

COMPARISON OF REVISED KANSAS CODE FOR CARE OF CHILDREN WITH THE PREVIOUS LAW

The following comparison of the Revised Kansas Code for Care of Children with the previous law was prepared Steve Grieb, a recent graduate of the University of Kansas School of Law. The Committee is of the opinion that this comparison may be useful to the bench and bar and is grateful to Mr. Grieb for his permission to post the work on the Judicial Council website.

**CINC CODE - Revised Kansas Code for Care of Children, as Amended**

**Comparison of New (as amended) v. Previous Codes - June, 2007**

**New K.S.A. 38-2201 et seq. (as per 2005 House Bill 2352) compared to previous K.S.A. 38-1501 et seq. ("old" or "previous" below), including amendments per 2007 Senate Bills 118 & 269 to new §§ 2219, 2237, & 2249. The changes resulting from these new amendments are italicized below.**

**NOTE - Almost every provision of the new code, effective January 1, 2007, has changes from the previous code, but most are relatively minor. This comparison, prepared by Steve Grieb for and with the members of the Judicial Council JO/CINC Advisory Committee, attempts to focus on substantive changes only.**

<b>New §</b>	<b>2352 §</b>	<b>Old §</b>	<b>§ Topic / (new subsection) Comments</b>
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**General Provisions**

2201	1	1501, 1521, 1584	<b>Construction of code; Policy of State.</b>
			Emphasizes, in addition to several other factors, the following:
			(b)(1) makes <b>safety and welfare</b> of child paramount in all proceedings;
			(b)(2) states the preference for <b>child's family and home</b> ;
			(b)(3) makes the ongoing physical, mental and emotional needs of the child decisive considerations in all proceedings.
			(b)(4) recognizes the different <b>time perception of a child</b> and the need for no unnecessary delay in all proceedings.

Clearly requires children's connection to **parents with disabilities** be maintained whenever possible by requiring state to demonstrate a connection between the disability and harm to the child when the disability is the basis for state intervention. The state will also need to demonstrate efforts to enable the parent to meet the child's needs in order to maintain the child's connection with the parent.

2202	2	1502	<b>Definitions.</b>
Several definitions were not changed or were very slightly changed. New and substantial changes/removals are:			
(d) "Child in need of care" ( <b>CINC</b> ) - the 12 definitions are retained, with one addition: (13) when permanent custodian is no longer able or willing to meet the child's needs.			
(e) "Citizen review board" ( <b>CRB</b> ) has been added/defined.			
(k) " <b>Harm</b> " has been added/defined as "physical or psychological injury or damage".			
(l) " <b>Interested party</b> " re-defined as grandparent of child, person with whom child has been living for a significant period of time, & any person made an interested party by the court.			
(u) " <b>Party</b> " has been added/defined as state, petitioner, child and any parent of the child.			
(t) " <b>Parent</b> " now "includes a guardian and every person who is by law liable to maintain, care for or support the child", but no longer includes "conservator" as it did previously.			
(v) " <b>Permanency goal</b> " (replacing "permanency hearing") defined.			
(w) " <b>Permanent custodian</b> " (replacing "permanent guardianship") defined.			
(x) "Physical, mental or emotional <b>abuse</b> " - concern for the safety of children resulted in replacing "injury" with " <b>harm</b> " in the new code in order to facilitate intervention to better protect children. This replacement recurs throughout the new code.			
(aa) "Secretary" re-defined to include the secretary of SRS OR the <b>secretary's designee</b> .			
(cc) " <b>Sexual abuse</b> " no longer references the criminal code, but is now defined.			
<b>"Ward of the court"</b> (previous (l)) has been <b>removed</b> .			
<b>"Permanent guardianship"</b> (previous (w)) has been <b>removed</b> .			
<b>"Permanency hearing"</b> (previous (y)) has been <b>removed</b> .			
<b>"Community service team"</b> (previous (dd)) has been <b>removed</b> .			

2203	3	1503	<b>Jurisdiction; ICWA.</b>
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(a) Reference to the **Indian Child Welfare Act (ICWA)** is reinforced to alert courts of need to comply at all stages of proceeding. The CINC code governs all proceedings concerning any child who may be a child in need of care, EXCEPT where ICWA applies. ICWA, in addition to other sections, may apply to:  
the filing to initiate a CINC proceeding (§ 2234);  
ex parte custody orders (§ 2242);  
temporary custody hearings (§ 2243);  
adjudication (§ 2247);  
burden of proof (§ 2250);  
disposition (§ 2255);  
permanency hearings (§ 2264);  
termination of parental rights (§§ 2267, 2268 & 2269);  
establishment of permanent custodianship (§§ 2268 & 2272);  
placement of a child in any foster, pre-adoptive and adoptive home and guardianship arrangement under K.S.A. 59-30.

(c) The court acquires **jurisdiction over a child** by the filing of a **petition** pursuant to this code or upon issuance of an **ex parte order** pursuant to section 37 (concurrent jurisdiction with the **juvenile offender code**.)

(c) When a **young adult (18 or over)** requests release from jurisdiction, the release is automatic 30 days after the court receives the written request.

(d) **Out-of-home placement** has been added as one of the criteria for the court to NOT enter an order discharging a child under age 18.

1515		(e) The under age 18 years presumption previously in previous §1515 is now here.
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2204	4	1504	<b>Venue.</b>
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(b) "Upon a judge ordering a transfer of venue, the clerk shall transmit the contents of the official file and a complete copy of the social file to the court to which venue is transferred." Previously the judge transferring the case was to "transfer a complete record thereof."

2205	5	1505	<b>Right to counsel.</b>
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(b) At the first hearing, the court is required to provide the <b>parents</b> with a <b>pamphlet</b> designed by the court to advise them of their rights in connection with all proceedings.
(b)(3)(A) " <b>Mentally ill person</b> " has the meaning ascribed in K.S.A. 59-2946.
(b)(3)(B) " <b>Disabled person</b> " has the meaning ascribed in K.S.A. 77-201.
(c) Adds authority for court to appoint <b>counsel for interested parties</b> . At the first hearing, the court is required to provide interested parties with a pamphlet designed by the court to advise them of their rights in connection with all proceedings.

2206	6	1505a	<b>Appointment of special advocate.</b>
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2207	7	1812	<b>Citizen Review Board; members.</b>
CRBs incorporated into body of code; language amended to meet federal requirements.			

