE SRS DIRECTOR, MIKE VANLANDINGHAM, TOLD THEM ON DECEMBER 9, 1990 THAT MY CHILDREN ARE UN-ADOPTABLE.

DUE TO THE COMPLEXITY AND CIRCUMSTANCES OF MY CRIMINAL CHARGES, MY CASE WAS LABELED AN EXCEPTIONAL CASE; I WAS GRANTED TWO ATTORNEYS, DONNA M. MANNING AND DONALD SMITH. DONNA EXPENDED IN EXCESS OF 373 HOURS IN PREPARING FOR MY DEFENSE. THE CASE WAS COMPLEX, BUT AFTER THE JURY HEARD ALL THE EVIDENCE, THEY EXONERATED ME.

I HAVE DISPROVED ALL THE FALSIFICATION OF RECORDS AND TESTIMONY MADE AGAINST ME. I HAVE SPENT MY LIFE SAVINGS AND THE LAST EIGHT YEARS OF MY LIFE HOPING AND PRAYING FOR JUSTICE FOR MY CHILDREN.

CHILDREN SHOULD NOT BE SENTENCED TO EIGHT YEARS OF FOSTER CARE WHEN SO MANY LOVING FAMILY MEMBERS HAVE ASKED TO ADOPT THEM.

I AM JUST ONE MOTHER STANDING UP AGAINST THE STATE OF KANSAS. WHAT MY CHILDREN HAVE ENDURED IS UNJUST, INEXCUSABLE AND INHUMANE.

MAY GOD SPEED FOR THEM & OTHERS LIKE THEM,

Elisa Marie Breitenbach
ELISA MAIRE BREITENBACH

SUGGESTED AMENDMENTS FOR SENATE BILL 672

By Elisa Marie Breitenbach

Page 1

Line 38 After consideration of all evidence obtained through
all parties are offered relating to disposition

(not just any evidence offered relating to disposition;
the county attorneys rely totally on the information
SRS manufactures. Legislative post audit showed they
admit to falsifying records. The GAL 99% of the time
relies on SRS along with the judge.)

Page 2

Line 6 Initial period should be no more than three (3) months

(not 18 months)

Line 12 Sessions with qualified individuals or facilities as
the court directs with certified counselors of parents'
choice

(not attend counseling sessions as the court directs.
Certain individuals are used exclusively by the courts
and SRS.)

Line 19 In the best interest of the child will not be based on
opinion, but based on factual evidence and information.
The wishes of the child and the ability of the child to
participate in their own protection must be considered.

Line 22 (1) first and foremost, the child shall go to a
relative of the child or a person with whom the child
has close emotional ties

(strict enforcement needs to be followed)

(2) a community review board shall review the factual
evidence and information provided and attested to in
writing by the state before any child is sentenced to
foster care.

Page 3

Line 5 The court shall grant children's relatives or any
person the child has an emotional tie reasonable rights
to visit the child.

(reasonable means weekly visitations, along with phone
calls, letters, the same rights as prisoners)

(Prisoners don't have to file any such motion. Again,
the child's best interest needs to be overseen by
people who don't make a living off of them.)

Page 5

Line 7 should be struck

Line 8 should be struck

Line 35 should be struck

Line 36 should be struck

Line 37 The determination shall be based on an evaluation of all factors.

Page 6

Line 5 The following should be inserted after line 5:

At any time any person who has had their parental rights severed unlawfully by any court in this state shall be entitled to petition the court in their own behalf or in behalf of their children.

They shall and must be entitled to maintain an independent action on their behalf or in behalf of the minor children for restoration of parental rights upon a showing of manifest injustice or upon showing a substantial loss of constitutional rights.

Page 7

Line 38 6 months (not 18) after parental rights have been terminated and every 6 months (not 12 months).

NOTE: The following states provide trial by jury for severing parental rights cases:

Texas
New York

Oklahoma
Colorado

Wisconsin

I am Carolyn Holliday - Paola, Kansas
Case # 89JC08

Involved in our Case:

2 Grandsons Dustin and Daniel Eggleston
The Childrens mother : Shelly Akers
My husband and myself: Clifford and Carolyn Holliday
Caseworker: Janet Schneider
Caseworkers supervisor: Mary Cole

Our grandsons were taken into protective custody on March 7, 1989.

