Testimony from the Division of the Child Advocate Update
Joint Committee on Child Welfare System Oversight
August 22, 2023

Chair Gossage, Vice Chair Concannon, Ranking Minority Member Faust-Goudeau, and Members of the Committee, I am Kerrie Lonard, Child Advocate with the Division of the Child Advocate (KDCA). Thank you for this opportunity to provide testimony today.

I thought it might be helpful to provide a hypothetical compilation of the types of concerns voiced to KDCA and walk you through generally how KDCA might approach the case, investigate the concerns, attempt to resolve when possible, and formulate recommendations for improved best practices. As I do so within testimony, please note that each case is unique and therefore involves ongoing analysis by KDCA as to level and steps involved.

Looking forward...
The progress and important strides taken during the 2023 legislative session to meet the needs of children and families involved in our child welfare system include, but were not limited to, the passing of the Representative Gail Finney Memorial Foster Bill of Rights, support for therapeutic foster homes, and support for prevention services for children with intellectual and developmental disabilities. As an accountability and guidance mechanism, the recently released Progress Report for Period 2 by the Neutral on the Settlement, acknowledges positive steps, yet denotes the ongoing struggles and shortfalls of the services presently being provided. Additionally, Kansas recently completed Round 4 of the federal Child and Family Services Review (CFSR) and is presently developing the Program Improvement Plan (PIP). The information reviewed and data gleaned from these two reports is consistent with many of the concerns voiced to KDCA. Known, yet “emerging,” issues that KDCA has identified include:

- lack of community mental health resources and family supports leading up to a child entering care and further exasperated while in care,
- barriers in securing appropriate services, including level of treatment due to Medicaid and MCO determination process,
- lack of specificity in case plans that are individualized and directly address the reasons for a child entering care and lack of parent engagement,
- lack of quality aftercare services,
• significant, avoidable delays in identifying adoptive resources prior to and subsequent to the best interest staffing,
• inability to obtain necessary identity documents,
• the interplay and level of authority and oversight between DCF, CMP, and the Court,
• racial disproportionality among children in care, and
• distinguishing poverty versus neglect.

KDCA intreats the JCCWSO to be aware of these emerging themes as it reviews data received thus far, requests information and education, and formulates committee recommendations and initiatives moving forward.

It is always important to recognize and celebrate small steps towards system change. Hopefully, the majority of the Committee members are familiar with, at least in reference, the Iowa-Four Questions that were developed to avoid the unnecessary removal of a child, prevent family separation, and prevent further trauma.

• What can we do to remove the danger instead of the child?
• Can someone the child or family knows move into the home to remove the danger?
• Can the caregiver and the child go live with a relative or fictive kin?
• Could the child move temporarily to live with a relative or fictive kin?

As Kansas embarks on amplifying the prevention of family separation, shifting towards safely keeping children in the care of their families versus experiencing the trauma of removal, KDCA has identified the implementation of the “Four Questions,” specifically noted and responded to in DCF Affidavits to the Court, as well as noted in a Court’s Journal Entry.

KDCA continues to work diligently to bring voice to the concerns of Kansas children and families touched by the child and family wellbeing system. From a position of independence and neutrality, KDCA works to advocate for and support best practices in hopes that one day we can all step back knowing that Kansas families have what they need, and our children are safe from abuse and harm.

I am pleased to stand for questions at the appropriate time.

Kerrie Lonard
Child Advocate