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**Review of Kansas Legislation effecting Children and Families for 2021/2022 session**

**Written response to National Parents Organization request for evaluation of legislation by members**

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**Good day Chris Batcheller and Will Mitchell:**

As always, thank you for your work for children and families.

These questions were asked by Chris on the National Parents Organization (NPO) facebook:

Does the NPO members, and legislators that support NPO efforts, oppose Kansas House Bill HB2496?

What other legislation in the 2021/2022 session would benefit children and parents, or what legislation would not be supported by National Parents Organization members, or Kansas parents?

This document is a review of current legislation considered of interest to NPO. I pray that NPO members and legislators take the time and consideration to read this document in entirety. The contents of this document is promised to be of interest, and include sections that one may consider unbelievably concerning.

In previous years I have been asked by Senator Skubal to review Kansas legislation in session that would be beneficial or detrimental for children and families in Kansas. For this 2021/2022 legislative session I reviewed only legislation that appeared from the title or description to be concerning for Kansas children and families. NPO should review the following legislation and express concerns, if founded, to all Kansas legislators for actions to protect Kansas children and families, and to protect our parental Constitutional Rights. ***Immediate actions are necessary to stop HB2496, since the bill did not die in the House Judicial committee.***

I have reviewed HB2496, HB2647, HB2539, SB406, and other Bills HB2609, SB93, SB396, SB434, SB294 that impact Kansas children and families.

The most concerning legislation are the following bills which will be reviewed for NPO:

- 1. HB 2496** - Uniform family law arbitration act - Very BAD - THE WORST LEGISLATION FOR FAMILIES.
- 2. HB2647** - Add factors of history of abuse in custody determination - Won't matter - at least this bill is writing legislation in the right area to help children and parents. Current K.S.A. 23-3203 covers most of this legislation.
- 3. HB 2539** - Violence in the presence of children - Very BAD - Vague and may allow State constitutional infringement on parent's Rights in their home.
- 4. SB 406** - Back the blue - Very BAD - Anti 2A gun seizure from exparte complaint, or false reporting.

***House Bill No. 2496 is A VERY BAD IDEA. This is a horrible piece of legislation.***

**First.** It is 11 pages long, with 29 Sections, and is 424 lines of legislation. This is a complicated nearly impossible to comprehend Bill that will obstruct child protection with additional delay. Furthermore, this "Uniform family law arbitration act" is nothing more than complete removal of district family court judge responsibilities, giving the judge's job to the "arbitration organization" - another attorney

collecting money. This bill is an additional layer of attorneys billing the families, extracting college funds from children, and extending the time of court proceedings. And, the HB2496 Bill unconstitutionally takes family rights. HB2496 creates a nearly identical legal process to the Kansas family court processes and proceedings, the only difference is the attorneys, called an "arbitration organization", are given the full power of the judge, with few exceptions.

This is judicial obstruction by the district judge to delay or not handle the cases of high conflict, of which, are a small percentage of the family custody or separation cases. These cases are the only cases that require the judge to work to find truth and the "best interest of child". The "arbitration origination" would be at a high risk of lying and corruption (of facts). This delay is NOT in the "best interest of children" and may put the children at risk of mental abuse or physical harm.

I have not seen my son in over a year and a half because of judicial obstruction of case management. My son is being abused with parental alienation. There is a high possibility of other emotional abuses, after my son had his favorite LEGO mini figure and toys smashed in front of him with a "large hammer" when he was 8 years old. The family judge won't stop the case management obstruction and won't hear my motions for visitation and custody. HB2496 will only cause more child abuse by the obstruction delay of justice, and delay of protection for children. This SB2496 legislation could get children killed, like Austin, Logan, and Caleb.

Imagine this. Currently the parties can optionally be represented, or pro se, in court proceedings for determining "family law disputes" and "child-related disputes" with a trial in a district court, and with the district judge doing their job in making a judgment supported by fact and evidence. Kansas district judges receive about \$100 an hour plus benefit and have absolute permanent employment in their position until retirement at 80 years old. Their job responsibilities are clearly defined.

