

To: Senate Judiciary Committee
From: Michelle McCormick, Executive Director, KCSDV
Re: Proponent Testimony for SB 135
Date: February 4, 2025

Chairperson Warren and Members of the Committee:

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a nonprofit organization located in Topeka, with 25 member organizations who provide direct services to victims of sexual and domestic violence in all 105 Kansas counties. I am here today representing our Coalition and these programs, who provide critical, lifesaving services to Kansans. Services include emergency shelter, emergency helplines, counseling and support groups, accompanying victims to medical, court, and law enforcement appointments, and other supportive services. These services are provided to victims and survivors 24 hours a day, 7 days a week. Kansas domestic and sexual violence programs serve on average more than 60,000 Kansans each year. And according to research, that is likely only 40% of those who could use the services, due to the barriers to getting assistance.

What may be lesser known is that KCSDV provides annual training for victim advocates and allied professionals (law enforcement, healthcare, social services etc.) so they can be competent in responding to these complex issues. We trained over 4000 professionals last year. KCSDV also provides expert consultation on the issues of sexual and domestic violence and does so through an average of 1500 contacts for technical assistance each year. In addition, KCSDV collaborates to center the needs of victims and survivors in public policy initiatives through our work with state-level committees, such as co-chairing with the KBI the Kansas Sexual Assault Response Advisory Committee. And we perform the accreditation of the 25 direct service organizations, to ensure that high-quality services are provided consistently throughout the state.

KCSDV supports SB 135, a bill that would clarify which types of child-related orders control when a child-related order is issued in a protection from abuse (PFA) case and in a different kind of case. Specifically, we understand that when child-related orders in a PFA case that differ from the child-related orders in another type of case, or vice versa, K.S.A. 60-3107(c) determines which order governs. Our partners who practice family law, victim advocates, and survivors have asked KCSDV many questions about this because the statute is rather difficult to read.

To make the law clearer and easier to read, the bill reorganizes K.S.A. 60-3107(c) into smaller

sections and removes unnecessary wording and legal references where possible. There are no problems with how the statute currently decides which order controls, but to make the statute easier to understand, the bill replaces the many confusing statutory cross-references with the broader phrase "issued in any action."

One specific change to highlight if this bill is to be adopted is specific to adding guardianship cases to the list of case types as well. The current law applies to child-related orders in PFA, divorce, parentage, child in need of care (CINC), and juvenile offender cases, but not guardianship cases. Using the phrase "issued in any action" expands the law to include child-related orders issued in final guardianship case orders. After reviewing the guardianship laws, the Judicial Council's Family Law Advisory Committee determined that including guardianship cases in this section would be helpful because the judge in the guardianship case needs to take the PFA orders into consideration when issuing the final orders in a guardianship case.

KCSDV works with partners from the Kansas Judicial Council, the original authors and who studied the topic extensively. They have expressed their support with no recommendations for changes or other considerations.

A clear and consistent understanding of this law creates a better opportunity for victims and survivors to be represented and know about the legal structures that have an impact on them and their children. KCSDV respectfully requests this Committee support the passage of SB 135.

Respectfully submitted,

A handwritten signature in black ink, reading "Michelle McCormick". The signature is fluid and cursive, with the first name "Michelle" and last name "McCormick" clearly legible.

Michelle McCormick, LMSW
Executive Director
Kansas Coalition Against Sexual and Domestic Violence