2208	8	1813	<b>Citizen Review Board; duties and powers; confidentiality.</b>
CRBs are incorporated into the body of code and language amended to meet federal requirements. CRBs have access to materials contained in court files and can read/review all reports and receive verbal information.			
(b) Previous requirement that review occur within six months after initial disposition hearing removed.			
(d) Broadens judge's discretion to use the <b>CRB's recommendations</b> in lieu of hearings.			

2209		1505b	<b>Confidentiality of child in need of care records; penalties; immunities.</b>
Previous § not repealed, but transferred entirely.			

2210		1505c	<b>Parties exchanging information.</b>
Previous § not repealed, but transferred entirely.			

2211		1506	<b>Access to official and social file; preservation of records.</b>
Previous § not repealed, but transferred entirely.			

2212		1507	<b>Appropriate/ necessary access; exchange of info; court ordered disclosure; limited public info.</b>
Previous § not repealed, but transferred entirely.			
2213		1508	<b>Records of law enforcement agencies; disclosure; exchange of information; access.</b>
Previous § not repealed, but transferred entirely.			
2214	9	1510	<b>Duties of county or district attorney.</b>
<b>Designee</b> of county or district attorney added as an entity who may fulfill their duties.			
Clarifies obligation to represent state throughout the proceedings (current practice).			
<b>Written agreement</b> required when attorneys for secretary perform duties of county/district attorney after disposition.			
2215	10	1511	<b>Docket fee and expenses.</b>
2216	11	1512	<b>Expense of care and custody of child.</b>
2217	12	1513a	<b>Health services.</b>
(a) Physical or mental care & treatment: continues provision that <b>consent</b> is not required to examine child to determine whether child abused or neglected, BUT the investigating officer is now REQUIRED to notify or attempt to notify the parent or guardian of the medical exam of the child UNLESS the child is alleged/suspected to have been abused by parent or guardian.			
(b) <b>Possible alcohol and substance abuse problems</b> have been added to the previously sole reason of possible mental illness as a reason for the court to take action requiring care and treatment.			
2218	13	1513a	<b>Educational decisions; education advocates for exceptional children; definitions.</b>
(a) Three reasons defined for when <b>parent</b> considered " <b>unavailable</b> " (requiring appointment of education advocate).			

(b) When a pupil in the custody of the secretary must change schools as the result of a placement by the secretary, the secretary continues to be required to transfer or make provision for the transfer of school records at the same time or as soon as possible.
Secretary's mandated reports in previous §1513b expiring on 1/1/2007 are not renewed.

2219	14	1514	<b>Evaluation of development or needs.</b>
<p>Reports &amp; info obtained under this new § 2219 are the exceptions to <b>rules of evidence</b> requirement under <i>newly amended</i> § 2249(b): "The judge presiding at all hearings under this code shall not consider (<i>and, prior to the amendment of 2007 Senate Bill 118 which removed "read"</i>) or rely upon any report not properly submitted according to the rules of evidence, EXCEPT AS PROVIDED BY ..." this section.</p>			
<p>(a) A <b>party or interested party</b> have been added to the previously listed entities (the court or the GAL) who may make a motion for an evaluation of the child.</p>			
<p>(b) "<b>Person residing with a parent</b>" added as entity of whom court may order exam/evaluation/report.</p>			
<p>(c) <i>N.B! <b>Amended</b> by 2007 Senate Bill 118, which completely removed the new subsection (c) which, PRIOR TO THE AMENDMENT, had allowed written <b>reports/other materials</b> relating to exams/evaluations to be considered by the court after adjudication/entry of order of informal supervision, If introduced as evidence, AND had required that the court, if requested by a party/interested party in attendance at the proceedings, require persons presenting reports/other material to <b>appear &amp; testify</b> (but see new subsection (f) below.)</i></p>			
<p>(d) <i>N.B! <b>Added</b> by 2007 Senate Bill 118, and requires <b>all reports from CASAs or the secretary</b> to be <b>filed</b> with the court and <b>made available</b> per the next new subsection (e).</i></p>			
<p>(e) <i>N.B! <b>Added</b> by 2007 Senate Bill 118, and requires <b>all reports</b> to be <b>filed</b> with the court and <b>made available</b>, prior to any scheduled hearing on any matter addressed by the report, to the <b>counsel</b> for any party/interested party, or to any <b>unrepresented party/interested party</b>.</i></p>			

*(f) N.B! **Added** by 2007 Senate Bill 118, and allows all **reports** provided for in this section to be **READ** by the court, **BUT** allows no fact or conclusion derived from a report to be used as the basis for a **court order** **UNLESS admitted into evidence** following an opportunity for any party/interested party to **examine under oath** the person who prepared the report. If the court has a report not offered into evidence, the court must inquire whether there is an objection to admitting it and, if there is none, may admit the report.*

2220	15	1516	<b>Parentage.</b>
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(a) The phrase "prior to adjudication" in previous §1516 has been removed, relative to determination that petition may have incomplete or incorrect parentage information, and subsequent actions.

2221	16	1518	<b>Fingerprints and photographs.</b>
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(a) The code now defines when fingerprints and photographs MAY be taken (previously the code provided exceptions to a mandate that the NOT be taken).

(a)(1) Added as an instance when these may be taken is to **preserve evidence** or determine the **identity** of a child in an investigation by an authorized person.

(c) Assisting in the apprehension of a runaway child, assisting in adoption or other permanent placement, or providing child or child's parents with a history of child's life and development have been added as **reasons to authorize** fingerprints or photographs.

(d) "photograph" defined as image/likeness made/reproduced by **any medium/means**.

2222	17	1521	<b>Reporting of abuse or neglect of children; public information/educational programs.</b>
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Policy declaration in previous §1521 has been moved to new § 2201.

Directive language in previous §1521 as to what should be in training programs conducted by secretary has been removed.

2223	18	1522	<b>Reporting of certain abuse or neglect of children; who; to whom; penalties.</b>
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			(a)(1) "Reason to suspect that a child has been ' <b>HARMED</b> ' [replacing 'INJURED'] as a result of physical, mental or emotional abuse or neglect or sexual abuse" is the criteria for required reporting.
			(a)(1)(A-D). <b>Mediators</b> are no longer listed as required reporters.
			(a)(1)(D) <b>Court service/community corrections officers &amp; case managers</b> are now required reporters.
			(b)(1) More detailed information has been added as to what must be in <b>required reports</b> .
			(b)(2) " <b>Protected health information</b> " is now required to be disclosed by reporters, and on-going cooperation is mandated.
			(d) Any required reporter "who knows of INFORMATION RELATING TO the <b>death of a child</b> shall immediately notify the coroner."
			(e)(1) That another mandatory reporter made report is not a defense to <b>failure</b> to report.
			(e)(3) Specifies anew that willfully and knowingly making a <b>false report</b> (or a report that lacks factual foundation) of suspected child abuse/neglect is a class B misdemeanor.
1526			(f) Immunity from liability for reporting without malice under previous §1526 is now here.

