

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The Chairman called the meeting to order at 9:33 A.M. on January 24, 2011, in Room 548-S of the Capitol.

All members were present, except Senators Kelly and Schodorf, who were excused.

Committee staff present:

Lauren Douglass, Kansas Legislative Research Department
Jason Thompson, Office of Revisor of Statutes
Tamera Lawrence, Office of Revisor of Statutes
Theresa Kiernan, Committee Assistant

Conferees appearing before the committee:

Judge Peter Jouras, Greek Orthodox Archdiocese Christians
Nancy Strouse, Executive Director of the Kansas Judicial Council
Ronald Nelson, Kansas Judicial Council, Family Law Advisory Committee
Bill McKean

Others attending:

See attached list.

Bill Introductions:

Senator Tom Holland requested introduction of a bill concerning harassment by texting.

Tom Witt, Kansas Equality Coalition, requested introduction of a bill concerning criminal sodomy.

Chairman Owens reminded the members of the committee and the audience that any video recording of committee meetings is prohibited unless the prior approval of the Chairman is obtained.

The Chairman opened the hearings on **SR 1807 -- Urging the Government of Turkey to respect the Ecumenical Patriarchate and to uphold religious rights.**

Senator Owens, sponsor of **SR 1807** spoke in favor of the resolution and stated the Resolution is similar in nature to prior legislation relating to the support of religious freedom in Egypt. He urged the committee to approve the resolution.

Peter Jouras testified in support of SR 1807 and urged the committee to adopt the resolution (Attachment 1). He stated that the U.S. Senate and U.S. House of Representatives as well as 32 other states have adopted similar resolutions. Mr. Jouras made available exhibits in support of his testimony.

There was no testimony in opposition to **SR 1807**.

The Chairman closed the hearings on **SR 1807**.

The Chairman opened the hearings on **SB 9 — Code of civil procedure; updates and technical amendments.**

Jason Thompson, Staff Revisor, reviewed the bill.

Nancy Strouse testified in support of **SB 9** (Attachment 2). She stated that the bill is a follow-up bill to 2010 HB 2656 which attempted to conform state law to recent federal amendments and style changes. The bill also contains technical amendments and a few revisions that were missed in 2010 HB 2656.

Senator King asked if there had been any effort to coordinate the Supreme Court rules relating to appellate procedure? Ms. Strouse stated that she thought that might possibly occur next year.

There was no testimony in opposition to **SB 9**.

The Chairman called the committee's attention to the fiscal note for **SB 9**.

CONTINUATION SHEET

The minutes of the Judiciary Committee at 10:30 a.m. on January 24, 2011, in Room 548-S of the Capitol.

The Chairman closed the hearings on **SB 9**.

The Chairman opened the hearings on **SB 24 — Reorganization of domestic relations statutes**.

Jason Thompson, Staff Revisor, reviewed the bill.

Ronald Nelson testified in support of **SB 24**. He stated that the bill is a reorganization of current law and makes no substantive changes. The bill repeals certain provisions in current law covered by uniform laws that have been enacted by the state. He noted that it had been 30 years since the last recodification of the law (Attachment 3).

Written testimony in support of **SB 24** was submitted by Joe Molina, Kansas Bar Association (Attachment 4) and by Keven M.P. O'Grady, family law attorney, Chairman of Johnson County Bar Association Family Law Bench Bar Committee and member of Johnson County Family Law Section (Attachment 5).

Bill McKean testified in opposition to **SB 24** (Attachment 6). He expressed his concern on a provision in law relating to court-ordered counseling and the inclusion of the cost of the counseling as a portion of the cost of the case. He also stated that there is no accountability by the Behavioral Sciences Regulatory Board over persons providing court-ordered counseling. Mr. McKean noted he would make available information referenced in his testimony.

The Chairman asked the conferee to limit his testimony to the provisions of **SB 24**.

The Chairman called the committee's attention to the fiscal note for **SB 24**.

The Chairman closed the hearings on **SB 24**.

Meeting adjourned at 10:05 A.M. The next meeting is scheduled for January 25, 2011.

PLEASE CONTINUE TO ROUTE TO NEXT GUEST

SENATE JUDICIARY COMMITTEE GUEST LIST

DATE: MON, JAN. 24, 2011

NAME	REPRESENTING
Melissa Ward	Hin Low Firm
Joe Molin	KS BAR ASSN
Bill McKee	citizen
Yolande Williams	Citizen
Bill McKinney	Citizen
Arnetta Jefferson	Sunflower Community Action
THOMAS WELT	KS EQUITY CERTIFICATION
Natlie Gibson	Kansas Judicial Council
Nancy Strouse	" " "
Ron Nelson	" " "
Whitney Damron	KS Bar Assn.
Auto Club	CBA
Susan Allen	Legis.
Helen Pedigo	Judicial Branch
Kevin Barone	Yk Dip Lb Group.
Nancy Strouse	Judicial Council

AFFIDAVIT OF PETER A. JOURAS, JR.

Comes now Peter A. Jouras Jr., Esq., of 10709 Horton, Overland Park, Kansas, of lawful age, who being first duly sworn, on his oath deposes and states:

On behalf of the Greek Orthodox Archdiocese Christians and as an Orthodox Christian, I request the Kansas Senate pass Resolution No. 1835 for the support of the religious freedom of the Orthodox Church. The U.S. Senate, House and 32 States have passed similar resolutions.

History

The Orthodox Christian Church's history dates back to Jesus Christ and began in 33 A.D. The Church's spiritual and ecumenical, worldwide, leader is the Patriarch. The church where the Patriarch sits is located in Constantinople, which is modern day Istanbul, Turkey. When the Orthodox elect a new Ecumenical Patriarch, he is selected from the worldwide Orthodox Christian population of about 300 million.

Turkish Government's Restrictions

Currently, the Turkish government imposes several restrictions on the Patriarchate. First, the Patriarch must be a Turkish citizen. Second, those who elect him must be Turkish citizens. Third, the Turkish government can veto any candidate for Patriarch. Fourth, the Turkish government does not recognize the ecumenical, worldwide, status of the Patriarch. They limit his status as only over the 2,000 Orthodox in Turkey. Fifth, the Turkish government does not recognize the Patriarchate as a legal entity having ownership rights over any property including churches, hospitals and seminaries.