Recently, we just became aware of the fact that a " Child in need of Care " order had only been put out on just one of the boys. Neither the Police or SRS informed us or the childrens mother of this, so both boys were taken into custody.

While the children's mother, our daughter has complied with the requirements to regain custody of the boys, SRS still does not want to return them to her.

We also requested to have custody of the children. Not to try to take them from their mother, but to have the boys back with their family if their mother cannot regain custody.

Soon after entering foster care, the older boy started having behaviour problems. In early 1991, the youngest child also began having the same behaviour problems. SRS is aiming for placement of both boys in a level 6 group home. SRS contends that our visits with the children (and their mother's) bring back bad memories and therefore causing the behaviour problems.

SRS recommendation, to us, is contradictory to solid evidence presented that indicates the childrens problems are medical, not mental.

Our solution would be for the children to be returned to us, their grandparents. We would continue to keep them in therapy, and continue with necessary care required.

Our grandsons are also diabetics. We are capable, and have had training, on the care and management of diabetes.

If a return to a loving family environment did not help to resolve the behaviour problems the children are having, we would not hesitate to seek further professional help.

Thank you.

States goal: Cutting need for foster care

Troubled children in troubled families get help in mending home.

By JAKE THOMPSON
Washington Correspondent

WASHINGTON - Foster care cannot replace Mom or Dad.

Even if Mom's addicted to crack cocaine. Or if Dad does not work, drinks and yells at his kids. Or if those kids skip school and dabble with drugs.

That philosophy is emerging from more than 30 states experimenting with or, like Missouri, already setting up statewide "family preservation" programs.

Instead of shipping children off to foster care, states are establishing intensive programs that dispatch social workers into quarreling families' homes to propose ways to keep the families together. Workers' suggestions range from parenting counseling to helping clean house.

"For a long time child welfare programs have focused on children, forgetting they come from families," said Susan Kelly, who heads Michigan's "Families First" program.

Skeptics note the family preservation programs are relatively unproven. But where they have been tried they have been found to cost much less than foster care or treatment in state institutions.

In Michigan, family preservation costs an average of \$4,500 for each family, while placing a child in foster care costs up to \$14,000 annually, and if the child become

See STATES, A-14, Col.

States shifting away from reliance on foster care

Continued from A-1

a ward of the state in institutions the costs soar to \$55,000 annually.

Such programs could get a boost if bills introduced earlier this year by Sen. Lloyd Bentsen of Texas and Rep. Thomas Downey of New York, both Democrats, are approved by Congress and President Bush.

Downey's bill, aimed at redirecting child welfare aid to families and boosting family preservation programs at a cost of \$6.6 billion over five years, is scheduled for debate in a House Ways and Means subcommittee Tuesday and Wednesday, a Downey aide said. Debate on Bentsen's \$1.7 billion plan is scheduled later this fall.

Supporters say family preservation may be the best alternative to a foster care system overwhelmed by the fallout from poverty and crack cocaine abuse by parents.

Another burden on the system are the 2.4 million cases of child abuse and neglect reported annually, double a decade ago. Social workers say they are unable to investigate hundreds of cases.

After declining in the early 1980s, the numbers of children sent to foster care began sharply rising in 1985, just as the crack epidemic appeared. Last year, 407,000 children were in foster care, compared to 273,000 in 1986.

Meanwhile, often because those children show up with deep psychological distress, foster families are abandoning the field. Today there are 100,000 foster families compared to 137,000 in 1985, said Gordon Evans, head of the National Foster Parent Association.

The status of foster care has prodded Missouri, Maryland, Kentucky, Iowa, Michigan, New York and other states to swiftly

some, but certainly not all, families.

The states haven't created these plans in a vacuum. A federal law, passed in 1980 but played down until recently, requires states to attempt to reunite families in order to continue receiving federal money for foster care, said Phyllis Rozansky, executive director of Citizens for Missouri's Children.

The family preservation programs have a common core. States have hired or retrained social workers to work intensively 24 hours a day for four to six weeks with families that have "at-risk" children — those likely bound for foster care.

Instead of juggling huge caseloads from their office, the family preservation workers handle two to four families and meet in the families' homes.

