

I want to start off by thanking you all for giving me the opportunity to speak. I know it can be difficult to keep your attention on so many testimonies, and even more difficult to act on change once they are finished. I want to remind you that this is where policies are born, changed, and assessed. You are the people who have the power to make a difference, and this is why I make the two and a half hour drive to look you in the eyes and tell the stories of all of our children, foster care workers, foster parents, and even bio families.

My name is Caymen, some of you may know me already from my past couple trips to the capitol, and some may have seen my face observing committee meetings. Now is a good time to get familiar with who I am as I am passionate enough to keep returning with more and more until something is done to better our system. I am a masters student in the social work program, I am a foster home specialist working hands-on in the field, and I am also a foster parent. My education and experiences have given me the unique opportunity to be fully immersed in our child welfare system allowing me to observe from multiple lenses.

What I have learned is that our system is not just broken, it was built to suit individuals other than the kids we serve. The state of Kansas has many different policies and procedures in place for the children in need of care (CINC). When looking at our CINC code handbook we see that in statute 38-2201 (1) the safety and welfare of a child should be paramount in all proceedings under the code. (2) each child who comes within the provisions of the code shall receive the care, custody, guidance control and discipline that will best serve the child's welfare and the interests of the state, preferably in the child's home and recognizing that the child's relationship with such child's family is important to the child's well being; make the ongoing physical, mental and emotional needs of the child decisive considerations in proceedings under this code;(4) acknowledge that the time perception of a child differs from that of an adult and to dispose of all proceedings under this code without unnecessary delay. The code also states that the system must (5) encourage the reporting of suspected child abuse and neglect; (6) investigate reports of suspected child abuse and neglect thoroughly and promptly; (7) provide for the protection of children who have been subject to physical, mental or emotional abuse or neglect or sexual abuse. For your reference, I have included a copy of the CINC code handbook with my testimony. Although, I hope that you all as individuals in a position of this power have made yourself somewhat familiar with this already. If you have not, I encourage you to do so. Not only does our state CINC code stress the overall safety and well being of our children to be of paramount importance. The federal Adoption and Safe Families act of 1997 states the same thing. I wanted to make you aware of these codes, and statutes prior to introducing you to the data and testimony I bring before you today. The state of Kansas has made it very clear that it is a family first state, meaning that kinship and familial placements along with reintegration is of utmost importance for permanency planning. Statutes supporting these state goals can be found in KSA 38-2242. The child placement agencies and case management agencies across the state of Kansas keep 'score cards' tracking children's disruptions, moves, and admissions into different homes. This helps to keep federal funding coming in to each agency. The agency must prove "reasonable efforts" were made to place a child in a kinship home which puts pressure and a money incentive on each agency trying to push for this type of placement.

What I have experienced in my research, as a worker, and as a foster parent is workers picking and choosing between a child's best interest, safety and well-being OR reintegration at all costs. It

unfortunately depends on the case team. Unfortunately, many of the workers have been proven to be overworked, underpaid, and with a caseload full to the point of making life-long decisions for children they have never even met.