Issue

There are less than 2,000 Orthodox Christians remaining in Turkey and the number is dwindling. Thus, it becomes increasingly difficult to find a spiritual leader for the Church when the Orthodox cannot select from the 300 million Orthodox Christians worldwide. Additionally, since the Patriarch is not recognized by the Turkish government, the Patriarchate cannot own property. Much of the Church's property has been confiscated by the Turkish government, including the seminary to train clergy one of whom would ultimately become the Patriarch in Turkey. This affects not only Orthodox Christians worldwide, but those living in United States and Kansas of which I am a member.

Support

73 U.S. Senators, including former U.S. Senator, Governor Brownback and Senator Roberts of Kansas, signed the attached November 29, 2006 letter of support to President Bush. (Exhibit 1)

Also attached is a May 11, 2007 letter signed by numerous U.S. Congressmen who also support this religious freedom. (Exhibit 2)

Finally, the U.S. Senate, Congress and 32 States have similar resolutions. To date, resolutions have been adopted or introduced in 32 states, including Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Minnesota, Nebraska, Nevada, New Mex-

ico, New Jersey, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia and Wisconsin. (See attached summary sheet-Exhibit 3)

Information

There are several articles (exhibit 4) which more fully explain the difficulties faced by the Orthodox Church. Included is the 8/27/08 letter of Senator John McCain to President George W. Bush, who discussed this issue.

Included is the November 26, 2006, Chicago Tribune article on this issue of religious freedom. It starts out, "Imagine the Vatican surrounded in a fiercely secular yet very Muslim Italy." This is what it is like for the Patriarchate of the Orthodox Christian Church.

Included is an article about Pope Benedict XVI and Ecumenical Patriarch Bartholomew. This provides some other details of the Catholic and Orthodox solidarity and perspective.

Also, if you would like to see the 60 Minutes interview with Patriarch Bartholomew, which was aired in August 2010, the link is:

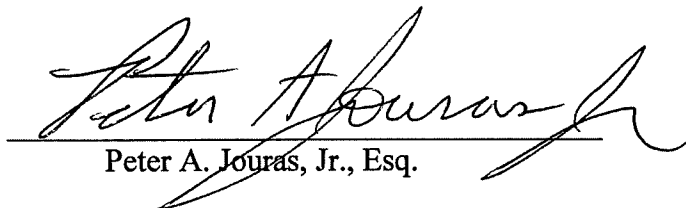
<http://www.cbsnews.com/video/watch/?id=6754652n&tag=contentMain;contentBody>

Finally, enclosed is a November 27, 2006 article in the Hellenic News, the testimony of Dr. Anthony Limberakis before the U.S. Helsinki Commission, as well as some additional articles.

Conclusion

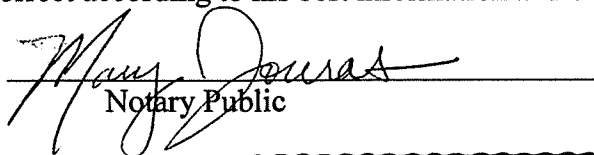
In conclusion, our goal is to present all of the adopted resolutions to the Turkish Foreign Minister in Ankara this coming fall. I appreciate your time in considering this resolution. I hope and pray you will be able to adopt it in 2011.

Further, Affiant sayeth not.

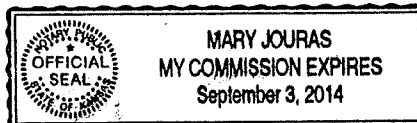

Peter A. Jouras, Jr., Esq.

State of Kansas)
) ss.
County of Johnson)

On this 22 day of January, 2011, personally appeared before me Peter A. Jouras, Jr., of lawful age, who being first duly sworn, on his oath stated that the facts and opinions contained in the above and foregoing are true and correct according to his best information and belief.


Notary Public

My commission expires:





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MEMORANDUM

TO: Senate Judiciary Committee
FROM: Kansas Judicial Council
DATE: January 24, 2011
RE: Judicial Council Testimony on 2011 SB 9 Relating to Amendments to the Code of Civil Procedure

Last year the Legislature passed 2010 HB 2656, which was the result of more than two years of work by the Judicial Council Civil Code Advisory Committee. The Kansas Code of Civil Procedure is based on the Federal Rules of Civil Procedure, and HB 2656 conformed Kansas civil procedure statutes with a number of recent federal amendments, including a comprehensive restyling of the federal rules. SB 9 is a follow-up bill to HB 2656, containing technical amendments and a few revisions that were missed in the first bill.

Set forth below are the Civil Code Advisory Committee's comments to the amendments in each section of the bill.

Section 1

The 20-day time period in K.S.A. 20-317 for filing a motion to transfer an appeal to the Supreme Court was enacted when the docketing period was 10 days. Now that the docketing period has been expanded to 20 days, the time to file a motion to transfer must be expanded as well.

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Section 2

When the Committee proposed the changes that were contained in 2010 HB 2656, it intended to change the time period in K.S.A. 38-2305(b) from "5 working days" to "seven days." That change did not get made, and this amendment takes care of the omission.

Section 3

The amendments in 2010 HB 2656 included adding subsection captions or modifying existing captions. The new subsection captions for K.S.A. 60-203 were inadvertently omitted in HB 2656 and are now added.

Section 4

This amendment to K.S.A. 60-206(d) is to strictly conform the statute to the corresponding federal rule and to clarify that the three-day mail rule applies to service by fax and electronic means.

Section 5

This amendment is to correct a typographical error in the caption of K.S.A. 60-209(b).

Section 6

"Fax number" has been added to K.S.A. 60-211(a) because fax service is authorized under K.S.A. 60-205.

Section 7

This amendment is to correct a typographical error in the caption of K.S.A. 60-214(a). As used here, "third party" should not be hyphenated.

Section 8

This amendment to K.S.A. 60-226(f) is to strictly conform the caption to the federal rule.

