



**Proponent Testimony on HB2381 – Written Only
House Judiciary Committee
February 16, 2023**

Chair Patton, Vice Chair Schreiber, Ranking Member Carmichael, and Members of the Committee, my name is Rachel Marsh, CEO of the Children's Alliance of Kansas. The Alliance is an association of 19 private, non-profit child welfare agencies that collectively provide a full array of services for children and families in child abuse and neglect prevention, family preservation, foster care, adoption, independent living, and parent, youth, and child skill-building, mental health, and substance use treatment. Thank you for the opportunity to testify in support of HB2381.

Our member agencies work with courts and *guardians ad litem* (GALs) daily across the state and see the successes and challenges involved in representing children. Legal representatives for children are key partners, and at times, essential advocates for the wellbeing of children in the Kansas child welfare system. We are grateful and have seen great successes when GALs are involved in cases for children. However, we have also heard concerns from youth and case managers that, at times, the representation from the "best interests of the child" standard leaves room for improvement. We support HB2381 as we believe implementing an attorney standard for children in need of care will support better outcomes for children.

In child welfare, for many years, the gold standard for child advocacy was a *guardian ad litem* representative for children. However, in recent years, we have witnessed a push for attorney representation for youth. As we understand it, the National Association of Counsel for Children (NACC) published new recommendations on child and family legal representation in December 2021. NACC recommends states move to an attorney representation model for children. We support HB2381 as reflecting this best practice advancement in legal representation for children in need of care.

We support HB2381 adopting this standard as we believe it can improve child/attorney communication frequency and impact; improve a child's sense of having ownership and some voice in their own lives; ensure a child is encouraged to appear and participate in court proceedings; improve age-appropriate education of children in legal processes; and support that each child has the right to their own counsel separate from siblings if necessary to avoid a conflict of interest.

We are particularly concerned that older youth feel they have a voice in court. When a youth feels helpless and without adequate representation in the child welfare system, those feelings can contribute to running behaviors or other oppositional behaviors, which increases safety risks for children. We believe an attorney representation standard is not just best practice but can improve child safety and wellbeing.

We are unable to be present to provide verbal testimony today, but we ask that you support HB2381. Please do not hesitate to contact me if you have questions we can help answer.

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Members of the Children's Alliance of Kansas:

CALM, Emporia
Cornerstones of Care, Kansas City
DCCCA, Lawrence
Eckerd Connects, Wichita
EmberHope, Wichita
Florence Crittenton, Topeka
FosterAdopt Connect, Olathe
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KVC Kansas, Olathe
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Restoration Family Services, Wichita
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