They help the family do whatever is needed — write a family budget, install a carburetor, clean a bathroom, contact school officials or counsel about depression or nutrition.

The premise: If a parent can learn skills to make the family work together again, the child, parent, state and nation will

benefit.

"When you treat people as colleagues and inspire hope, you approach problems very differently," said Kenneth Visser, who helped create Michigan's program.

And Jane Gaskill, who heads Iowa's family preservation program, said, "When we keep kids in the home, the home is a better place than when we started providing services."

Yet the programs must maintain a precarious balance because of the threat of child abuse.

"It's a very fine line that you walk. You don't want to take a child away from a loving family with a problem, but you don't want to put a child in harm's way," said Catherine Deans, a spokesman for the Florida Department of Health and Rehabilitation Service, which just began a family preservation program.

Many of the states have modeled their plans after Homebuilders, begun in 1974 in Washington state by psychologists Jill Kinney and David Haapala.

Michigan leads the nation in spending on family preservation, about \$10.6 million this year, and hopes to have a statewide pro-

gram by a year from now. Kelly said state officials have become convinced by the track record of Families First, which has kept 7,000 children in their families and out of foster care.

Evaluations of Families First, Homebuilders and other programs show startling results. Most program officials claim that 60 percent or more of the families that go through family preservation remain together 12 months later. And some claim success rates of up to 90 percent.

Such success rates draw a large dose of skepticism from government social service officials.

"The problem is it's a wonderful idea but it hasn't demonstrated the effectiveness its advocates assume they're getting," said Wade Horn, commissioner of the Administration for Children, Youth and Families in the U.S. Department of Health and Hu-

man Services. "Studies do not show any real differences between family services and traditional social service networks."

Horn said those who believe family preservation can work in families where a parent uses crack cocaine are "just a little bit Pollyannaish."

"My guess is when we're talking about chronic abuse, family preservation services won't help," Horn said.

Nonetheless, he said family preservation deserved encouragement and study because the bonds between workers and families seem a key for aiding some families, and because the answer to worsening neglect and abuse cases is not to pump more money into foster care.

"If we do that we will have failed as a society," Horn said. "A trip to foster care is not like a trip to grandmother's house."

In the Sieve kitchen a lot more cooking



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Support helps families mend their lives

Caseworkers on call at all hours, to tackle all kinds of problems.

By MELISSA BERG
Staff Writer

When Kathy Lewis' daughter missed weeks and weeks of school this spring, the state made her an offer she couldn't refuse.

Child neglect investigators told her she could enter a family preservation program, or 10-year-old Katrina would be put in a foster home.

Lewis didn't hesitate. Now, nearly three months after completing the intensive counseling and support program, Katrina remains at home in Independence.

Started to reduce foster care or institutionalization for abused and neglected children, the program gives families like the Lewises another chance.

"It's not a cure for the family's problems, but it's a crisis service that works," said Phyllis Rozansky, executive director of Citizens for Missouri's Children. The St. Louis child advocacy agency nudged the Missouri Division of Family Services into starting the program in 1988.

The 35 participating counties report that after completing the up to six-week program, 70 to 90 percent of the families are still together six months later, said Dick Matt, the state's deputy director for children's services.

Neglected and abused children who are in danger of being removed from their homes are eligible for the program. Children who have been seriously injured or sexually abused are not considered because their safety can't be guaranteed.

Katrina Lewis didn't want to go to school. She had been kept up all night by fights between her mom and dad and by their drinking.

With help from a state-paid tutor, Katrina is with her classmates in fourth grade this fall.



STEPHEN B. THORNTON/Special to The Star

Missouri's family preservation program has helped Kathy Lewis and daughters Katrina (left) and Angie stay together. Troubled times this summer landed Lewis and her daughters in a one-room motel in eastern Kansas City. Now the family has moved to a duplex in Independence.

The fights between her parents are fewer since both sought help for drinking problems.

And Kathy Lewis and her two daughters are using what caseworker Laurel Herrera taught them. Instead of screaming at each other, they listen, express their feelings and go to the movies together.

Before the family entered the program, Lewis often left home after fighting with her husband, Rex. The departures, the fights and the drinking left tall, dark-haired Katrina feeling sad.