I know I threw a lot of information at you, and I really hope you are still listening to everything I provided because I promise it is for a reason. I am going to tell the story of a little girl we will call Ellie. Ellie was placed in my home shortly before her first birthday. I was her third home in her first year of life, and first home to provide her with the stability and care she needed. After a few months of being in my home, her case team had her set to move to a distant relative she had not met before. Case team was planning on moving a one-year-old who called me mommy without any visits or transition support. I took it into my own hands to set up a visit with this family to try and assist with the child's transition. Upon meeting the relative, she was observed by myself and a third party I had brought along to be under the influence of something with a vape pen labeled "THC" sticking out of her pocket. The child was observed to be uncomfortable throughout the visit, and I knew, as a foster parent, that something was a little off. I went onto social media, as most people my age would do- and found that the relatives were posing aggressive things towards other individuals such as "bashing peoples heads in" pictures of smoking cigarettes indoors and around kids, and even posts containing guns with children's legs being visible in the pictures. I expressed my concern to the case team and was met with an earlier move date. I then asked case team for a best interest staffing or TDM to make sure this move was the best fit for the child and was told I had no right to one as I had not reached the 6-month mark. I then hired an attorney who filed a stay of placement order that was immediately granted by the judge in our jurisdiction. With the stay of placement order, case team decided to set up visits with this relative home over the weekends. After the first visit, she was returned to me with bruises and welts in different areas of her body. I made the DCF report and was met with an extended visit given to the family following my report. She was then returned at the next visit with a gash on her head from reportedly "smacking her head on the bathtub faucet". Again, the case team had no concern for the lack of proper supervision or care of this child. The next visit, she was returned with a severe yeast infection, which if you do not know is caused by improper diaper changes. The next visit, she was returned to me covered in dried poop to the point where I undressed her and wrapped her in my coat to bring her home and bathe her. Again, the case team was not concerned. The final visit, she was returned to me with a cut across her eyeball, a gash down her forehead, and a scratch on her other eye from when she was reportedly attacked by the home's family dog. I took her to the hospital immediately after getting her and she was assessed by SANE/SART a nursing team specializing in evidence based forensic services for victims who have experienced violence. That same week, she was moved to this relatives home permanently. Again, the case team had no concerns for her safety and continued to push for re-integration into a kinship home. Each and every time she was returned from a visit, a staff member from this agency was present to see the further trauma this child was enduring with their decision to keep sending her. Each time I had to bring her to hand her off, the case team was there to witness the child screaming and kicking at the relative for "mama" and holding on to me to the point where she would need to be pried out of my hands. This story is important to know because it is a clear depiction of the choice between a child's emotional and physical wellbeing OR reintegration with kinship placement. A motion filed by a DCF attorney for the Wichita region also shows the importance of the 'funding' they receive as she states in her motion to dismiss the stay of placement that "a lack of reasonable efforts or progress finding by a court is not something

taken lightly as it can affect the federal funding received by the state”. But there is no impact to federal funding when a child is put in a home that adds to their trauma, continues to harm them, and fails to provide proper care. Again, this is our states set policies and procedures allowing our workers in the system to be money and reintegration focused rather than focused on a childs best interest. Ellie is unfortunately not the only child that has been failed by our system, and some have even lost their lives. For example, the 7-year-old boy, Davion Gunter, killed in a shooting that had DCF reports made prior to this incident regarding abuse and neglect but the child was not removed from the home. DCF reports show that the child was injured in an incident years before involving a gun along with the reports of abuse and lack of supervision starting when he was just nine months old. Meaning the system failed this child for 7 years before he eventually lost his life. Unfortunately, the blood is on the hands of our policymakers, DCF, and our state as a whole. Davion and Ellie are not the only children suffering at the hands of our system. Hundreds of children are being failed and will continue to be failed until something is changed. Something has to be done, and it starts here with all of you in the capitol. When you hear of these incidents, and you choose to push it to the side and do nothing- that exact moment is when the blood starts to cover your hands. We need to re-evaluate our state goals, statutes, and policies surrounding our child welfare and foster care system. From all the way up here in the capitol building it is impossible to hear the screams and cries of hundreds of children and families begging for change. It is hard to see the bruises, sicknesses, and lack of love the children are enduring every single day. This is why I am here. Our system is supposed to help the children, and all it does is harm them and put money in the pockets of our state agencies. I have taken the time to create a survey that I provided to the foster care community, although many foster parents and workers fear retaliation, I was able to gather some data to present with you all today.

The data gathered in this survey is a mix of foster care workers, foster parents, kinship homes, biological parents, and therapists. The majority of the responses collected were from individuals immersed in the system for 6 years or more. The numbers in this survey are out of 40 individuals, with more time, I can continue to collect more to present to you all. Please refer to the survey responses I provided to you.

82.5% of respondents experienced a child’s trauma, health, or stability needs to be ignored or minimized by case team to push for reintegration or a move into another home.

60% of respondents believe that the overall goal of our system is to reintegrate at all costs, 45 % of respondents believe that our system is money centered. Please note, one of the options is “child welfare and safety”

70% of respondents have experienced a worker in the system abusing their position of power.

87.5% of respondents have experienced a childs best interest to be ignored to better suit plans and goals of workers.

72.5% of respondents fear retaliation when speaking up for a childs best interest.

77.5% of respondents have experienced unethical behavior towards foster children by workers.

75% of respondents have experienced workers being unethical towards themselves.

77.5% of respondents have witnessed a child being reintegrated and returned to foster care.

At the end of my survey, I provided a space for those to give their own testimony anonymously. Many of them begging for change, some telling horror stories they experienced as foster parents towards their foster children, and many begging for accountability.

So I have to ask, how many more children need to be harmed before you do something? How many more children are going to lose their lives? How many foster homes are we going to lose? How many cries for help do you need to hear before you reassess, and change?