Section 9

This amendment is to correct a typographical error in the caption of K.S.A. 60-235(c).

Section 10

This amendment to K.S.A. 60-249(b)(3) is to strictly conform the caption to the federal rule.

Section 11

This amendment to K.S.A. 60-260(a) is to strictly conform the caption to the federal rule.

Section 12

K.S.A. 60-270 is amended to add subsection headings consistent with the other statutes in the code of civil procedure.

Section 13

This amendment is to correct a typographical error in the caption of K.S.A. 60-310(b).

Section 14

K.S.A. 60-270(m) has been amended to reflect that K.S.A. 60-245a now allows a records custodian to submit either an affidavit or a declaration.

Section 15

This amendment to K.S.A. 60-2003 removes a reference to a subsection in K.S.A. 60-308, dealing with service by return receipt delivery, that has been deleted.

Section 16

The time periods in K.S.A. 60-3503, which is part of an act establishing a procedure for professional malpractice screening panels, were changed in HB 2656 from 10 to 14 and 20 to 21 days. K.S.A. 65-4902 is the corresponding statute in the act providing for medical malpractice screening panels, and these time periods should be changed accordingly.



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TO: Senator Thomas C. Owens,
Chair, Senate Judiciary Committee

From: Ronald W. Nelson, Kansas Judicial Council Family Law Advisory Committee

Re: Testimony in support of 2011 Senate Bill 24

Date: January 24, 2011

TESTIMONY OF THE JUDICIAL COUNCIL FAMILY LAW ADVISORY COMMITTEE ON 2011 SENATE BILL 24

In March, 2009, the Family Law Advisory Committee (committee) was asked to review and make recommendations on 2009 Senate Bill 27. During discussion on the bill, it became clear that in the near future a comprehensive review and update of the Kansas Parentage Act (KPA) would be advisable. The committee also agreed that many other domestic relations statutes were in need of updating as well. A member of the committee indicated that a report completed by the Kansas Citizens Justice Initiative in 1999 included a recommendation that "the State should publish and distribute to the public a booklet in which all Kansas statutes and court rules relating to family law are reprinted." It was subsequently suggested that rather than try to update all of the domestic relations statutes in a piece-meal fashion, since they are currently

scattered throughout several chapters of the Kansas statutes, it would be helpful if all the domestic relations statutes could be reorganized into one chapter of the Kansas statutes. Therefore, the committee asked for and received permission from the Judicial Council to draft legislation that would reorganize the domestic relations statutes into one chapter of the Kansas statutes.

The committee began its work by determining which domestic relations statutes and acts should be included in the new domestic relations code and by preparing a list of articles for the statutes that would place the statutes in a logical and organized order. Once the organization was agreed to, the committee worked to break down some of the longer and more confusing statutes (such as K.S.A. 60-1610) into their component parts. This allowed the committee to put the component parts into new sections that could be placed appropriately throughout the new chapter to coincide with the logical flow. The committee believes that this reorganization will result in a more “user-friendly” and better organized domestic relations code that will benefit the general public as well as legal professionals.

While the committee recognized that several statutes and acts, such as the Kansas Parentage Act, could be updated within this reorganization process, it felt that reorganizing the statutes first would better facilitate a comprehensive review and update of the domestic relations statutes in the future. If the committee had tried to update all of the domestic relations statutes as they are now, or while trying to reorganize the statutes, the committee would have been forced to work through several different chapters of the Kansas statutes. Such a piece-meal process has already resulted in overlooked updates and inconsistency between statutes. Reorganizing all of the statutes into one chapter first, prior to a comprehensive review and update of the statutes, will reduce this risk of error and inconsistency.

Conclusion

The committee's overall goal is to update all domestic relations statutes in order to bring them more in line with current trends and practice within domestic relations laws. Senate Bill 24 is just the first step in this process. The bill is intended to only reorganize the domestic relations statutes into a single domestic relations code. The bill includes what would be new statutes resulting from the moving and breaking down of extensive statutes, such as K.S.A. 60-1610, and other statutes containing statutory reference to K.S.A. 60-1610. The committee intentionally avoided including any substantive changes. The result is the bill you have before you now. The Family Law Advisory Committee and the Judicial Council support the bill as drafted.



**KANSAS BAR
ASSOCIATION**

TO: **The Honorable Tim Owens**
 And Members of the Senate Judiciary Committee

FROM: **Joseph N. Molina**
 On Behalf of the Kansas Bar Association

RE: **SB 24 – Domestic Relations Recodification Act**

DATE: **January 24, 2011**

Good morning Chairman Owens and Members of the Senate Judiciary Committee. I am Joseph Molina and I submit this written testimony on behalf of the Kansas Bar Association in support of SB 24, the Domestic Relations Recodification Act. This legislation will create a more user-friendly domestic relations code by incorporating the flexibility necessary to deal with complex family issues.

First, let me point out that SB 24 does not make any substantive changes to current Kansas law, it merely organizes the code into a more logical structure. This way when substantive changes to the code are necessary, its organization will foster a smooth transition. And with the advent of new technologies, changes to the code are inevitable. For instance, artificial reproductive issues and surrogacy claims are items that did not exist when the code was rewritten 30 years ago. These issues will need to be addressed and SB 24 will allow for a rational application of these new laws into the code.

Second, the past 25 years have seen domestic relations law grow increasingly complex. Federal involvement in this area has forced the code to evolve in a piecemeal fashion. By doing so we are left with a code that struggles to maintain uniformity. Organizing the code in this fashion is inefficient and confusing. SB 24 will streamline future amendments by coupling like provisions together.

Third, since many of the statutes under the domestic relations umbrella were enacted more than 25 years ago, they have accumulated numerous subparts that were not originally intended to be part of the statute. For instance, K.S.A. 60-1610 was designed to include provisions for what a court can order in a final divorce decree. Now, this law is littered with other divorce issues, both procedural and substantive, that have only a tangential relationship to the original law. SB 24 will provide a logical location for these multiple subparts and allow the original statute to stand alone as it was intended.