But the soft-spoken girl said she's happier now "about things we've never done before, like go to a show and go out to eat."

Family preservation is the social service equivalent of medical intensive care. Specially trained caseworkers are on call 24

hours a day. They provide counseling and behavior modification techniques for abusive parents, but they also teach budgeting and housekeeping, arrange rides to the doctor and sort out overdue bills.

They work with two families at a time, compared with the 25 or 30 families handled by a traditional caseworker. The lighter caseload enables them to spend 20 hours a week or more in the family's home.

After completing the program, families are monitored by follow-up workers on a less frequent basis for as long as 12 weeks.

The extra attention has meant Jackson County clients "getting out of the system faster," said Kathryn Ramp, an associate professor of human development

"It's not a cure for the family's problems, but it's a crisis service that works."

— Phyllis Rozansky,
of Citizens for
Missouri's Children

and family life at the University of Kansas.

State officials set a goal of serving at least 1,700 children annually, or about a third of the more than 5,000 children a year who ordinarily would be removed from their homes.

That goal won't be met until the end of 1992, when the program is implemented in all 114 counties. Now, 35 counties expect to help an estimated 860 children and their families in the fiscal year that began July 1.

When implemented statewide, said Matt of children's services, the program should reduce the \$36 million annual budget for housing abused and neglected children. It already has slowed the growth in that spending.

It costs about \$3,250 to put a family through the program, compared with \$3,949 to house a child for an average stay of 5½ months, Matt said.

As the program has expanded in the last two years, the average number of children being taken from their parents each month has dropped from 454 to 414.

"Family preservation has had some success," Matt said. "But you never know how much of a decrease in the caseload you might have had anyway."

More important than the savings, child advocates say, is that the program doesn't uproot children.

"The effect of shuffling kids from placement to placement is that they end up having more problems than when they entered the system," Rozansky said.

Some children and families, however, still fall through the cracks.

Jackson County is one of 10

counties that still aren't meeting the state goal of serving a third of the abused and neglected childrer needing state protection.

As of the end of August, 92 Jackson County children were able to stay with their parents this year because of the program. But 38 children were put in foster care because the special caseworkers were too busy.

"I lose sleep about that," said Lee Jennings, the county's family preservation supervisor.

But for those who are helped, a good relationship is developed between the caseworker and the family.

"We become so close and so much positive change has gone on in that family," Jennings said, "they feel like they're losing a friend."

A drug habit and having to live with friends almost cost Dianne E. her newborn daughter. Dianne didn't complete treatment, but caseworkers are letting her try again and keep nearly 11-month-old Dominique, who had cocaine in her system at birth.

George Mistarka, an after-care worker, followed up on the case, helping Dianne pay off overdue bills and build her self-esteem.

Dianne sent a letter to caseworkers, thanking them.

"Thanks to DFS workers," Dianne wrote, "Dominique and I now have a chance for a normal and successful life."

Rozansky and Matt agree that as many as half the children in danger of being taken from their homes could stay if the program's \$2.5 million budget were increased to \$8.7 million.

Some child advocates have suggested giving foster care money to the program.

But the state can't be "too quick with this process," Matt said. "We want to make sure there's sufficient funding for foster care."

Said Rozansky: "We get more money is to try to get the importance of this program."

\$294 per student

Mental health care works in home

Therapy teams fight children's problems.

By MELISSA BERG
Staff Writer

Although the Missouri Department of Social Services runs the state's largest family preservation program, the Department of Mental Health launched a similar service a year earlier.

Called Families First, the mental health program aims to prevent children with mental or behavioral disorders from being put in institutions.

Ten teams of therapists, including three in the Kansas City area, work with children from 4 to 13 who are likely to hurt themselves or others. They may be severely depressed, suicidal or display aggressive behavior.

Referrals to the program usually come from school personnel, the Division of Family Services, youth programs and outpatient staff at area mental health centers.

Similar to social services caseworkers, the mental health therapists are available 24 hours a day, seven days a week. They work with two families at a time in their own homes, for four to six weeks.

"We believe that involvement with the family at every level is critical," said Lisa Clements, the department's assistant director of children and youth for community-based services.