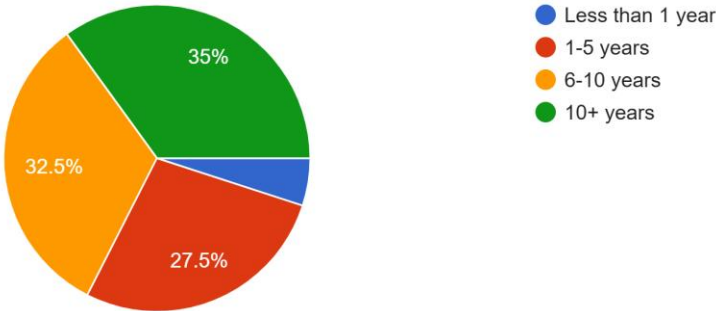
What is your role in our foster care system?

40 responses



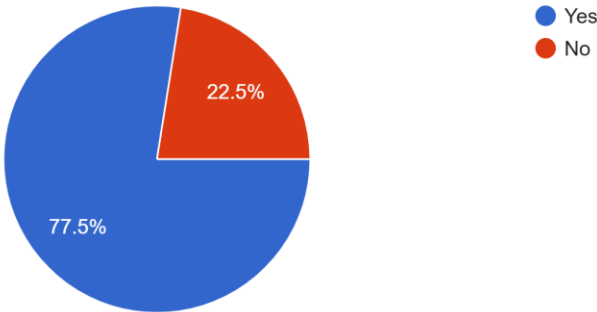
How long have you been involved in foster care?

40 responses



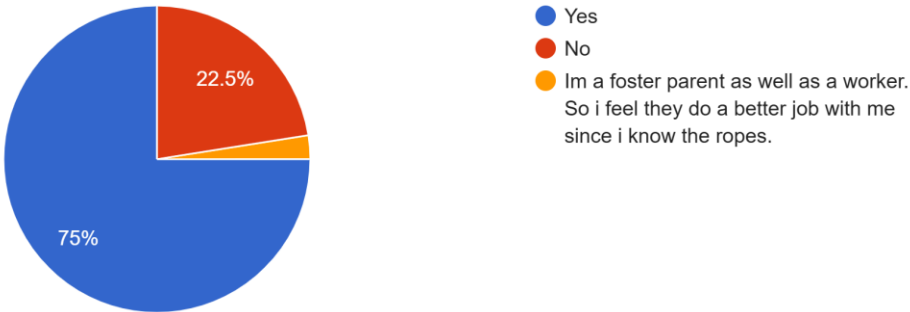
In your opinion, have you observed unethical behavior by foster care workers towards a foster child in placement?

40 responses



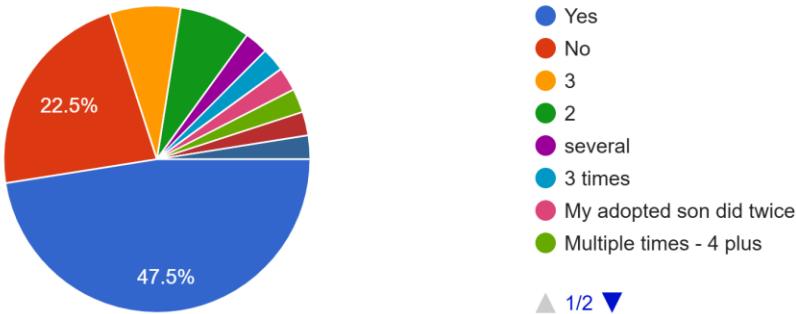
In your opinion, have you experienced unethical behaviors by foster care workers towards you?

40 responses



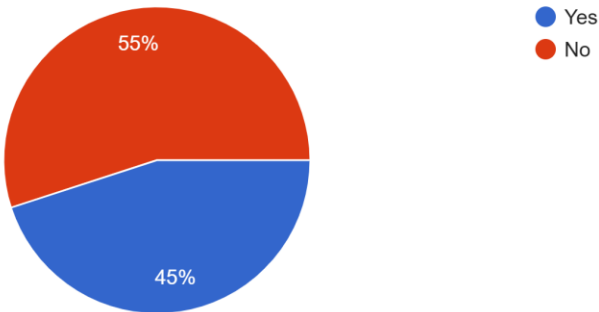
Have you experienced a child reintegrating and then returning back into foster care? If more than once, please put the number of times in the "other" section.