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Finally, the Kansas Judicial Council's Family Law Advisory Committee, a group comprised of experts in this area of law, has worked for nearly two years developing this measure. This is a highly effective review process that considers various points of view. As such, SB 24 should be allowed to stand on its own merits, absent any alterations that seek to change substantive law.

On behalf of the Kansas Bar Association, I thank you for the opportunity to provide you with this written testimony.

About the Kansas Bar Association:

The Kansas Bar Association (KBA) was founded in 1882 as a voluntary association for dedicated legal professionals and has more than 7,000 members, including lawyers, judges, law students, and paralegals. www.ksbar.org

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January 21, 2011

The Senate Committee on Judiciary
c/o Senator Timothy Owens, Chair
Kansas State Capitol
10th and Jackson, Office 559-S
Topeka, KS 66612

Re: Senate Bill No. 24

Senators:

I write today in support of Senate Bill No. 24 concerning the recodification of Domestic Relations Statutes. I am a family law attorney practicing in Johnson County, Kansas. I have been practicing in this county and state, and primarily in the areas of family law, since 1987. I am currently a member and Chair of the Johnson County Bar Association Family Law Bench Bar Committee, a member of the Johnson County Family Law Section, and a member of the Kansas Bar Association. As a family law attorney, I think it would be very helpful to recodify the family law statutes so they can all be found in one location.

Currently, when dealing with various family law matters, it may be necessary to consult statutes which are located in several separate chapters. Routinely, one must review statutes contained in Chapters 23, 38 and 60. Currently, Chapter 20 contains statutes regarding the establishment of expedited procedures for the collection of support and the establishment of child support guidelines. Chapter 23 defines marriage, defines marital property containing statutes regarding the mediation of domestic law disputes, the enforcement of visitation rights, the Uniform Pre-Marital Agreement Act, the Uniform Interstate Family Support Act and statutes controlling the case management process for family law cases. Parentage proceedings and divorces involving children necessarily involve many of the same statutes. Chapter 38 contains the statutes controlling child custody jurisdiction, and the Parenting Act. Chapter 60 contains the divorce code, and statutes that not only govern matters concerning the children of divorcing families but children of unmarried parents as well. Chapter 60 also has statutes concerning visitation rights for third parties, including grandparents and

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step-parents, as does Chapter 38. One can also find in Chapter 60 laws concerning child support enforcement. Statutes within Chapter 60, such as 60-1610, contain a myriad of seemingly unrelated provisions. 60-1610 deals with everything from parenting plans to spousal maintenance (alimony); child support to property division.

As an attorney who has been involved in presenting continuing legal education programs for a number of years, I can attest to the fact that the dizzying array of places containing these statutes is not only difficult but confusing. The differentiation between the statutes concerning children in divorce in one chapter, and statutes concerning the children in paternity actions in another has, on occasion, caused confusion in the application of laws uniformity. The law may mean one thing in one situation, and something different in another. When the Legislature modifies statutes, there has been confusion in the past when, for example, the paternity statute changed but the divorce code did not. If the language is different, does the Legislature intend for children in these differing circumstances to be treated differently?

In the 23 years I have been practicing in the area of family law, the law and statutes themselves have become increasingly complex. The application of uniform statutes such as the Uniform Child Custody Jurisdiction Enforcement Act, the Uniform Interstate Family Support Act, and the like, coupled with the increasing federalization of certain areas of family law, has made the clear and logical organization of all relevant statutes more important than ever. Currently, it is quite difficult for someone to find all statutes that might apply to their particular case. Chapter 23 is titled Domestic Relations. One would think the laws concerning such matters would be found there, but the vast majority of the most important statutes are found elsewhere. The important jurisdictional statutes are found under the chapter entitled "Minors." (Chapter 38). It would seem appropriate that as many of the statutes concerning marriage, the termination of marriage, the determination of paternity, the issues regarding the support of children, support of parties, the parenting of children in non-intact families and services available to those families, (i.e. mediation, case management and the like), be located in one place.

The recodification of the statute is also an access to justice issue. As most family law practitioners can attest, more and more persons involved in divorce, post divorce and paternity actions, are representing themselves. While, laudably, there is increasing access to appropriate self-help forms through the Kansas Supreme Court and Kansas Legal Services, as well as an increased use of reduced fee services and limited scope representation by attorneys, many families, by choice or necessity, find themselves in a situation where self-representation is the manner in which they interact with the courts. As difficult as it is for someone trained in the law to keep up with the various statutes concerning domestic relations law when they are spread throughout the statute books, it is exponentially more difficult for those untrained in the law. As a member of the Supreme Court's Access to Justice Study Group, formerly known as a Self-Represented Study Committee, I have developed a greater appreciation for the

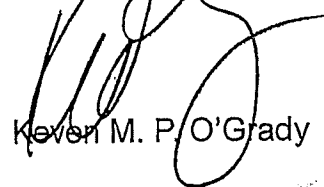
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difficulties faced by those representing themselves. Placing all of the relevant statutes in the same place will make it easier for those litigants to have appropriate access to the relevant law.

While this written testimony is offered individually, I can also offer a sense of other practitioners in Johnson County. As Chair of the Johnson County Family Law Bench Bar Committee, I have polled the Committee, and support for Senate Bill 24 is unanimous. As a member of the Executive Board of the Johnson County Family Law Section, I can also report that, after polling the Board, Senate Bill 24 was also strongly supported.

I thank the Committee for considering my thoughts in this matter and urge you to favorably consider Senate Bill 24. This bill will not only assist the smooth and efficient administration of justice in the family law arena, but will increase access to the courts for all and will be a significant improvement of the organization and maintenance of our statutes.