2224	19	1525	<b>Employer prohibited from sanctioning employee making report/cooperating.</b>
			As with new §(2)(x), " <b>harm</b> " replaces "injury".

2225	20	1522b	<b>Reporting of abuse or neglect of children in institutions operated by Secretary.</b>
			Directive language in previous §1522b(a)(2) & (3) as to standards to be specified in rules and regulations has been removed.

2226	21	1523	<b>Same; investigation of reports; disclosure upon application right to quash.</b>
			(a) Any person or agency maintaining <b>relevant records</b> on child are mandated to provide those to secretary or law enforcement agency on written request/notice of investigation.
			(b)(1) Serious physical <b>HARM</b> replaces serious physical INJURY.
			(b)(2) Previously mandated "free exchange of information" is now "pursuant to K.S.A. Supp. 38-1505c, and amendments thereto."

(g) The secretary and law enforcement agencies now "shall have <b>access to a child</b> " on educational institution premises. Attendance at <b>on-premises interviews</b> is at discretion of agency conducting interview.
Previous 1523(a) Language related to "no action" determinations and maximum age 23 years limitation on investigations has been removed.
Previous §§ 1523(h), (i), & (j) Language/forms related to application to the court for <b>subpoenas/orders</b> (and withdrawals of such) for records has been removed (and replaced by language described in new §2226(a) above and new §2229 below).

2227	22	15,101	<b>Child advocacy centers.</b>
(a)(2) "All agencies" replaces previous "all multidisciplinary agencies" in being required to have place to interact with child.			
(a)(6) Child advocacy centers may provide medical exam <b>services</b> &/or mental health therapy <b>on-site</b> .			

2228	23	1523a	<b>Reporting of certain abuse or neglect of children; multidisciplinary team; appointment.</b>
At any time, the court may now on it own motion (in addition to on request as previously permitted) appoint a multidisciplinary team to assist in gathering information.			
Previous sub-sections (d), (e) and (f) related to requests for subpoenas and orders (and withdrawals of such) have been removed; what had been (d) and (f) are in new §2229.			

2229	24	1522	<b>Reports of abuse or neglect; application for subpoena; request to quash.</b>
This new section incorporates language that had been in previous §§ 1522(h) & (j) and 1523(a),(d) & (f) related to application to the court for subpoenas/orders (and withdrawals of such) for records.			
(c) " <b>Quash</b> " replaces "withdraw" re a subpoena and order for production.			

2230	25	1524	<b>Reports of child in need of care; duties of SRS.</b>
Previous §1524(a) concerning removal of the child has been deleted, but expanded and incorporated into new § 2231.			

2231	26	1527	<b>Child under 18, when LEOs or CSOs may take into custody.</b>
			As noted above, previous §1524(a) concerning removal of the child has been deleted, but expanded and incorporated into new § 2231.
			(b) A law enforcement officer now <b>MUST</b> take a child into custody when the officer "reasonably believes the child will be <b>harmed</b> if not immediately removed".
		1530	(c) incorporates the language that had been in previous §1530 re <b>runaways</b> . LEOs may allow runaway to remain where being provided shelter, but must report the runaway's location and circumstances to the secretary.

2232	27	1528	<b>Child under 18 taken into custody; duties; referrals; interstate compact; shelter facility; application; release.</b>
			(a) Continues to require law enforcement to place an <b>expected alleged runner</b> in a juvenile detention facility for up to 24 hours exclusive of weekends and holidays.
		1517	(a) Reproduces previous §1517 defining when placement in a <b>secure facility</b> or juvenile detention facility is allowed.
			(c)(3) " <b>Harmed</b> " replaces "harmful."

2233	28	1529	<b>Filing of petition on referral by SRS or other person; filing by individual.</b>
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**Pleadings, Process and Preliminary Matters**

2234	29	1531	<b>Pleadings.</b>
			<b>ICWA</b> may apply (see new § 2203(a)).
			Mandates inclusion of a " <b>notice</b> " statement, added for two primary reasons: (1). Parties (parents) need to know at outset the "worst case" outcome possible, and it is the party's obligation to keep the court informed of changes in the party's address. (2). To support new provisions (§§ 2237 and 2267) requiring a "due diligence" effort to identify, locate and serve absent party only one time at beginning of case.
			(a)(7) mandates anew that, if petition requests <b>removal of child</b> from child's home, it state the facts demonstrating that the child is likely to sustain <b>harm</b> if not removed from home.
			(a)(8) and (9) mandate statements to be included in petition filed to commence action.

2235	30	1532	<b>Procedure upon filing of petition.</b>
Simplifies requirements to provide parties including parents with actual <b>notice</b> while eliminating unnecessary delays in permanency for child. § 2235(b) retains requirement that secretary receive a copy of any petition requesting the Secretary be custodian.			
2236	31	1533	<b>Summons; persons upon whom served; notice of hearing; form.</b>
Previous §533(b) Form of summons has been removed.			
(a)(3) Requires summons and copy of petition be served on child through GAL, parents or parent having legal custody or who may be ordered to pay child support, the person with whom child is residing, and any other person designated by county or district attorney.			
(b) Requires notice of hearing and a copy of the petition be first-class mailed to <b>grandparents</b> with whom the child does not reside.			
2237	32	1534	<b>Service of process.</b>
Simplifies service requirements.			
<i>(e) N.B! <b>Amended</b> by 2007 Senate Bill 269, which completely removed from this new subsection the wording which, PRIOR TO THE AMENDMENT, required that, in addition to obtaining <b>service by publication</b> by publishing in the "local" newspaper authorized to publish legal notices, notice also had to appear, IN THE CASE OF A PARENT UNABLE TO BE SERVED OTHERWISE, in a newspaper authorized to publish legal notices in the locality where court the determined that the parent "is most likely to be found." The newly amended language now reads "if a parent cannot be served by other means and due diligence has revealed with substantial certainty that the <b>parent is residing in a particular locality</b>, publication shall also be in a <b>newspaper authorized</b> to publish legal notices in that locality."</i>			
(e) "Before service by publication, the petitioner (or someone on behalf of the petitioner, shall file an affidavit which shall state the affiant has made an attempt, but unsuccessful, with <b>due diligence</b> to ascertain the names or residences, or both, of the persons."			
Previous forms for affidavit for and notice of service by publication removed.			

