

February 27, 2014

The Honorable Jeff King, Chairperson
Senate Committee on Judiciary
Statehouse, Room 341-E
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 389 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 389 is respectfully submitted to your committee.

SB 389 would amend the Kansas Family Law Code with regard to court appointed case managers. The bill would restrict the authority of court appointed case managers in making recommendations to the court. The bill would clarify that the authority to manage domestic cases involving issues of custody, residency, parenting time, visitation and child support must remain exclusively with the court. The bill would retitle case managers to domestic case managers and would reserve the use of domestic case managers for high conflict cases, when other attempts at conflict resolution have failed, instances when a domestic case manager would be in the best interest of the children, and situations in which the use of a domestic case manager could achieve certain goals.

The bill would establish new procedures for domestic case managers and restrict the latitude of mediation issues to those specified by the court. The bill would add to the list of qualifications necessary for an individual to be appointed as a domestic case manager and would require the Director of Dispute Resolution appointed by the Judicial Administrator to establish standards and approve all continuing education hours for domestic case managers. The court would be authorized to review a domestic case manager's appointment, which must be limited to a specific time period, not to exceed 36 months, unless renewed by the court or per agreement of the parties. SB 389 would also amend the list of mandatory child abuse reporters by changing case managers to domestic case managers in accordance with the other changes made in the bill.

The Kansas Department for Children and Families estimates SB 389 would have no fiscal effect on its operations since the number of reports from court appointed domestic case managers which may result from the provisions in the bill would be negligible.

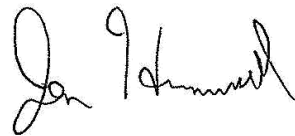
The Honorable Jeff King, Chairperson

February 27, 2014

Page 2—SB 389

The Office of Judicial Administration indicates that SB 389 would increase time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing high conflict domestic cases since a number of its provisions would require additional hearings or permit the parties to request that a judge consider or review matters that would have been or have already been addressed by the case manager. However, until the courts have had an opportunity to operate with the provisions of SB 389 in place, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Hummell". The signature is fluid and cursive, with the first name "Jon" being more prominent than the last name "Hummell".

Jon Hummell,
Interim Director of the Budget

cc: Jackie Aubert, DCF
Mary Rinehart, Judiciary