

HB 2699 Smith 2.17.2020

I'm Judge Kevin Smith of the 18th judicial district. I am here to testify about my experience in my individual capacity and not as a representative of the district. Thank you for the opportunity to testify about this very important bill. Governor Brownback appointed me to the bench December 2015 and I was sworn in January 2016. From then until January 2, 2020, I was assigned to the juvenile court and presided over juvenile offender and child in need of care cases. Sedgwick County has the highest volume of CINC cases of any county in the state with 4 district court judges sharing the burden. At any given time, I had between 350-400 open cases just on my docket, and each of the 4 judges have similar case loads. Hence, Sedgwick County carries an average of 1500-1600 open cases.

Typical protocol is to hold review or permanency hearings every 60-120 days to issue new orders and monitor case progress. It's the time between hearings where CSOs are indispensable.

There is no way for a judge or magistrate to efficiently manage this volume of cases without the help of Court Service Officers, who make sure ALL parties comply with court orders between hearings. They do not do the work of DCF or its contractors just ensure that they are doing what we order. Additionally, CSOs assist on the day of hearings by testing parents for drug and alcohol use, the results of which help judges determine whether we are on the right track, or if it's time to find reintegration not viable and order termination motions be filed. A judge cannot make such findings without the result of these tests, and often parents have transportation issues so miss random testing leading up to the hearings. Requiring them to go to testing centers on the day of court is not viable. They are in court and cannot resist orders to submit to tests at that time. It's a tool that helps move cases forward.

When judges can look at a parent, point, and order them to submit to a drug test then and there, it sends a powerful message to that parent and others. It shakes them up and makes clear that the case is about the kids and not the parents.

Eliminating the ability of courts to use CSOs to manage CINC cases will adversely impact the lives of children and community safety. HB 2699 preserves that ability and might encourage counties not using them to do so. Please pass it.