2238	33	1535	<b>Proof of service.</b>
Previous forms for report of service outside the state and for certificate of mailing removed.			
2239	34	1536	<b>Service of other pleadings.</b>
After initial service of petition, notice of subsequent motions and pleadings may be by first class mail, postage pre- paid, to last addresses provided (parties and interested parties are expected to inform court of new mailing addresses), or by oral notice, except that notice of motion to terminate must be return receipt requested per new § 2267.			
(b) Specifies that notice shall be given by the clerk unless the court ordered otherwise.			
The form for notice of hearing previously in the code has been removed.			
2240	35	1537	<b>Subpoenas and witness fees.</b>
(a) <b>Parties</b> have been added to <b>interested parties</b> as being entitled to the use of subpoenas or other compulsory processes for witnesses.			
2241	36	1541	<b>Additional parties.</b>
Expands and details and addresses the <b>roles, responsibilities and participatory rights</b> of all parties, grandparents and other interested parties, and provides the court some broader latitude in determining who may be an interested party.			
New definitions: " <b>party</b> " is at new § 2202(u) & " <b>interested party</b> " is at new § 2202(l).			
Defines and distinguishes parties and interested parties, defining <b>grandparents</b> as automatic interested parties initially. All are under the jurisdiction of the court.			
(b) <b>Rights: ONLY</b>			
(b) Parties,			
(c)(2) "Grandparents with interested party status", and			
(d)(2) "Persons with whom child has been residing as interested parties" have right to:			
(b)(1) notice in accordance with new §§ 2236 & 2239;			
(b)(2) present evidence, argue, call or cross examine witnesses; and			
(b)(3) have appointed counsel.			

(c) **Grandparents** must advise the court of the grandparent's desire to be an interested party and the court must allow that grandparent to be admitted as an interested party (subject to (f) below). Any grandparent who does not register a request (oral or written) to be an interested party ceases to be one, (but seemingly can request such status at any point in the proceedings). Except for the initial notice, unless a grandparent is admitted as an interested party, there is no requirement to continue to send notice to a grandparent.

(c)(2) **Grandparents**, while automatically interested parties initially, do NOT have same legal standing as parents. The court may limit grandparent rights if that would be in the best interests of the child, but grandparents have an absolute right to attend proceedings, review official court (not social) file and make a statement to the court.

(d) **Anyone with whom child has resided** for a significant time & within six months of filing petition may qualify as interested party. Significant time is not defined in order to provide maximum discretion to include/exclude those who may be helpful/harmful. Those who have actually lived with & cared for child (may include grandparents) have right to participate as party. **Other interested parties** incorporates previous definition but adds that court may include anyone it deems necessary for child's best interest. This would allow court to exercise jurisdiction, on own motion, over individuals like **boyfriends**.

(e) **Other interested parties** incorporates previous definition but adds that court may include anyone it deems necessary for child's best interest. This would allow court to exercise jurisdiction, on own motion, over individuals like **boyfriends**.

(f) Court may **deny or terminate interested party status** because person "does not qualify" or for "good cause", but there is now opportunity to appeal. To avoid delay, appeal is to chief judge of the district (or designee).

2242	37	1542	<b>Ex parte orders of protective custody; application; determination of probable cause; period of time; placement; procedures; orders for removal of child from custody of parent, limitations.</b>
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**ICWA** may apply (see new § 2203(a)).

(b)(2) A protective custody order may NOT be used in conjunction with police custody to extend the **total 72 hours** (not including Saturday, Sunday and legal holidays) that a child may be in "protective custody" without a temporary custody hearing.

(b)(2) mandates at least one supervised visit during ex parte protective custody to the secretary, UNLESS the court prohibits because visitation might be harmful for child.
(c) The provision allowing a child to be held temporarily in a juvenile detention facility is severely constrained from that in the current statutory scheme. A child can only be held in a juvenile detention facility (or other secure facility) code if the child is not presently adjudicated a CINC and the sole basis for asserting the child is a CINC is that the child is presently <b>alleged (but not adjudicated) to be a runaway</b> . [NOTE: see new § 2260 for the "valid court order" exception.] This change brings the new CINC code into compliance with provisions of the Juvenile Justice Delinquency Prevention Act.
(c)(1)(D) adds "a <b>shelter facility</b> " to the list of acceptable placements.
(f)(1) To remove a child from the custody of parents, the court must now first find " <b>probable cause</b> " for removal criteria rather than previous "from evidence presented".
(f)(1)(A) <b>Removal criteria</b> are now that: <ul style="list-style-type: none"> <li>(i) (new) the child is likely to <b>sustain harm</b> if not immediately removed from home;</li> <li>(ii) allowing the child to remain in home is <b>contrary to the welfare</b> of the child; or</li> <li>(iii) immediate placement of the child is in the <b>best interest</b> of the child; and</li> </ul> (B) " <b>reasonable efforts</b> have been made to <b>maintain the family unit</b> and prevent the <b>unnecessary removal</b> of the child from the child's home or that an <b>emergency</b> exists which threatens the safety to the child."

2243	38	1543	<b>Orders of temporary custody; notice; hearing; procedure; findings; placement; orders for removal of child from custody of parent, limitations.</b>
			<b>ICWA</b> may apply (see new § 2203(a)).
			(g) The provision allowing a child to be held temporarily in a juvenile detention facility is severely constrained from that in the current statutory scheme. A child can only be held in a juvenile detention facility (or other secure facility) code if the child is not presently adjudicated a CINC and the sole basis for asserting the child is a CINC is that the child is presently <b>alleged (but not adjudicated) to be a runaway</b> . [NOTE: see new § 2260 for the "valid court order" exception.] This change brings the new CINC code into compliance with provisions of the Juvenile Justice Delinquency Prevention Act.
			(g)(1)(D) adds "a <b>shelter facility</b> " to the list of acceptable placements.

