

SESSION OF 2004

## SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2676

As Amended by House Committee on  
Federal and State Affairs

### **Brief\***

HB 2676, as amended by House Committee, amends a statute in the child in need of care code that concerns the conduct of hearings. The amendatory provisions would require the court to allow an individual, a member of the Senate, a member of the House of Representatives, and a member of the clergy to attend the hearing on the request of a parent, a guardian, the child, or a guardian *ad litem* unless the court finds the presence of the persons would be disruptive of the proceedings. If the request is denied, the court would be required to state the reasons for the denial on the record.

### **Background**

In the Committee hearing on HB 2676, two of the sponsors of the bill spoke in favor of the proposed legislation, as did an individual who is the permanent guardian for three nephews who also worked for one of the foster care contractors, and a member of the House who has represented parents in hearings as a court appointed attorney. A District Court judge opposed the bill as introduced, indicating it did not balance the rights of all the parties by not allowing the child or the child's guardian *ad litem* on behalf of the child to request the presence of members of the Legislature or clergy nor did the original bill protect rights of other parties to object and have their rights protected if they could show good cause. The judge presented proposed amendments. Concerns were expressed in writing by an assistant district attorney and Kansas Action for Children.

The fiscal note on HB 2676 states the Juvenile Justice Authority, the Department of Social and Rehabilitation Services, and the Office of

---

\*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.kslegislature.org>

Judicial Administration indicate there would be no fiscal effect associated with passage of the bill.