



SUPREME COURT OF KANSAS

KANSAS JUDICIAL CENTER

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House Judiciary

Neutral Testimony

HB 2699—requiring CSOs assist with child in need of care cases when directed by a judge

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Chairman Patton and members of committee, thank you for the opportunity to appear today to testify concerning HB 2699. The bill would permit a district court judge to order court services officers ("CSOs") to supervise parents or children involved in child in need of care ("CINC") cases when the child is in the custody of the Department for Children and Families ("DCF"). But this supervision is already happening, and the judicial branch has no plan to change that practice until, at least, we have had an opportunity to comprehensively discuss CSO staffing needs with the Kansas Legislature.

The committee should be aware that the Supreme Court convened a CSO Weighted Workload Study Workgroup and in October 2019 the workgroup completed its report. The workgroup was tasked with reviewing CSO work as outlined in its study, reviewing statutory provisions related to CSO work, and developing related recommendations. The Supreme Court received the workgroup's report, reviewed its recommendations, and shared the report with all 31 of Kansas' chief judges asking for comments on the recommendations.

The workgroup's threshold conclusion is that the judicial branch does not have enough CSOs to adequately perform all statutorily mandated tasks. With that in mind the workgroup began examining those CSO tasks that have developed over time without statutory mandate—those tasks that our CSOs undertake to meet the needs of our local communities even when a statute does not require it. Considering the strain on CSO offices to provide even statutorily required duties, the workgroup recommended that CSOs not continue to provide ten services currently being performed by CSOs in some areas of the state. One such service was CSO supervision of parents and children in CINC cases when the child is in DCF custody. CSOs in 4 of the 31 judicial districts routinely provide this service, and they occasionally do so in 4 other districts.

HB 2699

February 17, 2020

Page 2

But a recommendation is just that. The Supreme Court understands the significant impact that recommendation would have on the judicial districts that utilize CSO supervision in DCF-associated CINC cases. Following review of the workgroup's recommendations, the Supreme Court determined the report will be used to guide decisions about filling vacant CSO positions across the state, with an eye toward helping *all* judicial districts fulfill statutory CSO functions.

The Supreme Court must enjoy the flexibility to allocate its limited resources to meet the needs of our judiciary and it requires additional funding to continue to adequately provide the level of service that Kansans deserve. As you are aware, the judicial branch needs your help supporting its budget enhancement request. Not only does the branch need additional CSOs, it needs to increase employee pay to keep these talented employees. The CSOs that provide the service this bill seeks to protect are the same CSOs we are at risk of losing because they are underpaid. Quite simply, the branch loses talented employees, including CSOs, to better paying employers and it cannot stem that tide until it is able to compensate them at competitive market rates.

Thank you for your time. I am happy to stand for questions regarding the bill.