



KANSAS
ASSOCIATION OF
COUNTIES

715 SW 10th Avenue • Topeka, KS 66612
785-272-2585 • www.kansascounties.org

House Judiciary Committee
February 16, 2023
HB 2381

Kansas Association of Counties
Neutral Testimony – Written Only

Chairman Patton and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer neutral testimony on HB 2381, which would require that a child in a child in need of care case have an attorney appointed for them by the court.

The Kansas Association of Counties supports ensuring that children that are in need of care are provided with all of the resources that they need throughout the process. There may be, however, some logistical issues with appointing a separate attorney for each child involved in the case.

In many Kansas counties, there are very few practicing attorneys. KAC is unsure how these jurisdictions would comply with this requirement while also allowing their attorneys to maintain their required ethical standards. Further, there is concern that needing to appoint attorneys from outside the area to avoid conflicts of interest may create scheduling and other practical problems in the representation that may negatively impact the outcome for the child.

There are also fiscal concerns, as this bill would take effect upon publication if it were to pass. County budgets for 2023 are already set. Requiring that the additional cost for attorneys be absorbed in the current budget may be problematic for some counties. Moving the effective date to January 1 of either 2024 or 2025 would allow counties to budget for these new requirements.

Thank you for allowing the Kansas Association of Counties to present this perspective on this legislation.

Jay Hall
Deputy Director and General Counsel
Kansas Association of Counties
hall@kansascounties.org
(785)272-2585