40 responses



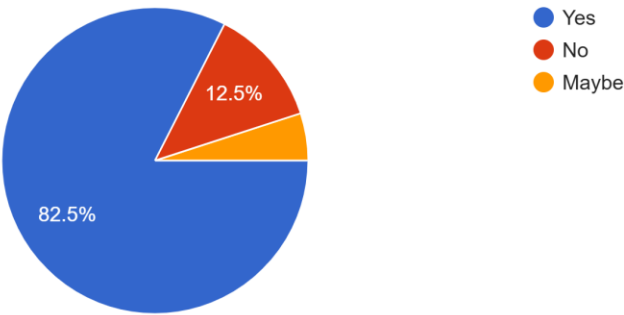
Have you experienced a child harmed in any way during a visit or stay in an alternate home at the guidance of case team?

40 responses



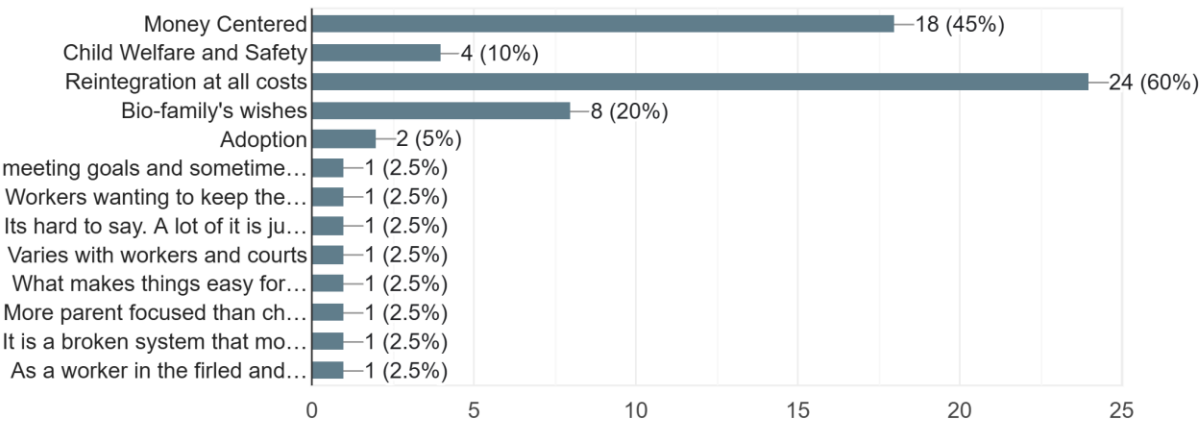
Have you ever felt as though a child's trauma, health or stability needs have been ignored or minimized by case team to push for reintegration or a move into another home?

40 responses



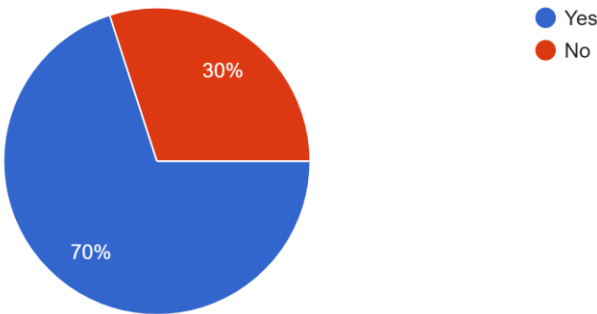
Of the following options what do you believe is the guiding principle of the foster care system today? (can choose more than one if needed)

40 responses



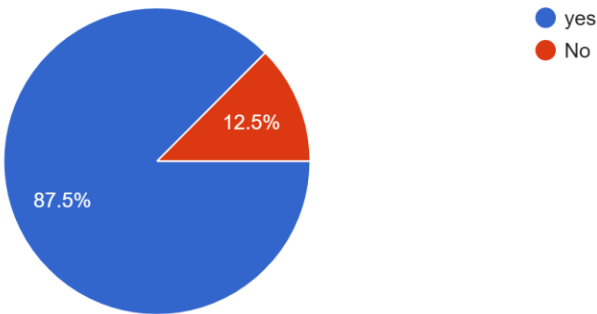
Have you ever experienced a worker in the system abusing their position of power?

