

Kansas Department of

Social and Rehabilitation Services

Janet Schalansky, Secretary

House Corrections and Juvenile Justice

February 16, 2004

HB 2742 - Access to Official Files

Integrated Service Delivery

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Mr. Chairman and members of the committee, I am Candy Shively, Deputy Secretary of SRS. Thank you for the opportunity to appear today to discuss House Bill 2742, which revises the provisions of the Kansas Code for Care of Children related to the sharing of information and confidentiality.

The bill balances the sometimes competing interests when sensitive information concerning children and their families becomes part of an agency or court record. Information must be made available to those who need it in order to make sound decisions, provide services, or protect the health and safety of children. At the same time the privacy of individual children and families who are in need of services must be respected.

Historically, it has been difficult to provide the statutory framework most likely to support this balance. The current statute has been amended many times and, as a result, actually adds confusion for those attempting to work together in service of children who may be in need of care. House Bill 2742 provides clear guidance and organizes the provisions to facilitate practical application. SRS appreciates the efforts of the Judicial Council and the opportunity to work with the subcommittee on this proposal. It is a significant improvement in a difficult-to-navigate area.

We would recommend a change to clearly require the *in camera* inspection prior to ordering release of otherwise confidential information. The court must have an understanding of the contents to determine that disclosure is in the best interests of a child as well as when determining disclosure is necessary for judicial proceedings. Please see the attached balloon.

Thank you for the opportunity to present; I would be happy to stand for questions.