Clements, based at the Mid-Missouri Mental Health Center in Columbia, said families typically have other problems besides their children's behavior, such being poor or having drug problems.

"A kid may be referred because his behavior is extreme at school," Clements said, "but it may be because the third week of the month the family has no money and no groceries."

Therapists refer those clients to food pantries and talk with them about budgeting. But they also teach communication, discipline and anger control techniques.

Nearly two-thirds of those in the program already have been in some kind of psychiatric center, Clements said. But there's a shortage of inpatient beds for children and being in a hospital doesn't guarantee a cure.

Statewide figures still are being compiled on the number of children that have been through the program since it began in 1987.

But of the 108 children seen in 1987 and 1988 in two demonstration cities — Columbia and Springfield — 75 percent remained at home one year later, Clements said.

Kansas City area programs are at Comprehensive Mental Health Center in Independence, Research Mental Health Center and Swope Parkway Mental Health Center. The centers have served 135 families in the last two years, keeping 81 percent together, said Kay Murphy-Collins, who oversees the programs.

6-1



LAW OFFICE
of
LYNN E. MARTIN

117 SOUTH PEARL - P.O. BOX E
PAOLA, KANSAS 66071
913-294-3400

July 20, 1990

Mrs. Carolyn Holliday
R. R. #5
Paola, Kansas 66071

Dear Carolyn:

I have had an opportunity to look at the Doctor's reports, the Stormont Vail report and the Franklin County Mental Health Report. At this time it appears that they are not recommending no future contact between you and the children and in particular, Dustin; however they want to have some period of time without contact so that they can determine whether or not that will have any positive effect on the children. They do not say that it is your fault but obviously your visits do have a tendency to upset Dustin. One point that I did note with interest was that they did not attribute his problems directly to your visits which clearly leaves open the argument that the problem is a result of you leaving and him being insecure because of that. I don't know just how valid that argument is but I do not see that they have addressed that issue clearly.

I think at this point we should not take any particular court action but I have entered my appearance so I will be getting notice of any type of activity and will keep you informed. I do think that you should continue to contact Janet Schneider with a request to visit the children when it is in their best interests and to continue to show an interest in having the children in your home.

It appears that the doctors believe Dustin's problem is a direct cause from substantial abuse by their mother. I would also anticipate that since you did, in fact, have the children off and on that they are probably concerned that your presence reminds them of very unpleasant things, not, of course, being your fault, but nevertheless always affecting the children.

If and when I hear anything, I will advise.

Sincerely,

Lynn E. Martin

LEM:jac

1-10

DO YOU KNOW:

A person accused of a crime has the right to a jury trial. In Kansas, a person accused of child abuse has no right to a jury trial. SRS may make a motion in court at any time to sever all parental rights.

When the parental rights of a child (or children) are severed, the rights of all family members are automatically severed also.

Bill #672 will be presented to a senate hearing committee on March 19, 1992 at 10:00 A.M. (room 526 south , Capitol Building , Topeka , Kansas) that would require a trial by jury in order to sever parental rights.

YOUR SUPPORT OF THIS BILL IS NEEDED !

If you cannot attend in person, please show your support with your signature below.

Caree Doss
Joan Geremia
Jammy Andrews
William Dale
Robin Dale
Candy Shafer
Ken Block
Frankie Kerns
Vanessa Skinner
Gloria Kerns
Colleen Flans
Verna Spencer
Tom Toth
Cindy G. Swan
Debbie Oldham

Humbert E. Hubford Jr.
Della Webb
Janette Eaker
Cynthia Carroll
Wesley Carroll
Kathy Robertson
Kathy Caverty
James I Caverty Jr
Lora Riley
Lorena Johnson
Terry Sharp
James Sharp
Paul Johnson
Ellen Magee
Patricia Cranston
Cynthia Hubford Jr.
Cindy
Sharon Walters
Brenda Salazar
Jersea Hathaway
Kathy Johnson
Jody Rutch
Charlotte Adams
Cynthia Hubford Jr.