40 responses



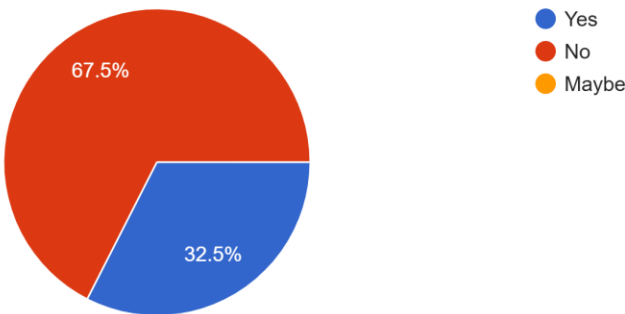
In your experience and opinion, have you witnessed a child's best interest ignored to better suit plans and goals of workers?

40 responses



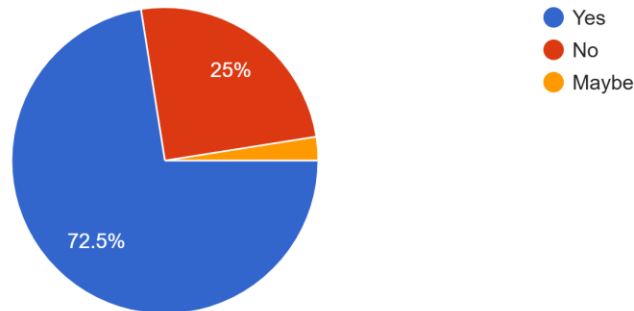
Have you ever witnessed a transportation driver to transporting children without proper safety equipment? (IE. correct car seat, seat belts, etc)

40 responses



Have you ever feared retaliation against you or your foster child (or bio child) if you speak up against a foster care workers decision in the child's best interest?

40 responses



Case management providers need oversight and to be held accountable.

I feel like foster parents are left in the dark too often. Case team doesn't come out monthly and when they do they aren't telling me what is happening with the bio-family of children in my care. I feel like the only time I find out what is happening in the case is when I show up to court. There is also such a huge turn over of case workers that they don't know the children or the case. One case manager was surprised to hear bio-mom had other children already in custodianship and that they had signed over rights on another baby just a couple years earlier after failing to meet requirements in that case. A quick google search found bio-mom had charges for child abuse in another state but the team didn't follow up on this. None of this seemed to slow down case team and baby was reintegrated with bio-mom at 10 months old to live in a camper in the backyard of the maternal grandparents.

Another foster child in our care is now 14 months old. During his time with us there have been a handful of sporadic visits. A permanency hearing was originally schedule for November but was cancelled and postponed until the end of February. At the time of that first permanency hearing he had been in our home for over 10 months with no progress in the case at all. At this point the parents were given the come to Jesus talk. For children under 3 the first permanency hearing should be happening at 3 months into the case and the come to Jesus talk should be then. This baby boy knows nothing of these people and he is completely bonded to his foster family, the trauma for this baby isn't related to removal from bio-family but rather will be related to removal from his foster family, the only family he has ever known.

It's badly broken.

I feel we need better mental health services and better support for the foster families. The proper information needs to be shared as well and when homes reach out and need help it should be provided

The system needs to do more to make sure when a child is returning home to parents that it's safe that the parents are not still testing positive for drugs the parents have a stable resource resources income to provide for the children. Children should not return home to a grandparent when the parents rights have been terminated, and the parent lives with the grandparent.

We got a placement and was told it was long-term but 2 weeks later we were told the child would be moving within a few hours to a kinship placement. We did not know the case team was still pursuing kinship. It was very heartbreaking for us, but most importantly, confusing for the 2 year old.

Case managers need trained better. Family support workers should not be doing the job of the case manager. Privatization has created power struggles and animosity between agencies...which negatively affects children. Parents rights always over shadow childrens rights. Foster families who advocate for the kids in their homes are often retaliated against and/or children get moved. GALs need to be more involved in some areas.

We spoke up once because a worker had not done a visit for 3 months and would not answer any of our questions or help. The CW finally called and said she was removing the child from our home and would not give us a reason. When we asked the supervisor she said conflict with foster home when all we were doing was trying to get information on the child's needs. That worker still works there to this day and many others have had issues.

We have experienced some great workers and we love our agency but a lot of times they are overworked and can't keep up with their case load so things don't get done like they should which means the kids needs are pushed to the side.

Most agencies are wonderful and supportive and truly Concerned for the children but a few are not and only harm them worse and ignore harmful behaviors and are inappropriate with the children themselves and it's very unethical and disturbing.

I believe too much power is given to the kids and that although it's supposed to be working in the better of the child, it does not always work in the better of the child.

They need to worry more about the children's best interest and not so much about parents rights.

