

SESSION OF 2002

SUPPLEMENTAL NOTE ON SENATE BILL NO. 399

As Recommended by Senate Committee on
Judiciary

Brief*

SB 399 amends the Child In Need of Care Code regarding the appointment of a guardian ad litem to represent a child to provide that when a child's position is not consistent with the guardian ad litem as to what constitutes the child's best interest, the guardian ad litem or the child may request the court to appoint a second attorney to serve either as guardian ad litem or as the child's attorney. The second attorney shall allow the child to communicate with the guardian ad litem but may require the communication occur within the attorney's presence.

Background

The bill was suggested by the Judicial Council's Guardian Ad Litem Advisory Committee to deal with rare situations where the guardian ad litem and the child disagree about the child's best interests.

A representative of the Kansas Bar Association opposed the bill.

The bill has no fiscal effect on the state.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.accesskansas.org/legislature/>