Ki Andrews Loving

Alta Johnson

Shirley Ray

Rose Bantista

Sharon Phifer

Georgina L Woodard

Ruby & Roy

Myrna L. Linley

Connie McNeil

Pearl Woodard

Ricky Daulton

Ed Beaudry

Leopoldo Lopez

Pat Beaudry

Donald Van Trees

Ada Williamson

Shelby Dickinson

Eugene Snyder

Agnes

Dea Hiroto

Ann Mead

Tessie Hall

Gale Page

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If you cannot attend in person, please show your support with your signature below.

Daine Spencer

Wendy V. Day

Mark All

Norma Kulekin

Norma Lossner

Gary Earley

Brad Grant

Mark H. H. H.

Elizabeth A. Goshly

Dorothy A. Sheldon

M. J. Hous

Melissa Kadsall

Bill Meyer

Anni Kennedy

William B. Kennedy

Anita Kennedy

Tina Kennedy

Leone Jones

Gary Johnson

David W. Wolk

Verlie Kopper

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If you cannot attend in person, please show your support with your signature below.

Donna L. Stebbins
Kathy E. Bardsal
Kenneth Caraway
Jim Topwott
Charles W. Clark

Clifford Holliday - Paola, Kansas

Case #89JC08

Involved in our case:

Daniel and Dustin Eggleston

Their Mother: Shelly Akers

My wife and myself: Clifford and Carolyn Holliday

Caseworker: Janet Scheider

Caseworkers supervisor: Mary Cole

June, 1990

Two days before a revue hearing, Janet Scheider spoke with my wife, Carolyn, by phone. According to Janet, SRS was "looking at" recommending to the court at:

#1 We (the Grandparents) have visits court ordered

#2 A home study be court ordered for us

AT THE HEARING

SRS attorney asked for no visits with family

SRS attorney did not inform court of our wish to have the children in our home.

JAN. 15, 1991 Revue Hearing

SRS asks for parental rights severed

Our attorney argues that when parental rights are severed, Grandparents rights are severed, also.

Judge declines SRS motion at that time.

Our attorney requested a second opinion (medical) at that time. This is granted. Court ordered.

Aug. 12, 1991

Revue hearing: SRS recommends placement of boys in a group home.

Judge Hill allows SRS to retain custody, but orders more frequent, and more extended, visits with us. His reason being a three hour visit was not enough to base a decision on. (3 hours - ^{one} month was all we were allowed by SRS with our grandsons)

Jan. 22, 1992 Advised our attorney of our visits not being extended.

Feb. 9, 1992 ½ hour added to our visit

Mar. 3, 1992 Carolyn (Grandmother) spoke with attorney. She told him of our ½ hr. extension.

Mar. 4, 1992 Janet Schneider called. Our visits extended now to 6 hours, twice monthly.

Mar. 16, 1992 Our attorney informed us that he had tried to call Janet Schneider after Carolyn talked with him on 3-3-92. Janet was out, but our attorney attempted to reach her, left message (who he was, purpose of his call) Our visits were extended the next day.

FOSTER CARE IS BETTER?

Enclsd documentation shows a letter to the boy's mother (from foster mother)

" we don't use things with artificial colors or anything with sugar: malto-dextrin - dextrose, corn syrup, fructose, lactose, manitol, lactose, manitol, sorbitol, glucose, glolinol-date"/

BOTH BOYS ARE DIABETIC! Please note that labels of food sent to our home, by foster parents contain SUGARS (high fructose corn syrup) that diabetics should avoid.

Why are these foster parents caring for our children?

Thank You.

Private Office
Att. #2
3-19-92

January 22, 1992

Ms. Janet Schneider
Department of Social and Rehabilitation Services
Osawatomie SRS Office
P. O. Box 1000
Osawatomie, Kansas 66064

Re: Matter of Daniel and Dustin Eggleston

Dear Ms. Schneider:

I have again visited with my clients, the Hollidays, and I have been told that the reason you are limiting their visitation to one three-hour period per month is that that supposedly is the law in regard to grandparents' visitation. I certainly do not claim to know all of the laws; however I am unfamiliar with any such Kansas Statute. If there is one, I would appreciate you advising me of same.

I am, however, familiar with the Court's order that I understood the Court in this case wanted my clients to receive more visitation. I do not propose that the Judge said particularly more than three hours per month but if, that is what it takes, that is what we are going to ask him to say and get this clarified. Once again, I would encourage you to extend my client's more visitation.