The system doesn't care about paternal relatives especially if paternity hasn't been established. Case teams don't attempt to do the work (even if parents don't engage) and that leaves out a lot of kinship placements and potential adoptive resources. They're more worried about looking good than realizing not all siblings need to be placed together but that they can still have a relationship. Reintegration case teams can have a chip on their shoulder when relatives DO step up because they may not even know the child existed until they're already in care. Sometimes case teams openly favor one placement over another and sabotage any attempts by the family to be placed. For example they lost our background checks FOUR TIMES in 5 months and kept

asking "well what is it you're wanting" when we just wanted to get to know our relative. As someone who works within the system, if this is how they treat me I can't imagine how families who doesn't work within it are treated and feel.

One of the cases we had was not the best interest of the children. It was about the Case Worker getting as many sent home.

Workers who are unethical or don't do their jobs need to be held accountable

The system is broken. We let our license go and we will not foster again because bad experiences with workers.

Entirely too much to type.

I'm greatly concerned. I think foster parents concerns should be considered in cases more often. We are the ones in the trenches. We see how everything effects the child.

These children are numbers to the system. Behavior children do not get the proper care - sometimes it's not in the children's best care by keeping half siblings together.

Case workers have too many kids in their case load.

If they paid less workers significantly more money they could attract efficient and effective applicants who would care more about their jobs and perform at a higher level.

Cornerstones of Care is by far the most unprofessional organization & has put children in incredibly harmful situations repeatedly. They are a prime reason many long term homes refuse to foster anymore. With Emberhope, there are some terrifying situations where caseworker, without social work degrees or backgrounds in mental health even, are making decisions far outside of their expertise or experience level. The FSW are often more qualified! I also will never understand why, with case team changes, a new worker can reverse significant JUDGE APPROVED sibling splits (or similar decisions) because they think they know better.....and nobody can do anything to fight it! 😞

No one is held accountable. DCF needs to hold grant holders accountable. DCF needs to be held accountable. I feel there is no accountability. It's all about numbers and it should be about the parents and children.

It'll take a miracle to solve the problems of the system. It's broken. Until people are held accountable for their actions nothing will change.

J

Workers need accountability outside their organization as they tend to team up against foster parents that disagree with them. We had a worker sabotage an adoption of ours (moved them to

an unrelated home to be adopted) because she didn't like me asking questions about a lack of services for a different child/ family.

I have much experience, not just in foster care, but the adoption process as well and if the workers like you, the children's workers, then you will get chosen for an adoption in my experience. I had the Amber Hope attorney dislike me and the current Amber Hope supervisor Shannon Wilson dislike me and so they chose to reintegrate with a Grandparent who had had something to do with a sibling that was sexually molested, and they separated the girls and allowed two girls to go back and want to stay in custody simply because they didn't want me to adopt them because of their dislike for me so they end up Harming two children because of their own selfishness and they use their power to get away with it. It's all the money game at the end of the day children with more problems bring more money into the state. Therefore they like those children to stay in custody bounce around and they know they're not going to get adopted and they don't push for it either they hurry and adopt out basic children who only bring in about 27.50 a day because the state doesn't give them much money for those kids.

New foster parents should be matched with older foster parents as a mentor so that they are less likely to take kids that they are going to disrupt on. It would also take the burden off of workers as new foster parents have so many questions and needs.

Often never prepared with data or actual info in their children for court, skipped visits all the time, no help when ill. Over all foster parent and child are neglected big time..

Very few times has the child reintegrated to bio home in a safe, trauma informed, way. It seems that case workers have a personal agenda when it comes to reintegration. Foster parents are rarely listened to- even though we are the ones doing the hard work and are with the children every single day. The system is so broken.

NA

Any improvement would be great

I feel that Ks tries everything to keep kids out care or in kinship homes who feel like the rules don't apply to them. Grandparents never seen child second time in care all of a sudden she wants him as father passed and she even said she could get SS for him. How horrible. We are non relative kinship and foster parents . Child care is what is helpful. I would rather have more resources for the kids not reimbursement. Know that am probably a minority with this. But if you are in it for money shame on you

My foster children haven't had the best of workers and it's unfortunate.

I have had children that their leaves of loc downgraded just to get them placement. Case managers that even when the child is in a mental health crisis they still will not respond leaving me with my hands tied unable to help the child and as a result of the case managers neglect disrupted the child because we could never get her to help. It is abuse! Medical neglect! It is

frustrating because we could have kept the child in a stable home but due to case manager neglect we had to cause more unnecessary trauma to the child.

