

## Testimony in Support of SB 128

House Judiciary Committee

March 10, 2025

I am in full support of the provisions contained in SB 128. I bring both personal and professional experience to the situations covered by this bill.

I have a Bachelor of Social Work degree (BSW) from the University of Kansas. I received this degree in 1976. However, I never took the licensing exam to become a licensed social worker. The reason for that choice was clear to me. I was immediately beginning law school and recognized that I couldn't comply with my duties as an attorney to keep client confidences, and my licensing duties as a social worker. I could take skills learned as a social worker to my work as an attorney, but I couldn't take any professional identity as a Social Worker. I think this has been a loss to me and my clients. .

Many years later, in my role as Executive Director of Kansas Legal Services, I worked to implement a new program with DCF, under the array of Family First programs. This program is designed to bring social work and legal solutions to families who had come into the awareness of DCF during an investigation of child abuse or neglect allegations. When the investigation does not result in the removal of the child from the home, a referral can be made to the KLS Parent Advocate program. The Parent Advocate and attorney work with the family to resolve issues that could, if worsened, result in the removal of the children from the parent and placement in foster care.

Kansas is to be applauded for this prevention program and it has worked well. However, the implementation was made less effective by mandatory reporting requirements for Social Workers. I wanted to hire Social Workers as part of the Parent Advocate team. I believe their professional training, including knowledge of community resource and crisis and trauma counseling, could benefit this program. I was only ever able to hire one trained social worker, a person with a BSW who was delaying taking the licensing exam until she completed her Master's in Social Work. This program should be filled with social workers, but it is not. This bill could change that.

Many other states have either interpreted the reporting requirements to allow Social Workers to work in a legal setting without making mandatory reports or passed laws similar to SB 128. My lawyer colleagues at legal services programs in Missouri and Nebraska expressed surprise with the dilemma faced by lawyers in Kansas. The benefits of this multi-disciplinary approach are proven in the legal services programs in those states.

Social Work students are also missing out on the ability to be trained on how to use their skills in a legal environment. As a social worker, I once served as a practicum supervisor for a social work student. However, I had to keep her work purely administrative. She could have no client contact. I would have loved to involve social work students more often, but could not because of the mandatory reporting requirements.

Since the Attorney General opinion, AG 2001-28, in 2001, lawyers in Kansas must either refrain from involving social workers in their practice, to the detriment of many clients, or, employ a social worker and inform all clients that any disclosures made to the lawyer could be reported by the social worker, under the mandatory reporting requirements of the social worker.

Passage of SB 128 would change the situation for the better and allow the clients of both civil and criminal attorneys to get the benefits of a multi-disciplinary staffing by the law office, including Social Workers.

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