If you care to discuss this, please call.

Sincerely,

Lynn E. Martin

LEM:jac

January 22, 1992

Hon. Stephen D. Hill
District Judge
Miami County Courthouse
Paola, Kansas 66071

Re: Matter of Dustin and Daniel Eggleston,
No. 89 JC 08

Dear Judge:

I realize the matter had to be continued because of Mr. Nicholson's sickness; however it has now come to my attention that my clients are receiving only one three-hour visitation per month and in addition, for what it is worth, they are permitted to haul the children two times a month from Greeley to Kansas City, Missouri to visit the children's Mother. Obviously this is at my clients' costs and they are glad to do this to assist and help but they do not consider the time driving in the car much "quality time" when it comes to a visitation. We have requested time and again additional visitation. I understood the Court to be in favor of more visitation on the part of my clients, the grandparents, and would ask that this matter either be set immediately or that the Court take some steps to get additional visitation for my clients, the grandparents. They are very concerned and will make every effort to assist in this matter.

Sincerely,

Lynn E. Martin

LEM:iac

July 3, 1991

Ms. Janet Schneider
Department of Social and Rehabilitation Services
R. R. #1
Osawatmie, Kansas 66064

Re: Dustin Eggleston and Daniel Eggleston

Dear Ms. Schneider:

Please advise as to the status of the above matter.

Sincerely,

Lynn E. Martin

LEM:fac

March 19, 1991

Ms. Janet Schneider
Department of Social and Rehabilitation Services
R. R. #1
Osawatomie, Kansas 66064

Re: Dustin Hogleston and Daniel Eggleston

Dear Ms. Schneider:

Dr. Tremblay apparently called Carolyn Holliday and visited with her about the boys. She was led to believe that he was going to be filing a report in writing with you and we would appreciate obtaining a copy of same.

Sincerely,

Lynn E. Martin

LEM:jac

were yelling, kicking, spitting, clawing, biting, rage attacks. He had some from 20 seconds to 5 or 6 minutes.

Each time he heard loud train-like noise in his head Before seizure. He always has a headache after and we keep him in a darkened room because his eyes are sensitive after.

Dustin's diabetes diet helps for seizure control and we don't use things with artificial colors or anything with sugar: Maltodextrin - dextrose, Corn syrup, Fructose, Lactose, Mannitol, Sorbitol, Glucose, Glucindol etc. He also takes a high vitamin complex and a calcium enhancer.

He has never missed a dose of his medicine so I don't know if he would have a seizure or not.

Dustin does not take his medicine at school, the nurses do not give out medicine anymore, and his meals are at home, so I make sure he has his pills with meals because it can upset his stomach if not with a meal. Hope this helps - and I have answered well enough!

March
3-91

Diabetes, The boys are still on the point system, it is the easiest to keep track of and add the most variety of food.

cont on #2

Nutrition Information Per Serving
 Serving Size 4 oz - Condensed
 (8 oz. as served-226 g)
 Servings per container 2 1/4

	With Condensed	With Skim Milk
Carbohydrate	22	22
Fat (grams)	0	less than 5 mg/serving
Cholesterol	0 mg/serving	5 mg/serving
Sodium	430 mg/serving	490 mg/serving
Potassium	220 mg/serving	400 mg/serving

Percentage of U.S. Recommended Daily Allowances (U.S. RDA)

	With Condensed	With Skim Milk
Protein	2	10
Vitamin A	8	15
Vitamin C	45	45
Thiamine	2	4
Riboflavin	2	10
Niacin	4	4
Calcium	15	15
Iron	2	4

*Contains less than 2% of the U.S. RDA of this nutrient

Ingredients: Tomatoes (Water, Tomato Paste), High Fructose Corn Syrup, Wheat Flour, Salt, Vegetable Oil (Corn, Cottonseed or Partially Hydrogenated Soybean Oil), Natural Flavors, Vitamin C (Ascorbic Acid) and Citric Acid

Campbell Soup (Texas), Inc.
 Paris, Texas, U.S.A. 75460

NET WT.
 3 3/4 OZ.
 (305 g)

You'll love the delicious tomato flavor in Healthy Request Tomato Soup. Every satisfying serving has at least one third less salt than our comparable condensed variety and is...