Yours very truly,



Kevin M. P. O'Grady

KMPO:jm

I:\KMPO\Senate Committee Ltr 012011.wpd

ON JANUARY 24, 2011 IN OPPOSITION TO SENATE BILL 24

My name is Bill McKean. I am a concerned citizen & an oil industry executive who for 15 months from 1/1/2006 until 3/2007 served at the request of Senate Utility Chairman Jay Emler & Ed Cross from Kansas Independent Oil & Gas Association on the 4 member natural gas industry negotiating team with representatives from BP, ONEOK & Duke to settle with southwest Kansas corn growers association a contentious gas gathering senate bill introduced by Senate President Morris. At that time 4 years ago, I met the late Jim Morrison, Chairman of the Kansas House Committee on Government Efficiency & Fiscal Responsibility to complain about the systemic criminal racketeering & tragic human rights atrocities committed by Sedgwick County District Court judges, prosecutors, court appointed guardian ad litem and court appointed mental health professionals serving as case manager or forensic psychologists. Jim asked me to find victims who were willing to go public & within 6 months he had a stack of evidence of criminal racketeering that he scanned & forwarded to members of his committee. During the 2007 legislative session, I testified before this committee about corruption at the Office of Attorney Discipline & Board of Healing Arts & before the House State & Federal Affairs Committee about the judicial corruption to support legislation for the Supreme Court judicial selection process be taken away from the Kansas Bar Association and given to the Kansas citizens. I also testified at the request of Alan Cobb from Americans For Prosperity for a bill against taxpayer funded lobbyists.

I oppose Senate Bill 24 because it gives authority even more opportunity to corrupt district judges & mental health professionals to order divorcing spouses to get counseling. The same corrupt mental health professionals who as court appointed case managers, guardian ad litem or psychological evaluators have been involved in documented conspiracy to commit criminal racketeering in juvenile or family law courts will be able to poison the estranged spouses to destroy families to create money fees for attorneys & psychologists. Instead of giving judges more authority, this committee should seek subpoena power to demand transparency & accountability by exposing the criminal racketeering.

In 2009 I referred several victims of criminal racketeering to talk to presiding family law Judge Tony Powell & to Tom Entz, the FBI's anti-corruption special agent in Wichita. Entz told me that the FBI could not investigate without a referral from a public official. Entz urged me to put political pressure on the state & federal legislators, the state attorney general's office & the media. I believe that Entz can not investigate because of the revolving door policy in the corrupt & nepotistic US Attorney's Office, large law firms and the Wichita Police department & KBI. Acting US Attorney Lannie Welch in charge of all criminal prosecutions is the son of former KBI Director Larry Welch. Retired Senior Wichita police officials are employed by the US Attorney's office as investigators.

In January 2010 I distributed a flier (see attached pink sheet) to the Sedgwick County Legislators at the annual public forum. I reported specific allegations of attempted bribery, criminal racketeering, obstruction of justice or sexual assault against several judges & attorneys, a former county commissioner serving as a lobbyist and a medical doctor. I told the large crowd that I would challenge any of the individuals to have me arrested for criminal defamation which is punishable up to one year in jail. Despite my attempt to follow FBI Agent Tom Entz's advice to raise awareness, GOP State Senators Jean Schodorf (formerly married to a federal prosecutor) & Dick Kelsey (an operator of an juvenile

Senate Judiciary

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Attachment 6

detention home) and Democrat State Representative Raj Goyle did not address the systemic corruption condoned by the US Attorney's Office when they ran for Congress to replace Todd Tiaht.

To raise the stakes & political pressure, I am here to today to present to the committee documents into the state archives for references for future legal historians . Attaching a court transcript in which I testified under oath that I observed conspiracy to commit systemic criminal racketeering & to obstruct justice at the 2/2006 Wichita Bar Association annual family law seminar when WBA official David Johnson told members of the Wichita family law bar that the family law judges (Fleetwood, Pilshaw & Wilbert) had instructed that the bar members can not advocate for their clients if they receive a negative psychological evaluation from a court appointed psychologist. (See sheets M-7 M-14 & M-15 for my sworn testimony in the trial of Paul Rhodes). I am formally requesting this committee to request subpoena power & force David Johnson to testify under oath to refute my allegation & to ask the State Attorney General & FBI's government corruption unit in Washington DC to start a criminal investigation of systemic criminal racketeering by Sedgwick County judges, attorneys & court appointed mental health providers. Of course this committee could alternatively recommend that the State Attorney General or the Us Attorney's Office file perjury charges against me.

On December 18, 2008, I testified before the Joint Committee on Children's Issues chaired by Sen. Julia Lynn. (See Sheet M-1) Democrat Senators Haley & Kelly were present when I made specific allegations of criminal racketeering to suborn perjury and conspire to obstruct justice by SRS Attorney Timothy Givon, Judges James Fleetwood-Tim Henderson-Rebecca Pilshaw , Asst DA Christine Ladner, Court Trustee Genine Ware, court appointed juvenile attorney Mark Kahrs & KBA Family Law Committee Chairman Tripp Shawver in the disabled Iowa air force veteran Joe Liddle corruption scandal. (See Sheets L-1 to L-6 for email correspondence between Joe Liddle & Jim Morrison and various judges & law enforcement agents). I can provide the committee with several hundred pages of Joe's documents.

I also made specific allegations of criminal racketeering to suborn forgery by Judges Douglas Roth, Karl Friedel, Michael Corrigan, Mark Vining, KBA official & attorney Rachel Pirner (wife of KAKE TV news director Dave Grant) court appointed attorneys Steve Mank & John Rapp in the Todd Wait case. At that time I challenged SRS Secretary Don Jordan who was present at the hearing to file criminal defamation charges against me if his attorney Tim Givon had not been involved in the criminal racketeering. (See Sheet M-8 to M-11 for Todd Wait's sworn testimony in the Paul Rhodes hearing). I can provide the committee hundreds of pages of Todd Wait's documents..

I have assisted several other victims of criminal racketeering. 4 weeks ago I posted on YOUTUBE my interview of Cynthia Rader making allegations of criminal racketeering by county juvenile employees, Mulvane police, Juvenile Judge Harold Flaigle, Guardian Ad Litem Julia Craft (who is married to prominent psychologist Tom Rochat), Associate DA Ron Pascal, court appointed attorneys Laurie Shanyfeld and that resulted in the forced guilty pleas to false felony charges & an attempted suicide by Cynthia's 16 year old son. You can google up the videos on YOUTUBE. I have attached yesterday's email from Senator Oletha Faust Goddeau to Cynthia. (See sheet C-1 to C-1 for Cynthia's blog with links to my YOUTBUE videos. When Senator Faust-Goddeau ran for Sedgwick County Commissioner last year, I do not recall her discussing the bipartisan corruption committed by several county agencies & district

courts. The lesson to be learned is that state senators will look cynical if they only respond to human rights atrocities that are exposed on YOUTUBE.