The foster care workers aren't the all/only problem. DCF does not give adequate guidelines on discipline or responsibility. One child is pushed to enter school another it seems can wait weeks.

We have been investigated falsely by teenagers who have never been disciplined for false allegations.

St Francis is HORIFFIC

Not send a kid home knowing they will be harmed, have qualified employees, not help a parent harm their child during supervised visits..

The workers are uneducated and unpaid. The workers dont even meet the children before determining what could be in their "best interest" the system is a gamble and the house always wins instead of the children.

I Pamela davis, feel that communication is always a great way to better to solve every situation.

The system is way too focused on reintegration and wishes of bio family. These children deserve loving homes and not to spend years in limbo waiting for their bio families to get their lives together.

[illegible]

38-2242. Ex parte orders of protective custody; application; determination of probable cause; period of time; placement; procedures; orders for removal of child from custody of parent, limitations. (a) The court, upon verified application, may issue ex parte an order directing that a child be held in protective custody and, if the child has not been taken into custody, an order directing that the child be taken into custody. The application shall state for each child:

- (1) The applicant's belief that the child is a child in need of care;
- (2) that the child is likely to sustain harm if not immediately removed from the home;
- (3) that allowing the child to remain in the home is contrary to the welfare of the child; and
- (4) the facts relied upon to support the application, including efforts known to the applicant to maintain the family unit and prevent the unnecessary removal of the child from the child's home, or the specific facts supporting that an emergency exists which threatens the safety of the child.

(b) (1) The order of protective custody may be issued only after the court has determined there is probable cause to believe the allegations in the application are true. The order shall remain in effect until the temporary custody hearing provided for in K.S.A. [38-2243](#), and amendments thereto, unless earlier rescinded by the court.

(2) No child shall be held in protective custody for more than 72 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, unless within the 72-hour period a determination is made as to the necessity for temporary custody in a temporary custody hearing. The time spent in custody pursuant to K.S.A. [38-2232](#), and amendments thereto, shall be included in calculating the 72-hour period. Nothing in this subsection shall be construed to mean that the child must remain in protective custody for 72 hours. If a child is in the protective custody of the secretary, the secretary shall allow at least one supervised visit between the child and the parent or parents within such time period as the child is in protective custody. The court may prohibit such supervised visit if the court determines it is not in the best interest of the child.

(c) (1) Whenever the court determines the necessity for an order of protective custody, the court may place the child in the protective custody of:

(A) A parent or other person having custody of the child and may enter a restraining order pursuant to subsection (e);

(B) a person, other than the parent or other person having custody, who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(C) a youth residential facility;

(D) a shelter facility;

(E) a staff secure facility, notwithstanding any other provision of law, if the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. [21-5426](#), and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. [21-6422](#), and amendments thereto,

or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. [21-6419](#), and amendments thereto;

(F) after written authorization by a community mental health center, a juvenile crisis intervention center as described in K.S.A. [65-536](#), and amendments thereto; or

(G) the secretary, if the child is 15 years of age or younger, or 16 or 17 years of age if the child has no identifiable parental or family resources or shows signs of physical, mental, emotional or sexual abuse.

(2) If the secretary presents the court with a plan to provide services to a child or family which the court finds will assure the safety of the child, the court may only place the child in the protective custody of the secretary until the court finds the services are in place. The court shall have the authority to require any person or entity agreeing to participate in the plan to perform as set out in the plan. When the child is placed in the protective custody of the secretary, the secretary shall have the discretionary authority to place the child with a parent or to make other suitable placement for the child. When the child is placed in the temporary custody of the secretary and the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. [21-5426](#), and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. [21-6422](#), and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. [21-6419](#), and amendments thereto, the secretary shall have the discretionary authority to place the child in a staff secure facility, notwithstanding any other provision of law. When the child is presently alleged, but not yet adjudicated, to be a child in need of care solely pursuant to K.S.A. [38-2202](#)(d)(9) or (d)(10), and amendments thereto, the child may be placed in a secure facility pursuant to an order of protective custody for a period of not to exceed 24 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible.

(d) The order of protective custody shall be served pursuant to K.S.A. [38-2237](#)(a), and amendments thereto, on the child's parents and any other person having legal custody of the child. The order shall prohibit the removal of the child from the court's jurisdiction without the court's permission.