DIRECTIONS: Slowly stir together soup and one can of water.
STOVE: Simmer, stirring often
MICROWAVE: Use a microwave-safe bowl. Cover, microwave on HIGH 3 minutes or until hot. Stir.
CREAM OF TOMATO SOUP: Prepare as above using skim milk instead of water.
 **When made with water
 Promptly refrigerate any unused portion in separate container. Recommend use by date on can end.
 Store unopened can at room temperature.



Satisfaction guaranteed or money back. If you have questions, call 1-800-257-8443 from 9 A.M. to 4:30 P.M. EST Monday through Friday. Please have can code and date information from lid available.

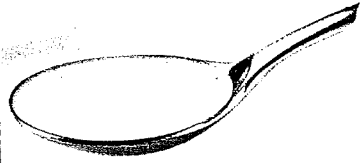


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Tomato

1/3 LESS SALT*
99% FAT FREE
 (1% FAT) AS SERVED
LOW CHOLESTEROL
90 CALORIES**
NO MSG



TURTLES

Cooking Directions
Stove top: Empty contents into saucepan. Place over low heat. Stir occasionally until thoroughly heated.
Microwave: Empty contents into 1 quart microwave-safe dish. Cover. Microwave on medium-high 3 to 3 1/2 minutes or until hot, stirring once during heating.

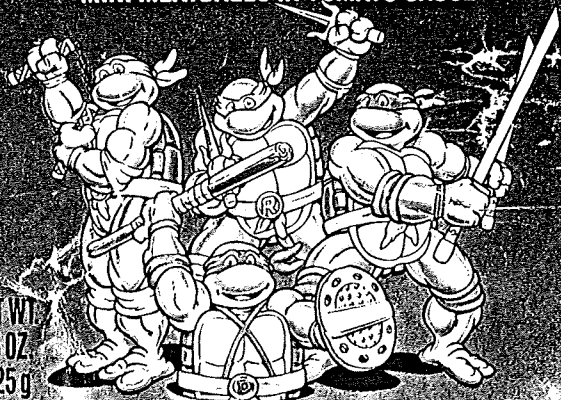
TEENAGE MUTANT NINJA TURTLES



Cowabunga Dudes, this is a totally awesome meal. Pasta shaped just like the Teenage Mutant Ninja Turtles. And they're all there: Raphael, Michelangelo, Leonardo, and Donatello. Go for it and find all four of them. What a fun way to eat a great tasting meal. It's the best food since pizza and you don't have to call for it.

Boyardee **NEW**

TURTLES
 PASTA SHAPES WITH
 MINI MEATBALLS IN TOMATO SAUCE



NET WT.
 15 OZ.
 425 g

Chef Boyardee

INGREDIENTS: WATER, TOMATOES, BEEF ENRICHED MACARONI PRODUCT, HIGH FRUCTOSE CORN SYRUP, SALT, CRACKERMEAL, MODIFIED FOOD STARCH, ENZYME MODIFIED CHEESE, SOY PROTEIN ISOLATE, ONION POWDER, MONOSODIUM GLUTAMATE, HYDROLYZED PLANT PROTEIN, FLAVORINGS, CITRIC ACID, CARAMEL COLORING AND OLEORESIN PAPRIKA.

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 TURTLES MEAT 15 OZ.

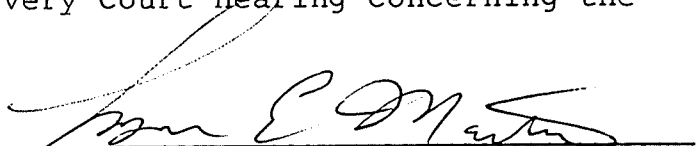


MEMORANDUM

In addition to the letters attached hereto, this is to confirm that I, in behalf of Clifford and Carolyn Holliday, have had telephone communications with Janet Scheider or representative of SRS on the following occasions:

June 27, 1990
August 13, 1990
August 14, 1990
November 14, 1990
January 8, 1991
August 1, 1991

In addition thereto, I have had conferences with Janet Schneider at each and every Court hearing concerning the children.


LYNN E. MARTIN