

**Written Proponent Testimony to Senate Committee on Public Health and Welfare:
HB 2075 Requiring That a Permanency Hearing for a Child in Custody of the Secretary Be
Held Within Nine Months of Such Child's Removal From Such Child's Home
March 5, 2025**

Chair Gossage, Vice Chair Clifford, Ranking Minority Member Holscher, and Members of the Committee, I am writing as the Child Advocate with the Kansas Office of the Child Advocate, as a proponent in support of House Bill No. 2075 requiring that a permanency hearing for a child in custody of the secretary be held within nine months of such child's removal from such child's home. The Office of the Child Advocate (OCA) acts as a neutral, independent agency to ensure Kansas children and families receive adequate coordination of services for child safety and wellbeing. OCA receives and responds to complaints regarding state agencies, service providers, and juvenile courts that adversely affect the health, safety, and wellbeing of children. Through case and systemic recommendations, OCA seeks impact for best practices, policies, and law.

In the 2024 OCA Annual Report, 'Unreasonable Delay in Achieving Permanency,' was cited as one of the top complaint categories. Timely permanency outcomes for children in Kansas overall are poor compared to the national averages, especially for children achieving permanency through means other than reunification. According to the Department for Children and Families (DCF) testimony to the House Committee on Child Welfare and Foster Care on January 22, 2025, the average number of months in foster care, period 7/1/24-11/30/24, for children achieving reunification was 12 months, adoption 43 months, and emancipation 46 months. Children achieving timely permanency through reunification, has improved over the last several years, faring better in Kansas than the national averages. However, Kansas children achieving permanency through means other than reunification are remaining in care significantly longer.

HB 2075 would require permanency hearings to be held within nine months of removal and as amended every six months thereafter, as opposed to every twelve months as currently required. K.S.A. 38-2265 sets out specific notice requirements for a permanency hearing ensuring that all necessary parties have the opportunity to be heard. K.S.A. 38-2264 sets out that the hearing is "for the purpose of determining progress toward accomplishment of a permanency plan." A permanency plan as outlined in K.S.A. 38-2263(c) is a written plan that includes the following but not limited to a description of the permanency goal, the child's physical/mental/emotional/educational health needs, and services to be provided and associated tasks, responsibilities, measurable objectives and timeframes.

By holding permanency hearings more frequently, judicial oversight is increased leading to heightened accountability as to reasonable efforts and progress made on permanency plans. This

increase in hearing frequency also places child's time at the forefront and helps to center activity on the child's right to timely permanency.

Many states have struggled with the complex issues surrounding children in foster care and how to safely reduce the amount of time spent in out of home placements. Some states have taken similar steps to ensure increased frequency of permanency hearings. For example, Minnesota and Texas require Permanency hearings every six months and review hearings every three months. Oklahoma requires Permanency hearings every six months. Virginia requires the initial permanency hearing within five months and subsequent permanency hearings within six months of the first and second permanency hearings. Based on 2021 national data compiled by Child Trends (<https://www.childtrends.org/publications/state-level-data-for-understanding-child-welfare-in-the-united-states>), the above referenced states' children spend fewer months in out of home placement than Kansas children. Additionally, in most cases, these states also have lower time in care averages than the national average.

State	Overall Average Time in Care	Average time to Reunification	Average time to Adoption
Kansas	23.5	15.8	41.5
National	21.7	13.4	34.2
Minnesota	20.6	10	33.1
Texas	18.9	41.2	27.9
Oklahoma	19.9	17.1	29.4
Virginia	23.4	13.4	31.7

OCA appreciates your time and attention in recognizing the importance of children and families receiving timely coordination of services, amplifying reasonable efforts and permanency through court oversight and accountability by supporting HB 2075, as one piece of the puzzle in this complex system.

I am pleased to stand for questions at the appropriate time.

Kerrie Lonard, JD, MSW
Child Advocate
kerrie.lonard@ks.gov
(785) 296-5470