Now imagine this. The district judge's job is completely given to the "arbitration organization", which may charge \$375 an hour, and families are force to be extorted more money for paying the arbitrator. Or, is the cost of this bill given to the state of Kansas? Either way of payment to the "arbitration organization", this bill still obstructs justice by delaying the resolution and decision. ***This court delay could get more children killed in the 1st judicial district - like Austin, Logan, Brian, and Melanie. Leavenworth has had FOUR CHILDREN KILLED IN NINE MONTHS!*** This bill gives the district judge's job, and responsibility to an arbitrator attorney that makes the decision with total judicial power.

**Second.** The HB 2496 "Uniform family law arbitration act" process begs to be absolute corruption. No oversight, and the arbitrator attorney can give any judgment "award" they want. At least in a courtroom proceeding some, very little, LYING can be stopped with a little fear of prosecution for lying. There would be nothing but lies in arbitration. Even the attorneys would be a concern to justice with immunity of civil actions. Lies, lies, and more lies. House Bill No. 2496 is a VERY BAD IDEA.

**Third.** There are current laws and processes that work when appropriately incorporated in the family court by the district family court judge. Family home evaluation, CASA, and case management. Case management is judicial obstruction that is not helping children and families. But now with HB2496, one is suppose to believe the current organizations and processes are not enough for the district judge to do his job, and to also expedite child protection and end the uncertainty in the children's lives.

**Forth.** This is a DANGEROUS piece of legislation! Rights are taken, or given away, from a family by a judge that has the responsibility to do the "Arbitration organization" job.

**Fifth.** The "Arbitration organization" has no accountability, nor liability. The attorneys are immune to all civil actions. There is no record or documentation of what actually occurs in arbitration.

**Sixth.** The plaintiff and respondent would most likely have already initiated an arbitration process if necessary, if they were reasonable persons, and without a court ordered unconstitutional taking of their rights to fair family court trial processes and justice.

**Seventh.** Unlike what is stated in the January 25, 2022 Financial Note for HB2496 the cost is NOT NEGLIGIBLE, but very beneficial to the "arbitration attorneys". This would also cost the State of Kansas by adding the lengthy appeal processes after possible, and very likely, corrupt or unsupported by evidence (lying) award. The only winner of this legislation is the attorneys collecting more money from the State of Kansas and families. And, puts children at addition risk of mental abuse and physical harm or death, like Austin and Logan who were not protected. This bill would cause extended uncertainty of the future for the involved children.

*This Bill is written to feed the "Divorce Industry" by appointing more attorneys to extract MORE money and time from a family. And, the "Arbitration organization" or the attorneys are doing nothing more than doing the job of a district judge. Great for attorneys to get \$375 an hour and to be guaranteed that the family judges will give away every confrontational case they have. And, increases obstruction of a child's care and protection that may have saved Austin, Logan, and Caleb.*

**Eighth.** One currently can experience pathological lying in a family courtroom from attorneys, plaintiffs, and respondents where the lies are illegal. Outside of the courtroom processes THERE WOULD BE ABSOLUTELY NO TRUTH – because it is not illegal to lie. And, the processes of the "Arbitration organization" are not recorded, creating a lying "free for all" environment to determine the "Best interest of the child". Bad idea.

**Ninth.** One could call this legislation unconstitutional. Has all of the Committee on Judiciary and all legislators read this HB2496 COMPLETELY - AND UNDERSTOOD IT? One should not sign what they do not understand. This was written by an attorney for attorneys - not to help children and parents. Good for attorneys and BAD for children and parents.

