

SESSION OF 2003

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2035

As Amended by Senate Committee on
Judiciary

Brief*

HB 2035 amends the Child in Need of Care Code dealing with the appointment of a guardian *ad litem* to represent a child's best interests and provides that when the child's position is not consistent with the determination of the guardian *ad litem* as to the child's best interest, the guardian *ad litem* shall inform the court of the disagreement. The guardian *ad litem* or the child may request the court to appoint a second attorney to serve as attorney for the child, and the court, on good cause shown, may appoint such second attorney. The attorney for the child shall allow the child and the guardian *ad litem* to communicate with one another but may require communications to occur in the attorney's presence.

The House version of the bill provided that when a child's position differs from the determination of the guardian *ad litem* as to the child's best interest, the guardian *ad litem* must inform the court of the disagreement.

Background

A professor from Washburn Law School testified on behalf of the Judicial Council in favor of the bill.

The fiscal note indicates that it is not possible, at this time, to estimate the fiscal effect without more information.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/kldr>