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September 9, 2024

Kansas Joint Committee on Child Welfare Services
Rep. Susan Concannon
Rm 582-N Statehouse
Topeka, KS

Dear Members of the Kansas Joint Committee on Child Welfare Services,

I am writing to express my deep concerns regarding the role of judges in dependency care cases, my personal on-going experiences with them, the effects of judge's interactions with judges in sister states, and the current state of oversight and accountability within this crucial area of child welfare. It is imperative that we address the unchecked power held by judges in these cases and ensure that our legal system operates with the highest standards of fairness and transparency. I preface this by saying that I believe in our system of government. I believe that the majority of the justices appointed to these positions take their oaths of office seriously and do what is within their power to execute those oaths honorably and with integrity. Today, I would like to address the few who do not and the dire consequences Kansas families suffer when they do not, how you can prevent it from happening, and alert you to current cases of concern.

Judges in dependency care cases hold significant authority, making decisions that profoundly affect the lives of children and families. Due to the nature of these cases, appeals can be prohibitively costly or sometimes unfeasible, placing judges in a position of final authority. This concentrated power requires an elevated standard of oversight, as judges often make determinations without juries, and their decisions are frequently private or sealed. As a result, their actions often go unnoticed and unchallenged, creating a risk of unchecked authority and potential corruption.

The current system, where judges focus heavily on programs and funding rather than on the well-being of families, exacerbates the problem. This shift in focus from family preservation to program funding can result in a cycle where families remain fractured to sustain the financial interests of certain organizations. This situation fosters a dangerous environment where the priorities of the system shift towards financial gain rather than genuine child welfare.

Given these concerns, it is crucial to implement measures that ensure accountability for all actors within the child welfare system, including guardian ad litem, case workers, and particularly judges. While bar complaints exist, they do not address the broader issue of judicial misconduct where judges exceed their jurisdiction or violate the law in ways not protected by immunity. It is essential for the legislature to utilize its power to impeach judges who engage in such behavior,

ensuring that they are held to the highest standards of conduct. This is a power that private citizens can only access through the officials we vote into office.

I have resided in the state of Kansas since 2020. I have been active in local and state government with my daughter since then. My daughter has walked these hallways, sat on Dolly Parton's lap as she read her book, stood by my side as I presented the BRONZE Alert system to Gov. Kelley to bring awareness to missing & trafficked Black women and children in the state of Kansas. I also have not seen my child since November 29, 2022.

I walked into a Missouri courtroom under the guise of one event taking place, but left without custody of my child because something completely different transpired. Robert Gordon, guardian ad litem that neither of us had ever met or seen, provided false and fabricated testimony to Family Court Commissioner Sherill Page Roberts and Judge Alisha O'Hara, convincing them that we did not live in Kansas. He also did not show that we lived in Missouri. A simple visit to our home, my driver's license, her school records, my business records, or any of the things I mentioned before, would have proven residency. Residency in child care cases is determined by where the child resided six months prior to the case being filed. This petition was filed on March 3, 2022. These issues were raised in April 2022. The first issue any judge addresses before proceeding with any case, is whether or not they have jurisdiction. When they do not have jurisdiction, they must immediately cease all exercise of power. This is mandated in the U.S. Constitution. When a judge doesn't do so, it's called usurpation and is grounds for impeachment. Our forefathers even went so far as to call it treason. There are avenues written into law for states to correct these incidents, but they can only happen when honorable judges step forward. That has not happened in Kansas. Judge Kathleen Lynch in Wyandotte County has not chosen to do so, but it is not too late. Now, Kansas has to deal with the after effects and costly litigation on both sides. I would like to discuss this matter in private at the end of this session. The point being, as a member of this body, you will never know these things because these matters are not often discussed. The assumption is that the judicial system will always do the right thing. Recent events within the Supreme Court have shown us that this indeed is not true.

I urge the Joint Committee to take decisive action in reviewing the role of judges in dependency care cases, enhancing oversight mechanisms, and considering the implementation of strict consequences for judicial misconduct. The power of impeachment should be actively used to address instances where judges overstep their authority and cause harm to families. The power of the governor and the ability to bring children back home when they are stolen by sister states in violation of the Parental Kidnapping and Prevention Act should be addressed and enforced as aggressively as the Hague Convention Act. By doing so, we can work towards a more equitable and just system that prioritizes the best interests of children and families over financial and institutional gains.

Thank you for your attention to this critical issue. I am hopeful that you will take the necessary steps to address these concerns and foster a system that truly serves the best interests of our children and families.

Sincerely,

Dr. K'Arissa