(h) Other family members or witnesses are added (to previously only "the child") as targets of an alleged perpetrator against whom a <b>restraining order</b> may be issued.
(i)(1) To remove a child from the custody of parents, the court must now first find (rather than the previous "from evidence presented") "probable cause" for removal criteria.
(i)(1)(A)(i) then adds an additional new criteria for removal: "that the child is <b>likely</b> to sustain <b>harm</b> if not immediately removed from the home".
(j) "If the court enters an order of temporary custody that provides for placement of the child with a person other than the parent, the court shall make a <b>child support</b> determination" (subject to new § 2277.)
Forms provided under previous §§ 1543(c) and (e) have been removed.

2244	39	1544	<b>Order for informal supervision; restraining orders.</b>
			(b) Allows informal supervision order to be extended for additional year to <b>total of 2 years</b> when parent retains physical custody and no party objects, with <b>reviews</b> required at least <b>every 6 months</b> .
			(c) Modification and revocation of orders may be made on "a showing that the party or interested party ... has substantially <b>failed to comply</b> with the terms of the order"; modification can also be made when it would be in the <b>best interests</b> of the child.
			(e) Mandates that restraining orders be <b>personally served</b> on any alleged perpetrator to whom the order is directed.
			(f) Allows informal supervision with one parent without notice/consent of <b>absent parent</b> , subject to that absent parent's reconsideration request.

2245	40	1545	<b>Discovery.</b>
		1551	(b) If any party or interested party requests it, the parties or interested parties must provide the names of all <b>potential witnesses</b> .

### Adjudicatory Procedure

2246	41	1551	<b>Continuances.</b>
			Witness disclosure previously in § 1551 is now in new § 2245(b).

To avoid unnecessary delay, **continuance** is NOT granted UNLESS **good cause** shown.

2247	42	1552	<b>Attendance at adjudication, disposition proceedings, confidentiality of evidence.</b>
			<b>ICWA</b> may apply (see new § 2203(a)).
			(a) <b>Access</b> is now presumed <b>open through adjudicatory phase</b> of proceedings to promote accountability and allow public to better understand process and basis for state intervention into privacy of family. Court, subject to judicial determination of best interests of child or privacy rights of parents, MAY close all/part of proceedings, or exclude certain persons, but right to attend is GUARANTEED to parties, GAL, interested parties.
			(a)(2) <b>Media</b> subject to Supreme Court Rule 10.01.
			(b) <b>Disposition</b> is presumed <b>closed</b> , absent consent of the parties or court order subject to best interests/conduct of the proceedings, to all persons except a newly expanded list of the parties, the GAL, interested parties and their attorneys, officers of the court, a CASA, and the custodian (which may be the secretary).
		1552a	(c) <b>Parent</b> may designate up to two <b>allies</b> who have participated in a described approved parent ally orientation program, whom the court "shall permit" attending proceedings.
			(d) To keep required <b>info confidential</b> as per new § 2209, court may exclude persons "not authorized to receive the information", or conduct <i>in camera</i> inspection of the evidence.
2248	43	1553	<b>Stipulations and no contest statements.</b>
			New no contest provisions provide opportunity to <b>expedite proceedings</b> when parties are reluctant to admit allegations Effort is made to use easy-to-understand language.
			(a) Those who may stipulate or enter no contest statement to CINC petition is expanded to parents, those with whom the child has been residing, and GALs.
			(b) Formalizes process for stipulations/no contests, and describes procedure.
2249	44	1554	<b>Rules of evidence, Recordings, Videotapes.</b>

**Strict adherence** to evidentiary rules is required **during adjudicatory phase** when basis for ongoing intervention must be proved by state, but **relaxed for disposition** (new § 2253 et seq.) when it's essential to expedite proceedings & allow court maximum info. Thus, all potential witnesses & report submitters need to be in attendance or otherwise available at all hearings (including those before CRBs), to enable examination as needed.

*(b) N.B! **Amended** by Senate Bill 118, which as amended requires that the **judge** presiding at all hearings under the code, except as per (now also newly amended) new § 2219, "**shall not consider or rely upon** any report" **not** properly introduced as **evidence**. Prior to the amendment, the requirement had been that the judge "shall not consider, READ or rely upon ..."*

1557		(c) incorporates previous §1557.
1558		(d), (e), (f) & (g) incorporate previous §1558.

2250	45	1555	<b>Degree of proof.</b>
<p><b>ICWA</b> may apply (see new § 2203(a)). The petitioner must prove by <b>clear and convincing evidence</b> that the child is a child in need of care.</p>			

2251	46	1556	<b>Adjudication.</b>
<p>(c) if child is separated from parent in out of home placement, <b>UNLESS</b> an order of informal supervision has been entered, a time limit of <b>60 days after removal</b> is imposed for the order of adjudication that the child is a child in need of care.</p>			

2252	47	1559	<b>Predispositional alternative; placement with person other than child's parent; conference, recommendations; immunity.</b>
<p>(a) The make-up of a placement recommending conference is expanded beyond the previous code's "relatives" to the new "persons determined by the court , the secretary, or the CSO to have a potential interest in determining a placement."</p>			
<p>(a) Unless SRS/CSO "determines that there is good cause to place the child with a person other than as recommended" by the conference, "the child shall be placed in accordance with the recommendation".</p>			

(b) Grants immunity from civil liability arising from participation to expanded conference participants.

### Dispositional Procedure

2253	48	1561	<b>Dispositional hearing; purpose; time.</b>
			Strict adherence to <b>evidentiary rules</b> required during adjudicatory phase is <b>relaxed</b> for disposition when it is essential to expedite proceedings and allow court maximum info.
			(c) If new § 2265 notice requirements have been met, dispositional hearing <b>may serve as permanency hearing</b> .
2254	49	1562	<b>Dispositional hearing; notice.</b>
			(a) Notice may be waived.
		1564	(b)(3) Includes specific notice requirements for "child's <b>grandparents</b> at last known address or, if no grandparent is living or if no living grandparent's address is known, to closest relative of each of child's parents whose address is known", as in previous § 1564.
			(b)(5) Notice, upon request, must be provided to "any person having <b>close emotional ties</b> with the child ... deemed by the court to be <b>essential</b> to the deliberations ...".
			(c) Notice is now by <b>first class mail</b> .
2255	50	1563	<b>Authorized dispositional orders.</b>
			<b>ICWA</b> may apply (see new § 2203(a)).
		1561(c)	(a) Contains the considerations to be given by the court when entering disposition orders.
			(d) " <b>Youth residential facility</b> " is added to list of custody possibilities.
			(d)(2) Court may allow custodian to <b>return child to parent</b> subject to written notice by the custodian to the court at least 10 days prior to such planned return. If court determines that a hearing is needed, the custodian may NOT return child without written court consent.
			(d)(3) The court may grant <b>reasonable visitation rights</b> to any person on motion by that person, subject to best interests finding.
			(d)(4) Requires personal service on alleged perpetrator subject to <b>restraining order</b> .
		1562(c)	(e) Lists considerations used in determining whether <b>reintegration</b> is viable alternative.

