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TO: Senator Thomas C. Owens,
Chair, Senate Judiciary Committee

From: Prof. Richard E. Levy, Juvenile Offender and Child in Need of Care
Committee, Kansas Judicial Council

Re: Testimony in support of 2011 Senate Bill 38

Date: January 25, 2011

TESTIMONY OF THE JUDICIAL COUNCIL JUVENILE OFFENDER/CHILD IN NEED OF CARE ADVISORY COMMITTEE ON 2011 SENATE BILL 38

In 2010 Senate Bill 460, the Kansas Judicial Council Juvenile Offender / Child in Need of Care Advisory Committee (JO/CINC committee) proposed a bill that provided that child in need of care orders or juvenile offender orders would take priority over similar orders in other domestic cases such as divorce, paternity, protection from abuse, and guardianship or conservatorship. This had been the practice generally, but it had not been clarified by statute. 2010 Senate Bill 460 was passed by the Legislature and enacted by the Governor. In August, 2010, it was brought to the JO/CINC committee's attention that the priority language throughout the bill was not consistent as was intended and this was causing some confusion. Therefore, the

Senate Judiciary
1-25-11
Attachment 3

JO/CINC committee proposes 2011 Senate Bill 38 to provide clarification and consistency throughout the relevant statutes.