



**KANSAS BAR
ASSOCIATION**

TO: The Honorable Kellie Warren, Chair
And Members of the Senate Judiciary Committee

FROM: Joseph Molina
On behalf of the Kansas Bar Association

RE: HB 2675 – Enacting the Uniform Nonparent Visitation Act

DATE: March 6, 2024

Chairman Warren and members of the Senate Judiciary Committee, my name is Joseph Molina and I provide this written testimony on behalf of the Kansas Bar Association for **HB 2675 – Enacting the Uniform Nonparent Visitation Act**.

The Uniform Nonparent Visitation Act is a vital piece of legislation that addresses the evolving dynamics of modern families, recognizing the importance of maintaining meaningful relationships between children and nonparental figures who play a significant role in their lives. This legislation aims to provide a legal framework that ensures nonparents can contribute to a child's well-being, while still creating a helpful criterion for judges when determining these visitation issues. HB 2675 also complies with important Supreme Court precedent recognizing the rights of parents and a parent's decision regarding custody and visitation.

The act recognizes a right to seek custody or visitation for two categories of individuals: (1) nonparents who have acted as consistent caretakers of a child without expectation of compensation, and (2) other nonparents who have a substantial relationship with the child and who demonstrate that denial of custody or visitation would result in harm to the child.

Two compelling reasons highlight the necessity and helpfulness of the Nonparent Visitation Act:

1. In today's society, families take on various forms, and children often form strong bonds with individuals who may not be their biological or adoptive parents. These nonparents, such as grandparents, aunts, uncles, or family friends, can serve as stable and nurturing influences in a child's life. The Nonparent Visitation Act helps maintain these crucial relationships, providing a legal framework that promotes

stability and emotional well-being for the child while still honoring parent rights. HB 2675 will provide balance, within constitutional restraints, that protects the interest of the child, parents and nonparent seeking visitation.

2. Unfortunately, families may face challenges, and situations like divorce, separation, or parental drug abuse can negatively impact on a child's home life. In these times many nonparent or relative caregivers have stepped in to fill vital parental roles HB 2675 would give voice to these nonparent individuals by providing them a legal status that has thus far been in limbo. The Nonparent Visitation Act acts as a safeguard, allowing nonparents to seek visitation rights through legal means, reducing the potential negative impact of family turmoil on the child.

In conclusion, the Kansas Bar Association urges the Senate Judiciary Committee to support the Uniform Nonparent Visitation Act. By doing so, we reinforce our commitment to the well-being of children and acknowledge the diverse forms that family relationships can take in our modern society.

Thank you for your time, consideration, and dedication to the welfare of Kansas families. We look forward to the positive impact that **HB 2675 – Enacting the Uniform Nonparent Visitation Act** can have on the lives of our state's children.

Thank you for your time and attention.

About the Kansas Bar Association:

The Kansas Bar Association (KBA) was founded in 1882 as a voluntary association for dedicated legal professionals. Its more than 5,200 members include lawyers, judges, law students, and paralegals. www.ksbar.org