(e)(3) Having been found to be an <b>"unfit parent"</b> replaces previous (c)(5) criteria of having had parental rights involuntarily terminated as consideration for whether reintegration is a viable alternative.
(e)(5) Having <b>"failed to work diligently toward reintegration"</b> is added as a consideration for whether reintegration is a viable alternative.
(e)(7) "Whether it is reasonable to expect reintegration to occur within a <b>time frame consistent with the child's developmental needs</b> " added as consideration for whether reintegration is a viable alternative.
(g)(2) "The <b>use or misuse of alcohol</b> " is added to the previous "violation of the uniform controlled substances act" as a reason for an alcohol/drug evaluation order.
(g)(3) The court may order <b>child support</b> , and must, except for good cause shown, issue an immediate <b>income withholding order</b> for each parent ordered to pay support.

2256	51	1564	<b>Rehearing.</b>
The specific notice requirements for <b>grandparents/closest relative</b> in previous § 1564 are now in new § 2254(b)(3).			
A child support order registered under § 2279 may only be modified pursuant to § 2279.			
2257	52	1565	<b>Permanency planning at disposition.</b>
Incorporates the beginning paragraph of previous §1565. Most of the rest of what had been previous §1565 are incorporated in new §§ 2255, 2263, 2264 & 2265.			
2258	53	1566	<b>Change of placement; removal from home of parent, findings by court.</b>
(a) No notice is required when (1) <b>child moved</b> to preadoptive family to facilitate adoption, and (2) child is returned home (since this is not a placement). Otherwise written notice by the secretary of any plan to move the child must be given to the court, each parent whose address is available, the foster parent or custodian from whom the child is being proposed to be removed, the child and the GAL.			
(b) Notice mandated only by <b>first class mail</b> , NOT by first class mail OR delivery as previously required.			
(c) No court approval is required when child moved by secretary for purpose of <b>adoption</b> .			

(d)(1)(A) Adds another alternative finding that "the child is likely to sustain <b>harm</b> if not immediately removed from the home" to allow removal after the child has been placed in the home of a parent for a period of 6 months or longer.
(d)(2) Best interests AND "that an <b>emergency</b> exists which threatens the safety to the child" is added as an alternative to best interests and reasonable efforts, to allow removal after the child has been placed in the home of a parent for a period of 6 months or longer.

2259	54	1567	<b>Emergency change of placement; removal from home of parent, findings of court.</b>
			(b) Before entering an emergency removal order, the court must first find <b>probable cause</b> that: (1)(A) "The child is likely to sustain <b>harm</b> if not removed from the home;" (B) "allowing the child to remain in home is contrary to the welfare of the child; or" (C) "immediate placement of the child is in the best interest of the child; and" (2) "reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal" OR "emergency exists which threatens <b>safety</b> to the child."

2260	55	1568	<b>Placement; order directing child to remain in present or future placement; application for determination that child has violated order; procedure; authorized dispositions; limitations on facilities used for placement; computation of time limitations.</b>
			Now conforms to requirements of JJDP, to safeguard JJA prevention grant funding.
			(b), (c), (d)(4)(A) & (e)(1) A " <b>without good cause</b> " requirement has been added to the previous requirement of child's merely having violated an order.
			(c), (d)(4) & (e)(3) " <b>Juvenile detention facility</b> " is added to "a secure facility" as a location where a child taken into custody may be held.
			(d)(3) Adds " <b>no contest</b> statement" to the previous "admission" of the allegations.
			(f) Clarifies that EACH of the possible two periods of extension of placement in a facility shall not exceed 60 days.

2261	56	1569	<b>Reports made by foster parents; form.</b>
			Report is no longer mandatory but SRS is still required to inform foster parents or parents of their right to report. NOTE - this report is now available to all parties.

Sample form in previous §1569 is removed, but with SRS charged with creating and providing such a report form.

2262	57	1570	<b>Placement; testimony of certain children.</b>
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(a) Age is dropped from 14 to **10 for child** to have **right to speak** to court.

2263	58		<b>Planning for permanency.</b>
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(a) Focuses permanency planning on the goal of assuring child's need for permanence and stability, and the preservation of **continuity of family** relationships and connections, with safety and well being of children paramount.

(b) Requires that an initial plan be developed (by whomever has custody or the CSO) and submitted to the court within 30 days of the initial order of the court.

(c) and (d) list the requirements of the permanency plan.

2264	59		<b>Permanency hearings, purpose, procedure, time for hearings.</b>
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**ICWA** may apply (see new § 2203(a)).

Focus on permanency hearing's PURPOSE - to determine progress toward accomplishment of permanency plan.

(a) Hearing is before the **court or CRB**; and is held:

(d) initially within 12 months of when the child entered out-of-home placement and at least every 12 months thereafter, &:

(e) if the court determines at any time other than during a permanency hearing that reintegration may not be a viable alternative, no later than 30 days after determination.

(b) The court determines the whether and when of **reintegration, adoption, placement** with a permanent custodian, or placement in another planned permanent arrangement.

(h) Hearings continue until court ordered permanency (adoptive placement, appointment of a permanent custodian, placement with a fit and willing relative) is attained as appropriate under the circumstances.

2265	60		<b>Permanency hearings; notice.</b>
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Focus is on meeting federal notice requirements.

(b)(5) Notice must now be provided additionally, upon request, to any person with <b>close emotional ties</b> with the child deemed by the court to be <b>essential</b> to deliberations.
(c) Notice "by first class mail" is the only form authorized.

**Termination of Parental Rights (TPR)**

2266	61	1581	<b>Request for TPR or appointment of permanent custodian.</b>
(c) Service only by publication notice may be ordered on parent who can't be located with <b>due diligence</b> (determination of which must occur "at the beginning of the hearing").			