I have also helped Valerie Rosproy whose parental rights were terminated and her 2 sons were sent to Youthville because she complained that court appointed psychologists Jeanne Erickson & Janet Hawthorne have covered up the sexual abuse of her 2 sons. Valerie & her unpaid advocate & social worker Debra Wilson testified in 2009 before Mike Kiegregel's Joint Committee on Children's Issues which included Senators Haley, Lynn & Kelly. Rosproy & Wilson's audio testimony has been captured on Earl Glynn's blog. Yesterday Valerie sent me an email to update her case. Since her testimony Valerie has been sent to jail for speaking out. I have attaché recent correspondence from Valerie in which recently a SRS employee, Jennifer Gibson petitioned the juvenile court to have Valerie sent to a state mental institution. It's mind boggling that SRS workers continue to retaliate against Valerie for speaking out to protect her sons. It's obvious that SRS workers in Wichita are not afraid of Senator Julia Lynn or Chairman Mike Kiegregel. To the best of my knowledge, when Senators Haley & Kelly who were aware of Valerie's allegations when they ran for US Congress or Senator last year, they did not discuss the criminal racketeering or the soviet style justice & psychiatry that is being covered up by the FBI & US Attorney's Office. (See Sheets R-1 to R-6 for Valerie's updated documents since last year and Sheets R-7 to R-11 for letters written by Valerie's advocate Debra Wilson to Attorney General Steve Six).

In June 2007 I helped Chairman Jim Morrison arrange a 90 minute conference call between then House Judiciary Chairman Mike O'Neal, Post-Legislative Audit Committee Chairman Peggy Mast & State Rep. Lance Kinzer and Staci Ralstin, her mother Marlene Jones & victims' rights advocate Donna Roberts to discuss the criminal racketeering & obstruction of justice involving the cover up of sexual abuse of a child by the Wichita police, Ron Pascal's juvenile prosecutors office, court appointed psychologist – Jeanne Erickson & child psychologist, Jennifer Reid (who is married to Foulston Seifkin partner Todd Tedesco & is the daughter of Tom Reid a federal magistrate in Newton KS. Morrison later told me that he & O'Neal went to the House Speaker Doug May who asked State AG Steve Six to investigate. I was also told that Marlene Jones secretly tape recorded the conversation. I have attached a list (Sheet E-5 to E-10) of the criminal allegations along with emails from Ralstin's attorneys (Sheets E-1 to E4) which clearly indicate that attorney Julie Ariagno was afraid to advocate for her client in the Sedgwick County juvenile courts. The 8/2007 email from attorney Julie Ariagno to Ralstin (that I received through Joe Liddle) is especially illuminating. In the email (Sheet E-1 to E-4) Ariagno instructs Ralstin that she must move of the state if she gets her son is returned to her because court appointed psychoglsit Jennifer Reid could fabricate charges against her. Shortly after the email was written, Ariagno's husband, Tim Moore (who is a partner at Morris Laing Evans) was selected by the KBA to be 1 of 3 finalists for the Court of Appeals. Even more astonishing, Ariagno served as a lecturer on ethics at the 2005 KBA Annual family law seminar (See sheet E-11 & E-12)

The Liddle, Wait, Ralstin cases clearly show that powerful Wichita attorney feel compelled to betray their clients which supports my allegations of systemic orchestrated criminal racketeering with curt appointed mental health providers that I made against David Johnson & family law Judges Fleetwood, Pilshaw & Wilbert.

I understand that the Committee Chairman Tim Owens is a former SRS attorney and a family law attorney who serves on the Commission on Child Support Guidelines with my former attorney Charlie Harris, Chairman of the Kansas Judicial Council's Family Law Committee. I have never talked about my case specifically, but Harris betrayed me in 2003 when court appointed mental health providers at Wichita Psychiatric Consultants against my wishes put my 6 year old son on Zoloft & Depacote & then suggested that he needed to be sent from Wichita to Menninger Clinic in Topeka for a psychological evaluation. Harris refused to expose that the court appointed case manager, Kim Kadel, a protégé of Jeanne Erickson had fabricated evidence that my marriage counselor recommended that I should have shared custody. Harris refused to interview the court appointed mental health providers to ask if my allegations of emotional & physical abuse were valid. My subsequent attorneys Elaine Reddick & Sean Shores accepted my retainers, but refused to advocate for me. John Foulston, the 2nd case manager who replaced Kadel, filed a motion for the court to appoint a psychologist to perform an evaluation on me with the results being kept secret & not released to me. By representing myself pro se, I objected and Judge David Kaufman agreed to release the results of the psychological evaluation to the parties, but against my wishes, Kaufman selected psychologist Marc Quillen to perform the evaluation which determined that I was a paranoid delusional person with a persecutory complex that should be order to take psychotropic drugs from a court order psychiatrist. Based on the evaluation, Foulston recommended that my parenting rights be terminated. I had no choice but to walk away from my kids or spend tens of thousands of dollars representing myself as a pro through a 5 day trial in 2005 and a 2 day trial in 2006 in which my parental rights were terminated. During the trial I was able to prove that Quillen owned 5% stock in Wichita Psychiatric Consultants which employed the 2 mental health professionals selected by Kim Kadel that put my 6 year old son on Zoloft & Depacote. Quillen stated I was crazy because I disagreed with the diagnosis of his employees & because I thought that the family law courts were corrupt. (See Sheet M-22 to M-34) Marc Quillen is married to Marilyn Harp, who is the Executive Director of Kansas Legal Services. For the past 8 years since 2003, my son has remained in therapy with the court appointed psychologist Bud Bryant against my wishes.