**HB 2496 is a VERY BAD IDEA FOR KANSAS CHILDREN AND PARENTS.**

*Here is some additional legislation that the National Parents Organization may find of concern in effecting Kansas children and parents. Please consider having other NPO members review the following House Bills and Senate Bills:*

**KS - HB2647** - Adding a parent's history of committing child sexual abuse to the factors the court shall consider in awarding legal custody. Legislators are at least writing bills in the right direction. One would want to make sure accused innocent fathers are protected from perjury and stop false police reporting. This bill will have little effect on court's decision. Abuse factors for custody are covered in current statues K.S.A. 23-3203(a)(9)(A)(B)(15)(16)(17)(18)(b).

**HB 2539** - Violence in the presence of children - BAD legislation - Vague definitions of abuse, and is State infringement on parent's Rights in their home. Other laws cover this situation, or legislators could revise current statues. No one wants violence in the presence of children, but there are other way to stop it.

**SB 406** - Back the blue - VERY BAD bill - Anti 2A gun seizure from exparte complaint, including false reports. Exparte false reporting for protection orders ARE NOT PROSECUTED. Many relationship separations include an instant protection order to remove the father from his children and home. *I personally have 8 POs from Leavenworth, and I don't live there, and I have received 8 DCF complaints from Topeka.* Law enforcement and district attorneys DO NOT STOP FALSE REPORTING (KSA 21-6103). The KBI should legally receive notice of PO complaints (KSA 22-2310(b)(9)), and could investigate after maybe 4 dismissed POs on an individual. DCF could investigate after maybe SIX unsubstantiated cases against a father, or maybe after EIGHT false reports and then someone could investigate.

Now with SB406, a false exparte complaint and then one can have the sheriff seize one's 2A rights. This is an anti 2A effort, and is identical to SB192 / HB2251 legislation introduced previous years, now it has 8 pages instead of 11 pages. Current PO statutes contain limitations on 2A rights and prohibits contact with firearms. High risk of confrontation with seizure of one's 2A rights. High expense to Kansas taxpayers to attack 2A rights, and FIRST, ONE MUST STOP THE FALSE POLICE REPORTING.

**SB 434** - Exemption on open records - Not Good - *State information of reader locations are then hidden from Kansas citizens,* along with a small benefit of exemption of some citizens information. Looks like a hidden state agenda.

**SB294** -Roy'Ale Spencer firearm safety (may not be a 2022 bill) - Not Good - State infringement on personal rights. Expansion of government beyond reason. Anti 2A legislation.

Much of the legislation in the House and Senate are good for Kansas children and families. The following Bills are good.

**HB2609** - GOOD - Allowing restricted driver's license holders to drive to and from worship services.

**SB93** - Money for schools to assist underachieving students - GOOD - Money to help children.

**SB396** - Help low income with housing tax credit - Good - Help low income families.

**B13** - GOOD - Help for low income with payment plan for delinquent taxes.

**SB187** - GOOD - Protection of rights.

**SB212** - GOOD - Protection of rights.

**SB1609** - GOOD - Protection of rights with separation and limitations of executive power.

I appreciated the National Parent's Organization podcast on parental alienation. Episode 5 - Domestic Violence and Shared Parenting – with Dr. Edward Kruk. ***Parental alienation is a form a family violence and is child abuse.*** Your interview with Dr. Kruk addressed many of the concerns and circumstances with shared parenting and the family courts.

***I personally have NOT SEEN MY SON IN OVER ONE AND A HALF YEARS in the Leavenworth Judicial district.*** I have filed twice in the last six months for enforcement of parenting time for my parental rights written in the journal entry. Judge Dan K. Wiley twice in the last 6 months denied even hearing the motion for enforcement of parenting time, and he has allowed the parental alienation CHILD ABUSE of my son. Judge Wiley's cousin is pictured from BWC on the internet in the police station making false reports with my son and his mother. This false police report created protection order number 7 to stop my son from having a father in his life. Nearly every summer in June of the past years I would get another PO to stop summer visitation with my son. False reporting for PO's is not stopped by police, attorneys, or KBI. I have had 40 police reports in TWO years that includes me as suspect, person of interest, or "other", 21 cases in one year, and 9 cases in TWO weeks; and I was NEVER even questioned

by any LV police or DA, and charges were just filed. These actions are breach of oath of office. Corruption and lies kills Kansas children.

