



Senate Committee on Judiciary

February 16, 2015

Testimony on:

SB 104

Presented by:

Kathy Armstrong
Assistant Director for Legal Services

Kansas Department for Children and Families

Andrew Wiens, Director of Policy and Legislative Affairs
Docking State Office Building, 6th Floor North
(785) 291-3629

Testimony of:

Kathy Armstrong, Assistant Director for Legal Services
Kansas Department for Children and Families
Topeka, Kansas

Testimony on:

SB 104

Chair King, Vice Chair Smith, Ranking Member Haley and Members of the Committee:

I am Kathy Armstrong, Assistant Director for Legal Services, Prevention and Protection Services, Kansas Department for Children and Families (DCF).

Senate Bill 104 relates to the use of two-way electronic audiovisual communication in certain court proceedings.

DCF would support an amendment to SB 104 to revise the Kansas Code for Care of Children to allow for communication during Child in Need of Care (CINC) proceedings, and the decision as to whether it will be allowed in a specific case would be at the discretion of the court.

K.S.A. 38-2203 establishes the jurisdiction and general provisions for the court. DCF proposes 38-2203 be amended to add the following: "(g) in any proceeding under this code, the court may allow a child to appear by means of two-way electronic audiovisual communication in lieu of personal presence of the child." This would statutorily allow the court to permit testimony by a child involved in a CINC proceeding who may have obstacles to appearing in court in person (distance, financial constraints, emotional stress, etc.). The child would be able to testify and provide input to the court in a less intimidating manner than being required to physically appear in court.

DCF values the information a child or youth may have to offer in a CINC court proceeding. The above proposed amendment provides a statutory option for the court to accomplish the same objective without mandating the child to appear in person.

Thank you for the opportunity to submit testimony about this proposed legislation.