FBI Agent Tom Entz urged me to put pressure on the media. I have already testified that Dave Grant, the news director of Wichita ABC Affiliate KAKE TV, is married to Rachel Pirner, the KBA & WBA official who was involved in the criminal racketeering in the Todd Wait case. The management of the Wichita Eagle also has serious conflicts of interest. I have attached a copy (Sheet W-1 to W-3) of my comments regarding a recent Eagle story involving Eagle society columnist Bonnie Bing's husband Dick Honeyman from the law firm of Hite Fanning Honeyman which until recently controlled the KBA's selections for Supreme Court Justices. I have also attached a copy (Sheet Z-6) of a 2/20/2009 email that I received from Mary Kay Culp, the Executive Director of Kansas for Life regarding the friendship of Supreme Court Justice Carol Beier & Honeyman's law partner, Gaye Tibbetts, who is married to Eagle courthouse reporter Ron Sylvester. Unfortunately pro life groups are not serious about removing Beier by exposing corruption for fear of exposing corrupt Wichita pro life judges who were endorsed by David Gittrich's KFL PAC.

I understand that the bipartisan judicial corruption & nepotism between attorneys, judges & psychologists has existed for many generations & requires a bipartisan political solution. I have attached

emails (sheets M-2 to M-6) between myself & Judge Tony Powell who is an elected official accountable to the Sedgwick County voters. The email in which Powell tried to informally ban me & a subsequent court order in which he banned me from the family law courts on the 4th floor because he did not want me lobbying attorneys, court employees & judges about the criminal racketeering. Judge Powell's reason to ban me was because I was sending emails or leaving telephone messages about the corruption to court employees & judges. Judge Powell has always been courteous to me when I visited with him in his office or at political events, but he is afraid of free speech despite the cross examination questions of me by Powell's attorney s Paul Rhodes trial. The emails demonstrate that all judges should be elected because it requires them to communicate with voters about corruption issues.

I have attached a 2000 story (Sheet Z-1 & Z-2) in which House GOP Whip Tony Powell & Senator Sue Wagle sought to subpoena Attorney General Carla Stovall to testify under oath before a house committee. Unless Powell & Wagle are hypocritical dishonest politicians posing as pro life family value Republicans, they should support my request & Jim Morrison's goals of having dishonest judges, prosecutors , attorneys & testify under oath before legislative committees .

I have attached a 4/13/2009 email (Sheet Z-5) that I have received from Senator Julia Lynn & 2/24/2009 email (Sheet Z-4) from State Rep. Peggy Mast supporting Jim Morrison's request for subpoena powers. I understand that in the 2008 election cycle Senator Lynn accepted a \$60,000 campaign contributions from Senator John Vratil's I hope Lynn will start advocating for children & families instead of posing before TV cameras as a concerned legislator. Also attached is an 1/11/2011 email (Sheet Z-3) that I received 2 weeks ago from national syndicated columnist Cal Thomas referring the corruption allegations to Fox News. Assuming that Kansas will always vote GOP, O'Reilly & Huckabee should have no loyalties to Kansas Republican incumbents if they can take down Kathleen Sebelius by exposing the systemic bipartisan corruption in Kansas.

I have also attached a copy (Sheet X-1 & X-2) of Senator Haley's 2006 SB 137 regarding a new law against the crime of deprivation of rights under the color of law. It's ironic that Cynthia Rader, a black woman, had to turn to me, a middle aged upper middle class white man to advocate for her son rather a black attorney like Haley. I also attached Senator Wagle's 2006 Senate Concurrent Resolution 1622 (Sheet X-3 to X-6) to change the way Supreme Court Judges are selected along with testimony (Sheet X-7 to X-11) from constitutional law professor Kris Kobach who has remained silent about the judicial criminal racketeering when he served as the State GOP Party Chairman.

Do GOP politicians really want accountability & transparency? The Kansas GOP should worry more about Soviet style justice & psychiatry than about illegal immigration or voter fraud. Last session Attorney-Senator Jay Emler's Appropriations Committee introduced a bill to raise the required signatures for a citizen grand jury petition from 2% to 10% of the number of voters in the last governor's election. I commend Senators Haley & Pilcher cook for defeating the measure. I hope the attorney-politicians that control the Senate do not introduce a similar bill unless they want hundreds of angry citizens to converge on the capitol. I would be happy to take any questions from committee members especially pro family values GOP Senator Pilcher Cook who publishes the internet magazine, Kansas Liberty, which claims to advocate for transparency & accountability. I have a scoop for her.

SPECIFIC ALLEGATIONS WHICH THE FBI, THE KBI & THE WICHITA EAGLE & KSN (CHANNEL 3) & KWCH (CHANNEL 12) REFUSE TO INVESTIGATE: (NOTE: PER KANSAS STATE CRIMINAL STATUTES, NOLA FOULSTON COULD PROSECUTE BILL MCKEAN FOR CRIMINAL DEFAMATION PUNISHABLE UP TO ONE YEAR IN PRISON IF THE FOLLOWING ALLEGATIONS ARE UNTRUE & MADE MALICIOUSLY)

Former Mayor Carlos Mayans told Bill McKean, Rep. Jim Morrison & 2 other individuals that he was offered a \$100,000 bribe while he was in office.

County Commissioner Kelly Parks told Bill McKean & Rep. Jim Morrison that he was offered a bribe by a member of the Cornejo family & former County Commissioner Ben Sciortino and that the FBI was interested in prosecuting but was over ruled 'by the US Attorneys office.

Rachel Pimer, KBA & WBA board member & spouse of KAKE News director Dave Grant suborned forgery & conspired to commit criminal racketeering involving Todd & Rhonda Wait's real estate. Court appointed attorneys Steve Manke & John Rapp (son of David Rapp long time chair of the WBA's ethics compliant committee also participated in the criminal racketeering by refusing to protect Todd & Rhonda Wait's civil rights & liberty. Other attorneys involved were Nelson Van Fleet & Cami Baker & Wichita Judges Doug Roth, Mark Vining & Mike Corrigan. Note - Steve Manke is the court appointed attorney for the 15 year old charged with 1st degree murder in the Thanksgiving double homicide.

Because family law case manager, Jeanne Erickson, of the counseling Mediation Center, covered up sexual abuse of small children in 2 cases, members of the Wichita Police Department EMCU unit, SRS employees and Nola Foulston's juvenile assistant prosecutors continued to cover up the sexual abuse and/or retaliated against the mothers who were protecting their small children by reporting the sexual abuse. Several attorneys for the mothers endangered the small children by betraying their clients by refusing to go to trial to present evidence.

