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Judiciary Committee
Kansas House of Representatives
300 SW 10th Street
Room 582-N
Topeka, KS 66612

RE: Written Testimony in Support of HB 2243

Dear Members of the Committee

I am a private attorney who has worked in CINC cases for more than 12 years. I have acted as a GAL, a juvenile advocate, represented parents, grandparents, interested parties, and potential adoptive placements. I was a member of the working group examining Child Protective Services as part of the Child Welfare System Task Force in 2018. I was a member of the 10th Judicial District group for the 2024 Child Welfare Summit.

I support the amendments to KSA § 38-2230 and the requirement for increased cooperation with the military to provide services to children and families of servicemembers. These provisions would have prevented the unnecessary removal of a two year old child in 2024 if they had been in effect. I am sharing the experiences of a former client, the mother of a two year old child and domestic violence victim. Because there was insufficient communication between DCF and military resources and no clear procedure for coordinating services, this child was unnecessarily removed.

This family was residing in military housing. Father was a service member. Mother had been accessing counseling and family support services through FAP for several months when Father's mental health began to sharply decline. Father's behaviors were becoming erratic and there were multiple instances of suicidal ideation. Mother reported these instances to the chain of command, and the military took affirmative steps to protect mother and the child. DCF received a report of an argument where Father kicked a table across a room while the 2 year old child was present. This triggered an investigation. DCF did not communicate with my client's FAP counselor despite the fact they were actively addressing concerns regarding Father's behaviors and mental health.

DCF removed the child for failure to protect the child from Father's mental health. However, Father was already removed from the on base residence and restricted to barracks, a PFA was implemented through Kansas civil courts and military protocols, and ultimately, Father was committed to inpatient treatment for four weeks. The military also seized all firearms and Father's driver's license. Father was required to complete multiple daily check-ins with the

MPs. These procedures were in place for both before and after Father's hospitalization. I vividly remember advising the CINC Court that I wished I could access the level of protection and support the military was providing for all Mothers experiencing domestic violence or who had a partner with severe mental health issues.

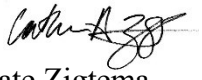
DCF either did not know or did not care that Mother had implemented these on base resources to protect her child. The GAL told me that a "PFA cannot stop a bullet" and that was grounds to keep the child in foster care.

It took four weeks to untangle the mess and return the child to Mother's care. One of the hurdles was the ability to reliably access information regarding services provided by FAP and protocols implemented by the military. Even as Mother's attorney, securing the testimony of her counselor and accessing counseling records was a monumental task. As I worked on the case, it also became clear that 2nd and 3rd hand information passed through military sources was distorted by DCF. This led to DCF making claims that were simply not true but relied upon by the Courts and the GAL to make critical decisions about this case.

A memorandum of understanding for how to proceed with military families would have avoided the significant trauma this child suffered from removal. I firmly believe that a clear MOU and a referral to FAP would have avoided this child's removal from his mother.

For these reasons, I support HB 2243.

Sincerely,



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