



DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES

Don Jordan, Secretary

Senate Judiciary Committee

March 5, 2009

SB 94

Youth Age 16 and 17 in SRS Custody

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Chairman Owens and members of the committee, I am Don Jordan, Secretary of the Kansas Department of Social and Rehabilitation Services. Thank you for the opportunity to appear in support of Senate Bill 94.

Foster care services are provided when the court finds a child to be in need of care and the parents are unable to meet the safety needs of the child. The current budget deficit required a thoughtful examination of programs and services to determine reductions with minimum negative impact on the most vulnerable populations. This bill proposes that, unless determined to be abused or neglected or without parental or family resources, youth 16 and over be served in their own homes and communities. Youth with circumstances such as truancy, out of control behavior or running away will be addressed through in-home services and will not be placed in the custody of the Secretary. Youth age 16 and older will still be placed in the custody of the Secretary for reasons of maltreatment or absence of parental or family resource. This change benefits youth and families by addressing youth's behavior and interactions while maintaining them at home.

Providing services to youth in their own home will net a savings in FY2010 of \$2,280,052 SGF (\$2,561,769 All Funds). Total savings in this program of \$3,056,199 is offset by an increase of \$494,430 in the GBR funding for in-home services of Family Services and Family Preservation. Data about youth age 16 and older removed into the custody of the Secretary for reasons other than maltreatment is available on the attached sheet.

Over the years, there has been a progression of effort and in home services to support families with older youth who are in conflict or present challenging behaviors. SRS proposed in 1992 that the Kansas Code for the Care of Children distinguish between children who are abused or neglected and those in conflict with adults in their home, school or community. We have long recognized that the needs of these two populations are not the same. We believe the response should not be the same. The renewed effort in 2000 again failed but progress was made with the creation of the family services and community intervention fund currently set out at K.S.A. 38-2281. Over time we've learned a great deal but remain



convinced that out of home placement doesn't solve the conflict, rather it diverts energy from solving the problem.

Today we have the opportunity to move beyond these past efforts and to create statutory distinction between youth who are out of control and those who are more vulnerable due to age or actual abuse or neglect.

For issues that do not involve maltreatment or safety threats, behavioral and cognitive interventions with youth while they reside at home are effective. Alternate resources when the youth's safety is not an issue including engaging extended family, Family Preservation referrals, family services and the targeted use of community service funds for programs that support youth remaining in the family home. Family service dollars may be used for respite care or emergency shelters for youth and family in crisis and emergency flex fund granted to supplement Juvenile Intake and Assessment Center's short term case management service. Targeted community service dollars will foster proven service strategies designed by the community for the youth/family to access in the community. Family Preservation will be available for those families in need of intensive services in order to work through the adolescent/parent conflict that goes beyond the norm. We are asking that you close off only one option, custody to the Secretary, and provide the opportunity to create more effective community based solutions for this population.

On February 20, 2009, I met with a panel of 7 juvenile court judges from across the state and Office of Judicial Administration staff to review this bill and receive input on its impact. The result of dialogue and collaboration in this meeting is reflected in balloon amendments that youth may be placed in the custody of the Secretary if there is no identifiable parental or family resource. The amendment assures care of older youth who might otherwise be without shelter or support. A listing of Judges in the meeting is available on the attached sheet.

Thank you again for the opportunity to express my support, and I will stand for questions.