2267	62	1582	<b>Procedure upon receipt of request.</b>
<b>ICWA</b> may apply (see new § 2203(a)).			
(a) Hearing for <b>TPR</b> or to appoint a <b>permanent custodian</b> must now be <b>HELD within 90 days</b> (previously required only that it be SET within 90 days). Upon motion of a party, the TPR petition/motion shall be reassigned from district magistrate judge to district judge.			
(b)(1) Sets out who must be notified:			
<ul style="list-style-type: none"> <li>(A) <b>parties</b> and <b>interested parties</b>;</li> <li>(B) all <b>grandparents</b> OR <b>closest relative</b> of each of the child's parents whose address is known (if no grandparent is living or if no living grandparent's address is known.</li> <li>(C) the parents nearest relative who can be located (where parent cannot be located by due diligence); and</li> <li>(D) <b>foster parents, preadoptive parents</b> or <b>relatives providing care</b>.</li> </ul>			
(b)(2) Notice shall be by return receipt delivery not less than 10 days before hearing.			
(c) Requires at the beginning of the hearing a determination that <b>due diligence</b> was used in determining the identity and location of the persons required to be served.			

2268	63		<b>Voluntary relinquishment, voluntary permanent custodianship and consent to adoption.</b>
<b>ICWA</b> may apply (see new § 2203(a)).			

Sets out more clearly and specifically ability of parents to cooperate with <b>planned alternative permanency</b> for child including relinquishment, permanent custody, adoption. Relevant sections of the Adoption and Relinquishment Act are cross referenced, and probate code language is mirrored.
(b) Secretary retains the right to <b>refuse relinquishment</b> .
(b)(2-3) & (c)(2-3) Relinquishments/consents to appointment of permanent custodian shall be <b>in writing and acknowledged</b> before a judge of a court of record, with that court required to advise the relinquishing parent of the <b>consequences</b> of the relinquishment/consent.
(b)(5) & (c)(4) If a parent has relinquished a child to the secretary/consented to appointment of a permanent custodian based on a belief that the other parent would relinquish/consent or be found unfit, and this does NOT occur, the <b>rights</b> of the parent who has relinquished/consented <b>shall NOT be terminated</b> .
(c) <b>Consent</b> requirements to appointment of permanent custody are laid out.

2269	64	1583	<b>Factors to be considered in TPR; appointment of permanent custodian.</b>
			<b>ICWA</b> may apply (see new § 2203(a)).
			Language is cleaned up: Abuse, neglect or death of child is no longer limited to parent's own child, but is extended often to <b>"a child" &amp;/or "any child in the care of the parent ..."</b>
			In summary, when a court has adjudicated a child to be a child in need of care, to terminate parental rights the court must then find the <b>parent unfit</b> , and then find that it is in the best interests of the child to terminate parental rights.
			(g)(2) Should parental rights be terminated, the court may authorize adoption, appointment of a permanent custodian, or continued permanency planning.
			(g)(3) Should parental rights NOT be terminated, the court may authorize appointment of a permanent custodian, or continued permanency planning.
			(b)(3) Excessive substance abuse is now <b>substance use which renders parents unable to care</b> for the ongoing ... needs of the child".
			(b)(1) Emotional or mental illness, mental deficiency or physical <b>disability</b> of the parent must be <b>CAUSALLY RELATED</b> to rendering the parent unable to care for the needs of the child for the parent to be found unfit for these reasons.
	1586		(e) & (f) contain what had been previous §1586.

(j) Requires **written permanency plan** by the person/agency awarded custody within 30 days of authorization of adoption, proceedings to appoint a permanent custodian or continued permanency planning.

2270	65	1584	<b>Custody for adoption.</b>
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Reorganizes and clarifies.

(c) A major change - when adoption is final, custody of the secretary ceases automatically.

2271	66	1585	<b>Presumption of unfitness, when; burden of proof.</b>
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Incorporates criteria from Adoption and Relinquishment Act since, if consent to adoption is not required under Chapter 59, a parent should be presumed unfit under Chapter 38.

(a) Presumptions of unfitness have been expanded:

- (5) The previous exception when extended out of home care is with kin is REMOVED, since parent's failure to succeed with timely reintegration is still an indication of unfitness.
- (8) Abandoned/neglected after knowing of birth.
- (9) No reasonable efforts to support/communicate with child after knowing of birth.
- (10) Father knowing of pregnancy failed unreasonably to provide support to mother during 6 months before birth.
- (11) Father knowing of pregnancy abandoned mother.
- (12) Convicted of rape or equivalent resulting in conception of the child.
- (13) Failed/refused to assume duties of parent for 2 consecutive years.

(b) Parents need only a **PREPONDERANCE OF THE EVIDENCE**, not the previously required "clear and convincing evidence", to rebut the presumption of unfitness.

2272	67	1587	<b>Appointment of permanent custodian.</b>
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**ICWA** may apply (see new § 2203(a)).

Clarifies role of permanent custodian and provides <b>court maximum flexibility</b> to design arrangement that meets needs of child, family and custodian in specific case. In some instances permanent custodian will have role more like adoptive parent and in others more like guardian. Court oversight will cease or continue accordingly. Under some circumstances a continued relationship with parents will be supported. This maximizes child's opportunity for safe permanency without loss of significant relationships or people.
(c) Permanent custodian <b>may NOT consent</b> to adoption and may NOT be subject to child support or medical support.
(d) When court retains jurisdiction after appointment of a permanent custodian, the court may limit additional rights and responsibilities of permanent custodian.
(e) Permanent custodian may share parental responsibilities with a parent of the child.
(g) Consent to a permanent custodian is final when executed UNLESS the parent whose consent is at issue, PRIOR TO issuance of the order appointing the permanent custodian, proves by clear & convincing evidence that consent was NOT freely and voluntarily given.
(h) With a finding of <b>unfitness</b> and appointment of a permanent custodian WITHOUT a termination of parental rights, retained parental rights and responsibilities are limited to: <ul style="list-style-type: none"> <li>(1) obligation to pay child and medical support;</li> <li>(2) right to inherit from the child;</li> <li>(3) right to consent to adoption.</li> </ul>

### Appeals

2273	68	1591	<b>Appeals; procedure; verification.</b>
			(a) Any party or interested party may appeal as previously any order of temporary custody, adjudication, disposition or termination of parental rights, but now also may appeal a finding of unfitness.
2274	69	1592	<b>Temporary orders pending appeal; status of orders appealed from.</b>
2275	70	1593	<b>Fees and expenses.</b>

### Detainment or Placement in Jail

2276	71	1594	<b>Prohibiting detainment or placement of child in jail.</b>
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### Child Support Ordered Under the Code

2277	72	1595	<b>Determination of child support under code.</b>
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2278	73	1596	<b>Journal entry for child support under code.</b>
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2279	74	1597	<b>Withholding order for child support under code; filing; service.</b>
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2280	75	1598	<b>Remedies supplemental not substitute.</b>
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### Miscellaneous

2281	76	1599	<b>Family services &amp; community intervention fund; purpose of expenditure of moneys.</b>
			Moves family service & community intervention fund into code & makes technical changes.