At the 2/2006 WBA Family Law Seminar, attorney David Johnson made a presentation in which he told the 60 attendees that the 3 family law judges (Fleetwood, Pilshaw & Wilbert) had instructed him to tell the family law bar that they could not advocate for their clients right to due process by disputing any psychological evaluation by a court appointed psychologists (such as Jeanne Erickson)

At a 9/2007 meeting of the Wichita Pachyderm club attended by Carlos Mayans, Rep. Joe McLeland, GOP County Exec. Director Kelly Arnold & Brownback staffer Tammy Woods, Rep. Jim Morrison told the audience that he had received a foot high stack of documented allegations of judicial corruption including a copy of a \$10,000 check to bribe to Judge Pilshaw in a custody case

Wichita family physician Richard Egelof received a 1 week license suspension after he put a female patient on unnecessary psychotropic drugs, seduce her & sexually assaulted her at her home. Topeka attorney Randy Forbes represented Egelof before the BOHA and was able to delay for several months until Bill McKean was able to intervene to prove that the BOHA was intentionally dragging its feet. In 4/2008 BOHA Director Buening & Chief Counsel Mark Stafford resigned under pressure. Eighteen months later Buening's replacement Jack Conifer resigned for undisclosed reasons in 10/2009

Nola Foulston's prosecutor & long-time WBA musical review choreographer, Christine Ladner, Judge Pilshaw, Court Trustee Genine Ware suborned perjury so that disabled veteran Joe Liddle was false arrested for a felony & was extradited to Wichita from Iowa. A falsely sworn arrest warrant was in force on the FBI's database for 7 years. SRRS attorney Timothy Givon continued to cover up the criminal racketeering by reporting to Judge Fleetwood in 12/2006 that Liddle's documented allegations of corruption were spurious. 18 months after Liddle was extradited to Wichita, Nola Foulston's juvenile prosecutors obstructed justice by reporting a false name of the father on the court documents in a trial which resulted in Joe's 14 year old son being unnecessarily sentenced to 2 years of incarceration

at the Forbes Juvenile facility in Topeka. The boy's court appointed attorney, Pro Life politician & GOP County Chairman Mark Kahrs acted with gross negligence by not questioning the boy to determine who was his father and contacting him. AS a result of the criminal racketeering the Veterans Administration threatened to cut off Joe's medical benefits for his broken back and Joe was never informed that his son was in trouble. For the record, the 14 year old did not have any prior criminal record before he used his mom's ATM card to take \$180 out of her bank account.

Pastor Mike Nolan who is a Wichita street minister who works with teenaged prostitutes & is a former Viet Nam Green Beret officer, a former Oklahoma state trooper and a former Assembly of God minister told Bill McKean & who was a former minority owner of the Broadview Hotel told Bill McKean & Todd Wait that he observed Wichita Judges informally known as the "Jesters" partying with prostitutes at the Broadview Hotel on a monthly basis. IMPORTANT UPDATE: According to a 2/14/10 Dallas Morning News story, the FBI wrote a letter in 1/2010 to whistleblower Phil Marsteller stating that the Dallas FBI office is starting an investigation about child sex tourism in Brazil involving a sports outfitter company - Wet-A-Line whose steady clients were members of "The Royal Order of Jesters" and also included Democrat Governor & attorney Brad Henry & his attorney friends & that as part off an ongoing federal probe of the Royal Order of Jesters retired New York Supreme Court Justice Ronald Tillis was sentence to 18 months in federal prison for transporting a teenaged immigrant who could barely speak English from Buffalo NY to serve as a prostitute at a Jesters convention in Kentucky.

For More Information - Please Contact - Bill McKean 825 Bay Country Circle, Wichita KS 67235 (316) 293-6079 kiakahahaha@yahoo.com

PRESENTATION TO SEDGWICK COUNTY LEGISLATIVE DELEGATION
BILL MCKEAN'S ALLEGATIONS OF CRIMINAL RACKETEERING

Legislative Requests:

1. Publicly pressure Speaker Mike O'Neal to grant Rep. Jim Morrison's House Committee on Government Efficiency & Fiscal Responsibility subpoena power to force judges, prosecutors, attorneys & family law case managers & forensic psychologists to testify under oath to refute allegations of criminal racketeering.
2. Enact legislation to authorize a 11/2010 ballot initiative to amend the state constitutional to allow Kansans to directly elect Supreme court justices in a non-partisan election.
3. Lobby Rep. Lance Kinzer's House Judiciary committee to hold hearings to discuss & research instituting a clemency program to encourage dishonest attorneys, prosecutors to self-report their unethical & illegal & criminal acts.

Reasons For Systemic Corruption in Wichita

1. Incestuous relationship between media managers & their attorneys spouses which are officials of the Wichita Bar Association "WBA" & Kansas Bar Association "KBA"
2. Cronyism at the disciplinary boards that investigate judges, attorneys, doctors & mental health professionals. (i.e. retired Prairie View Hospital executive Sue Ice is a member of the Board of Healing Arts "BOHA" & her spouse, retired Harvey County Judge Ted Ice is the chairman of one of the 2 panels of the Commission on Judicial Conduct & daughter Laura Ice is an official for the WBA & KBA. Topeka attorney Randy Forbes is the part time general counsel for the board of Pharmacy, Board of Optometry & Board of Dentistry while serving as a defense attorney for doctors being disciplined by the BOHA. Wichita SRS Director Jean Hogan & Jodi Cline, Jeanne Erickson's partner at Center for Counseling & Mediation are members of the Behavioral Science Board.
3. Managers at city, county & state government departments & agencies who are part of the "good old boy network" who can thumb their noses at the legislative committees due to their political connections.(i.e. Former BOHA Exec. Director Larry Buening is married to Sebelius & Parkinson Appointments Director)
4. Pro-life & pro-business PAC organizers that ignore documented corruption & provide political endorsements & campaign contributions to corrupt GOP judges.