

Amended Supreme Court Rule 174: Forms Required in a Child in Need of Care Proceeding

The Kansas Supreme Court is accepting public comment on amendments to Supreme Court Rule 174: Forms Required in a Child in Need of Care Proceeding.

Rule 174 requires certain Kansas Judicial Council forms be used when entering orders in child in need of care cases. Proposed amendments expand the number of forms required to include orders issued in adjudication, disposition, termination of parental rights, and Indian Child Welfare Act proceedings. The amendments would also require certain forms be used when ruling on a child's placement in a qualified residential treatment program or on requested review of a child's change of placement.

Proposed changes are shown using strikethrough for deletion and underlining for new language.

Comment may be made by email to publiccomments@kscourts.org until 5 p.m. Monday, October 28, 2021. The subject line must read "Rule 174."

Rule 174

~~JOURNAL ENTRY FORMS REQUIRED IN A~~ **JOURNAL ENTRY FORMS REQUIRED IN A FOR CHILD IN NEED OF CARE PROCEEDING, JUVENILE OFFENDER, AND DOMESTIC RELATIONS CASES**

- (a) ~~When Use of Judicial Council Forms Required is Mandated.~~ **When Use of Judicial Council Forms Required is Mandated.** To ensure compliance with ~~the federal and state law Adoption and Safe Families Act,~~ a district court must use the applicable appropriate Judicial Council form when entering any of the following orders in a child in need of care proceeding when:
- (1) placing a child in the custody of a person other than the child's parent or legal guardian ~~in a child in need of care, juvenile offender, or divorce proceeding; or~~
 - (2) ruling in a on child in need of care and juvenile offender permanency hearings;
 - (3) ruling in a proceeding in which the Indian Child Welfare Act applies;
 - (4) ruling on adjudication, disposition, or termination of parental rights;
 - (5) ruling on a child's placement in a qualified residential treatment program;
 - (6) ruling on a requested review of a child's change of placement; or
 - (7) terminating the court's jurisdiction.

- (b) **Attachments.** To include additional information, a district court may attach ~~A~~ an additional order or supplemental affidavit ~~may be attached~~ to a Judicial Council form required under this rule ~~order if a court desires to include additional information.~~
- (c) **~~District Court~~ Administrative Matters.**
- (1) **Official ~~Court~~ File ~~Contents~~.** A district court must maintain in the official file all forms required under this rule and any attachments ~~All journal entries and attached orders must be maintained in the district court's official file.~~
- (2) **Required Data Entry.** A district court must enter into the court's case management system ~~All required data described in the Juvenile Compliance Training Manual distributed by the Office of Judicial Administration—must be entered into the court's case management system.~~
- (d) **Form Changes.** The Judicial Council ~~Supreme Court~~ may create, modify, or delete forms required under this rule after review by ~~the Judicial Council and the Supreme Court~~ Task Force on Permanency Planning.