



**Proponent Testimony on SB232  
Senate Judiciary Committee  
February 16, 2023**

Chair Warren, Vice Chair Wilborn, Ranking Member Corson, 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 SB232.

Child welfare practice is a complex balancing process. While we work within a framework of the best interests of the child, our laws also protect the Constitutional rights of parents to direct the upbringing of children. Child welfare practice is set within an extensive framework of federal child welfare case expectations, the Indian Child Welfare Act, state laws, DCF policies, and local court practices – many unwritten. Each child in need of care matter also involves the views and perspectives of multiple parties – such as extended family members, foster parents, district attorneys, and *guardians ad litem*. Case managers must bring their professional judgment on the needs of the child set against the backdrop of this multi-layered child welfare legal and policy bureaucracy. Meanwhile, child in need of care matters involve children who are growing up during the state's involvement in their lives – their developmental, physical and mental health needs, and educational needs change over time. They may experience changing attachment bonds and new sibling and extended family relationship dynamics. Parents and caregivers are also changing – or not – in response to court orders, case plans, and life circumstances.

I bring these challenges to the forefront to highlight the lens through which we will fully analyze SB232 moving forward. Given the limited time we have had to review this bill, we are unfortunately not prepared today to sign off on the language as drafted. With our initial review, we see many positive components of the bill. However, we need time for our members, legal experts, and child welfare experts to fully review each detail of this bill language. We look forward to working with committee members to ensure the bill advances the following goals and principles.

- (1) The office of child advocate should be independent and objective and free to practice in accordance with best practices in child welfare. From our initial reading, it appears SB232 is set up in a way that achieves this goal. One question we have is whether annual confirmation is required, or whether that's a drafting issue. We would have concerns

about an annual confirmation requirement due to the instability and lack of predictability that could create in the field.

- (2) It's important that the child advocate be qualified and have experience and technical knowledge in child welfare practice. As the child advocate engages in oversight and case review, it's essential the advocate shares a fundamental set of technical knowledge with child welfare practitioners. We suggest qualifications of being licensed or license-able to practice in the field, with multiple years of experience. We haven't seen qualifications set out in SB232 but are still reading.
- (3) The child advocate bill language should be written in a way that provides clarity to child welfare practice in the field. On initial reading, SB232 appears to be integrated within existing child in need of care code statutes, especially around information sharing and confidentiality issues. We need time to review to ensure the language is clear and doesn't create conflicts or possible confusion in implementation.
- (4) Child wellbeing and the risk of child welfare involvement is impacted by multiple state agencies, service providers, and silos. Some of our biggest challenges historically have been, for instance, access to psychiatric residential services or today, an increasing number of referrals from the juvenile justice system. We will analyze SB232 to ensure that the child advocate's scope can address individual needs and systemic issues impacting children and families at risk of child welfare involvement.
- (5) We want to ensure that a child advocate can interview a child or parent if needed, while recognizing that multiple interviews can be traumatic for a child and may also interfere with a critical law enforcement criminal investigation or DCF child abuse investigation. We will review SB232 to confirm the provisions for interviews reflect these critical considerations in child welfare.
- (6) We will look to make sure that SB232 supports that a child advocate's investigation or advocacy centers around "child time," a critical goal of our child welfare system. The importance of child time and timely permanency are reflected across federal policy, our child in need of care code, DCF policies and procedures, and standards for human service providers. It's important that SB232 ensures clarity around the impact of an investigation on court proceedings, and ensures cases don't languish waiting on investigation outcomes.

We are proponents of a statutory office of child advocate, and appreciate the opportunity to collaborate with you to strengthen the bill as we identify any concerns we see in SB232. We encourage this committee to work together with all interested parties to create the strongest possible bill.

We look forward to further reviewing SB232 and partnering with you to ensure the bill strengthens child welfare services and the child welfare system in Kansas.

Thank you for the opportunity to speak in support of SB232. I am happy to stand for questions at the appropriate time.

Rachel Marsh  
[rmarsh@childally.org](mailto:rmarsh@childally.org)  
(620) 951 4110

**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  
Foster the Cause, Topeka  
Gathered, Derby  
Great Circle, Lawrence

KVC Kansas, Olathe  
KidsTLC, Olathe  
Restoration Family Services, Wichita  
Saint Francis Ministries, Salina  
TFI Family Services, Topeka  
O'Connell Children's Shelter, Lawrence  
The Villages, Topeka  
Wichita Children's Home, Wichita  
Zoe's House, Kansas City