



State of Kansas

Office of Judicial Administration

Kansas Judicial Center
301 SW 10th
Topeka, Kansas 66612-1507

(785) 296-2256

February 16, 2016

Senate Judiciary
Testimony in Support of SB 418

Mark Gleeson
Office of Judicial Administration

Chairman King and committee members thank you for the opportunity to testify in support of SB 418. My name is Mark Gleeson and I am the Director of Trial Court Programs for the Office of Judicial Administration. As a part of my job duties I oversee the Kansas Court Improvement Program (CIP). The purpose of the CIP is to collaborate with child welfare stakeholders to implement improvements to the child welfare system. The CIP also works with the Department for Children and Families to ensure that the agency is eligible to receive IV-E funding for the state foster care system, and remains in compliance with state and federal law.

On September 29, 2014, the federal Preventing Sex Trafficking and Strengthening Families Act was signed into law. The purpose of the legislation is to both assist states in expediting the identification and treatment of human trafficking victims and to promote permanency for children in the foster care system in order to decrease their risk of becoming trafficking victims.

The CIP, Department for Children and Family Services, and the Attorney General's Office together developed a committee comprised of members from the judiciary, legislature, agency, the Department of Corrections, Juvenile Services, Kansas CASA Association, guardians *ad litem*, court services, law enforcement, prosecutors, and academia, which then studied the Act and developed SB 418 in response to the passage of the Preventing Sex Trafficking and Strengthening Families Act.

The passage of the bill will expedite the reporting of children, in the custody of the Secretary who are victims of human trafficking, to law enforcement agencies, as well as the reporting of children who are missing to law enforcement and the National Center for Missing and Exploited Children (NCMEC). It authorizes law enforcement to report missing children to the National Crime Information Center (NCIC) which will provide information on the missing children to all 50 States.

It clarifies that children who are victims of human trafficking and sexual exploitation are children in need of care, thereby allowing children who are human trafficking victims to receive services from the Department for Children and Families. It directs the Secretary to conduct a validated evidence based assessment to determine the needs of a child identified as a human trafficking victim so the services provided to the child are specific to the child's needs.

The bill also adopts the definition of the reasonable and prudent parenting standard which was mandated in the federal law. It directs the court to determine, at the permanency hearing, if the foster parents are meeting the standard and to specify whether the child has regular opportunities to engage in “age or developmentally-appropriate activities.” It requires the participation of children aged 14 years and older in the development of their permanency plans. It authorizes the court to send notice of the times and dates of the court hearings, and to obtain information from the children concerning their preferred permanency outcome.

While limiting the agency and court in the use of Another Planned Permanent Living Arrangement (APPLA) to youth aged 16 and older, the bill also requires the court to document, at each permanency hearing, the specific efforts made to place the youth with a parent, relative, or in a guardianship or adoptive placement and, for youth over the age of 14, the services to help the youth transition to successful adulthood.

I ask for your favorable consideration of this bill. I am happy to answer questions.