

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Vice-Chairman Lance Kinzer at 3:30 P.M. on March 10, 2008 in Room 313-S of the Capitol.

All members were present except:

Representative Michael O'Neal - Excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research

Athena Andaya, Kansas Legislative Research

Jill Wolters, Office of Revisor of Statutes

Cindy O'Neal, Committee Assistant

Conferees appearing before the committee:

Representative Brenda Landwehr

Candy Shively, Department of Social and Rehabilitation Services

Sue McKinna, Attorney for The Department of Social and Rehabilitation Services

The hearing on **HB 2527 - access to records in child in need of care cases**, was opened.

Representative Brenda Landwehr appeared before the committee and worked on this bill in conjunction with the Department of Social & Rehabilitation Services (SRS) to open up SRS records as much as possible, without going against the Federal Government.

Candy Shively, SRS, informed the committee that the bill addresses concern which emerged from a case that happened in Wichita. There needs to be accountability in the system. The proposed bill will make sure the process is being handled appropriately, by being able to confirm factual details. There needs to be open record access to make sure each file is handled correctly, while being aware of individual rights (Attachment #1)

Committee expressed concern that the records would be open to anyone in the community, not just law enforcement, courts, and state officials.

Sue McKinna, attorney for SRS, commented that the Kansas Judicial Council is considering looking at Child In Need of Care statutes to see if any changes are needed. Their recommendations will be available by the 2009 Legislative Session.

The hearing on **HB 2527** was closed.

**SB 433 - uniform prudent management of institutional funds act**

Representative Pauls made the motion to report SB 433 favorably for passage. Representative Crow seconded the motion. The motion carried.

**SB 434 - code of civil procedure, electronically stored information**

Representative Owens made the motion to report SB 434 favorably for passage. Representative Colloton seconded the motion. The motion carried.

The committee meeting adjourned at 4:20 p.m. The next meeting was scheduled for March 11, 2008.

Kansas Department of  
Social and Rehabilitation Services  
Don Jordan, Secretary



**House Judiciary**  
**March 10, 2008**

**HB 2527**

**Integrated Service Delivery**  
**Candy Shively, Deputy Secretary**

For Additional Information Contact:  
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House Judiciary  
Date 3-10-08  
Attachment # 1

HB 2527  
House Judiciary  
March 10, 2008

Chairman O'Neal and members of the committee, I am Candy Shively, Deputy Secretary of the Kansas Department of Social and Rehabilitation Services. Thank you for the opportunity to appear in support of House Bill 2527.

HB 2527 amends the Kansas code for care of children to clarify and expand the provisions of public disclosure of information from confidential reports. Specifically, information concerning the handling of the case by mandated reporters, law enforcement, the secretary and the courts shall be made available. It also requires the court's decision concerning the opening of the records in death or near death circumstances be provided to the individual requesting disclosure as well as the affected parties.

This bill is consistent with agency values. With appropriate protection for the privacy of individual children and their families, SRS supports openness.

We also support the thoughtful review given by the Judicial Council to proposed changes in the code for care of children as an effective way to balance the needs of the public, children and innocent adults.

Thanks again for the opportunity to express my support and I stand for questions.

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