(e) If the court issues an order of protective custody, the court may also enter an order restraining any alleged perpetrator of physical, sexual, mental or emotional abuse of the child from residing in the child's home; visiting, contacting, harassing or intimidating the child, other family member or witness; or attempting to visit, contact, harass or intimidate the child, other family member or witness. Such restraining order shall be served by personal service pursuant to K.S.A. [38-2237](#)(a), and amendments thereto, on any alleged perpetrator to whom the order is directed.

(f) (1) The court shall not enter the initial order removing a child from the custody of a parent pursuant to this section unless the court first finds probable cause that: (A) (i) The child is likely to sustain harm if not immediately removed from the home;

(ii) allowing the child to remain in home is contrary to the welfare of the child; or

(iii) immediate placement of the child is in the best interest of the child; and

(B) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

(2) Such findings shall be included in any order entered by the court. If the child is placed in the custody of the secretary, the court shall provide the secretary with a written copy of any orders entered upon making the order.

History: L. 2006, ch. 200, § 37; L. 2009, ch. 99, § 4; L. 2010, ch. 11, § 5; L. 2010, ch. 155, § 12; L. 2013, ch. 120, § 34; L. 2018, ch. 107, § 4; L. 2019, ch. 65, § 4; July 1.

Source or Prior Law:

38-1542.

Revisor's Note:

Section was also amended by L. 2010, ch. 75, § 9, but that version was repealed by L. 2010, ch. 155, § 26.

Section was also amended by L. 2016, ch. 46, § 25, but that version was repealed by L. 2019, ch. 65, § 10.

Law Review and Bar Journal References:

"Packing Heat: The Personal and Family Protection Act," Mary D. Feighny, 76 J.K.B.A. No. 4, 21 (2007).

"Breaking the Victimization Cycle: Domestic Minor Trafficking in Kansas," Leslie Klaassen, 52 W.L.J. 581 (2013).

CASE ANNOTATIONS

1. Cited in case reviewing the four types of appealable orders under K.S.A. 38-2273. In re D.M.M., 38 Kan. App. 2d 394, 166 P.3d 431 (2007).

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Chapter 38 – MINORS

Article 22.—REVISED KANSAS CODE FOR CARE OF CHILDREN

Law Review and Bar Journal References:

"We are Our Brother's Keeper: How CINC Stakeholders – Including Kansas Legislators – Must Work Together to Meet the Child's Best Interests," Hon. Kevin M. Smith, 59 W.L.J. 237 (2020).

38-2201. Citation; construction of code; policy of state. K.S.A. 38-2201 through 38-2283, and amendments thereto, shall be known as and may be cited as the revised Kansas code for care of children.

(a) Proceedings pursuant to this code shall be civil in nature and all proceedings, orders, judgments and decrees shall be deemed to be pursuant to the parental power of the state. Any orders pursuant to this code shall take precedence over any similar order under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, guardians and conservators, or article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, protection from abuse act, until jurisdiction under this code is terminated.

(b) The code shall be liberally construed to carry out the policies of the state which are to:

- (1) Consider the safety and welfare of a child to be paramount in all proceedings under the code;
- (2) provide that each child who comes within the provisions of the code shall receive the care, custody, guidance control and discipline that will best serve the child's welfare and the interests of the state, preferably in the child's home and recognizing that the child's relationship with such child's family is important to the child's well being;
- (3) make the ongoing physical, mental and emotional needs of the child decisive considerations in proceedings under this

code;

(4) acknowledge that the time perception of a child differs from that of an adult and to dispose of all proceedings under this code without unnecessary delay;

(5) encourage the reporting of suspected child abuse and neglect;

(6) investigate reports of suspected child abuse and neglect thoroughly and promptly;

(7) provide for the protection of children who have been subject to physical, mental or emotional abuse or neglect or sexual abuse;

(8) provide preventative and rehabilitative services, when appropriate, to abused and neglected children and their families so, if possible, the families can remain together without further threat to the children;

(9) provide stability in the life of a child who must be removed from the home of a parent; and

(10) place children in permanent family settings, in absence of compelling reasons to the contrary.

(c) Nothing in this code shall be construed to permit discrimination on the basis of disability.

(1) The disability of a parent shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability and harm to the child.

(2) In cases involving a parent with a disability, determinations made under this code shall consider the availability and use of accommodations for the disability, including adaptive equipment and support services.

(d) (1) Nothing in this code shall be construed to permit any person to compel a parent to medicate a child if the parent is act-

ing in accordance with medical advice from a physician. The actions of a parent in such circumstances shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the actions and harm to the child.

(2) As used in this subsection, "physician"