2282	77	15,100	<b>Newborn Infant Protection Act.</b>
			Moves newborn infant protection act into code.

2283	78		<b>Application to existing cases.</b>
			(a) Applies new code to cases commenced prior to 1/1/2007 unless court decides otherwise.
			(b) Statutes applicable to rights prior to 1/1/2007 continue to apply to those rights even if repealed/superseded.

### Amendments to Existing K.S.A. Sections

79-119	KSA §	Title
79	5-512	Arbitration and award; dispute resolution; confidentiality of proceedings.

80	20-164	Rules establishing expedited process for support, parenting time & child visitation orders.
81	20-302b	Courts; District Courts; District magistrate judges; jurisdiction, powers & duties; appeals.
82	20-319	Courts; District Courts; Powers and duties of departmental justices; reports & information.
83	21-3604	Crimes affecting family relationships/children; abandonment of a child.
84	21-3612	Crimes affecting family relationships/children; contributing to child's misconduct/deprivation.
85	21-3721	Crimes against property; Criminal trespass.
86	21-3843	Crimes affecting governmental functions; Violation of a protective order.
87	23-605	Domestic relations; Mediation of domestic disputes; Confidentiality.
88	28-170	Fees/salaries; Counties; Court fees, civil actions; prosecuting attorneys' training fees.
89	28-170a	Fees/salaries; Counties; Prosecuting attorneys' training fund; fees.
90	28-172b	Fees/salaries; Counties; Indigents' defense services fund.
91	38-140	Minors; General provisions; Consent to immunize per KSA 38-1513/38-1614 not affected.
92	38-538	Minors; Detention & parental homes/farms; Superintendent or director; board of directors; appointment; terms; duties.
93	38-1604	Minors; KS Juvenile Justice Code; Jurisdiction; placement with SRS & rehabilitation services/JJA, costs.
94	38-1608	Minors; KS Juvenile Justice Code; Records of law enforcement officers and agencies and municipal courts concerning certain juveniles; disclosure.
95	38-1664	Minors; KS Juvenile Justice Code; Juvenile offenders placed in custody of commissioner, considerations by/notification of court; reports by commissioner & foster parents; permanency hearing.
96	38-1813	Minors; Abolishment of Corporation for Change; CRBs; Same; duties and powers.
97	39-709	Mentally ill, incapacitated & dependent persons; Social Welfare; Eligibility requirements of applicants for and recipients of assistance, available resources; failure to comply with reporting and other requirements, penalties; automatic assignment of support rights; "medical assistance estate" defined; lien procedures and enforcement.
98	39-754	Mentally ill, incapacitated & dependent persons; Social Welfare; Support rights assigned to secretary; secretary's rights; court record of support collected by secretary.

99	39-756	Mentally ill, incapacitated & dependent persons; Social Welfare; Support enforcement services available to certain persons; assignment of support rights; limited power of attorney; continuation of services after discontinuance of public assistance; fees for services; distribution of collections; attorneys representing department of social and rehabilitation services, attorney-client relationship.
100	39-756a	Mentally ill, incapacitated & dependent persons; Social Welfare; Time assignment of support rights under 39-709 remains in effect; assignment of rights to payment for medical care unaffected.
101	39-1305	Mentally ill, incapacitated & dependent persons; Social Welfare; Community based services for children; Community based group boarding homes for children/youth; defined.
102	44-817	Labor & industries; Employer/employee relations; Mediators; appointment; functions; compensation; confidentiality.
103	59-2129	Probate code; Adoption; Consent.
104	59-3059	Probate code; Guardians/conservators; Petition for appointment for minor; contents; plan.
105	59-3060	Probate code; Guardians/conservators; Petition for appointment for a minor with an impairment; contents; evaluations; plan.
106	60-452a	Procedure, Civil; Rules of evidence; Dispute resolution; confidentiality.
107	60-460	Procedure, Civil; Rules of evidence; Hearsay evidence excluded; exceptions.
108	60-1610	Procedure, Civil; Divorce & maintenance; Decree; authorized orders.
109	65-516	Public health; Maternity centers & child care facilities; Restrictions on persons maintaining or residing, working or volunteering at child care facility or family day care home.
110	65-1626	Public health; Regulation of Pharmacists; Definitions.
111	65-6205	Public Health; Miscellaneous provisions; Request for information by certain entities; exemption from civil liability for certain actions taken in good faith based on such info.
112	72-962	Schools; Special education; Definitions.
113	72-1113	Schools; Attendance, curriculum & accreditation; Noncompliance; duties of boards of education, secretary of SRS, county and district attorneys; agreements between secretary and county or district attorneys, duties; notification of absence to parents.
114	72-53,106	Schools; Miscellaneous provisions; Pupil identification; proof required upon first enrollment in a school; duties of schools and law enforcement agencies.

115	72-5427	Schools; Teachers' contracts; Mediation; request for appointment of fact-finding board; time limitations; memorandum describing issues & final position of parties; confidentiality.
116	75-4332	State departments; Public officers & employees; Memoranda of agreement; procedure in case of impasse; fact-finding board; hearing; costs; confidentiality.
117	75-7023	State departments; Public officers & employees; JJA; Juvenile intake & assessment system; confidentiality of records; information collected; dispositional alternatives; custody of child; conditions of release.
118	75-7025	State departments; Public officers & employees; JJA; Regional youth care and rehabilitation facilities; establishment; purpose; staff; rules and regulations.
119	76-729	State institutions/agencies; Historical property; State educational institutions; Management/operation; Residence of students for fee purposes; basic rule, certain exceptions authorized; definitions.

### Repealer

120		
	1519	<b>Child in need of care information system; definitions.</b>
	1520	<b>Same; establishment and maintenance.</b>
		Previous §§1519 & 20 are not reproduced in the new code, but reference is made to the repository/information system reporting in new § 94(a)(8) amendments to K.S.A. 38-1608.
	1546	<b>Hearings; opportunity to review records or reports by GAL, effect of non-compliance.</b>
		Previous § 1546 has not been reproduced in the new code.

### Effective Date

121		From and after January 1, 2007.
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