

Revised Code for Care of Children—Consideration of Grandparent Custody; SB 262

SB 262 requires substantial consideration of a grandparent who requests custody when a court evaluates what custody, visitation, or residency arrangements are in the best interest of a child who has been removed from custody of a parent and not placed with the child's other parent. The court must consider the wishes of the parents, child, and grandparent; the extent that the grandparent has cared for the child; the intent and circumstances under which the child is placed with the grandparent; and the physical and mental health of all involved individuals. The court is required to state this evaluation on the record.

If the court does not give custody to a grandparent, but places the child in the custody of the Secretary of Social and Rehabilitation Services (Secretary) for placement, then a grandparent who requests placement shall receive substantial consideration in the evaluation for placement, using the factors listed in the bill. If the grandparent is not selected for placement, the Secretary shall prepare and maintain a written report with specific reasons for the finding.

These provisions do not apply to actions filed under the Kansas Adoption and Relinquishment Act.