



**Senate Judiciary Committee
In opposition of Senate Bill 257
Testimony of Diana Schunn, Executive Director
Child Advocacy Center of Sedgwick County**

January 29, 2018

Chairman Rick Wilborn and Members of the Committee, thank you for the opportunity to share our concerns for SB 257 regarding custody and child support.

The Child Advocacy Center of Sedgwick County (CACSC) was founded on the belief that no single agency can serve and treat child abuse—a multidisciplinary team response is necessary. The proposed changes to K.S.A. 2017 Supp. 23-3202 raise many questions about issues that could negatively impact the safety and health of children.

The Bill is unclear who would determine what is in the best interest of the child. As part of a multidisciplinary team process, we would be concerned if a court or Judge would have the sole authority for that decision. Multiple team members including social workers, advocates and therapist regularly have detailed interactions with children and family members and have factual information that is often critical to making decisions in the child's best interest.

Additionally, if there is equal time for both parents, child support could be greatly diminished or even nonexistent. This would be difficult for a parent who may be underemployed or unemployed. This would put their children at risk if their immediate needs are unable to be met due to financial hardships. This is particularly a concern in cases of domestic violence, as it could become another way of controlling domestic violence victims.

Other questions are: Who would be providing the extra investigations needed to determine if the nonresidential parent's home is appropriate? What about cases that include child abuse or neglect concerns? Would a PFA/PFS be enough to be considered "clear and convincing evidence?" Our multidisciplinary team has seen many cases where Domestic Court was unaware of abuse/neglect cases, and authorized shared custody or more liberal unsupervised visitation with an alleged abuser. What is the impact on the children regarding school attendance (if parents live in different school districts) and their emotional/physical stability if 50% of their time with each parent leads to a constant change in residences?

All of these questions leave concern for the safety of children in the state of Kansas. This bill creates significant confusion and increased risk for many children, thus we oppose the bill moving forward. Thank you for your time and consideration.

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