***I personally do not know if my son is alive!*** ANYONE READING THIS LETTER PLEASE HELP ME FIND OUT IF MY SON IS ALIVE AND SAFE! This is the results of Kansas family courts, police, attorneys, and child advocate organizations in Leavenworth and other districts. ***WE MUST DO SOMETHING TO HELP KANSAS CHILDREN. "It is easier to build strong children, than to repair broken men." Fredrick Douglas.***

According to federal statistics children raised by single parents account for:

63% of teen suicides;  
70% of juveniles in state-operated institutions;  
71% of high school drop-outs;  
75% of children in chemical abuse centers;  
85% of those in prison;  
85% of children who exhibit behavioral disorders; and  
90% of homeless and runaway children

Legislation should, and will be, written to address parental alienation as a crime. I will attempt writing this legislation for Kansas. I will publish this parental alienation legislation on the internet with my other legislation and information concerning children and Kansas family courts. Legislation is needed to require the KBI to investigate false reporting of 4 or more dismissed protection orders, or 4 or more unsubstantiated DCF complaints. *EIGHT protection orders for one person looks like false reporting in Leavenworth. EIGHT unsubstantiated DCF child abuse complaints from Topeka and the DCF did NOT investigate.* Legislation is needed to help protect children from the results of liars.

As previously communicated with the NPO, I have written legislation that would have derived better results from the state for my son in the previous 12 years of involvement with family courts, CASA, KLS, DCF and schools. Legislation could have stopped the false accusations and lawfare actions of Leavenworth against my son and me.

The internet has published documents and proposed legislation for the "Best Interest of Child" from the family court decisions. (<https://faircourts.net/KansasFairCourtsLegislation.pdf>) Case facts are published in the KLS grievance.

***The follow is simple legislation written for improving the propensity of positive results for children involved with family courts.***

1. Regular drug testing of Kansas judges for substance and mental impairment issues.
2. Increase Kansas voter's ability to NOT retain bad district judges by changing four words in K.S.A. 20-2908 - REPLACE "(a majority)" with "forty percent". DONE - VERY SIMPLE!
3. "PURE" Judicial Peremptory Challenge to immediately replace a judge having bias, prejudice, or Interest in a family law case outcome. Or, when detection or smell of substance during proceedings.
4. DECREASE LYING to police, and in family courts. Fine the liars immediately to prevent harm to children and waste of tax payer's money. Judges or police could instantly write an unclassified misdemeanor citation fining the liar when they are identified, in or out of a courtroom. FINE THE LIARS.
5. Parental alienation child abuse defined as a crime of family violence, remedies with law enforcement and penalties. STOP PARENTIAL ALIENATION.

6. Police, district attorney, and KBI investigation for false reporting by a plaintiff *after an accused father has been proved INNOCENT of 4 or more protection orders, or 4 or more DCF complaints*. Violations of false reporting would be prosecuted, or fined with unclassified misdemeanor citations.

7. Require police, pastors, attorneys, CASA, DCF, and district court personnel to be *trained to identify different types of liars*: sociopathic liars, pathological liars, compulsive liars, occasional liars, careless liars, narcissistic liars, habitual liars, pathetic liars, and white liars. Identify suspected criminal liars.

"Someone lies and a Kansas child could die." (What happened with Austin, Logan, and Caleb?)

Chris, please invite me to the NPO podcasts to discuss my review of Kansas legislation and answer any question. I also want to share my story as a Kansas parent trying to protect, care for, and teach my son to be a good man.

NPO should consider a united effort to STOP SB2496, and to gain support for legislation that would help children and parents. A united NPO Kansas members communication for the 2022 elections would benefit our NPO members, children, and families. The laws for custody are fairly good, but are not followed. "The car is not the problem, it's the driver". I would like to create a Kansas City NPO Chapter.

Again, thank you, and I very much appreciate NPO and Kansas legislators for your time and work to make a positive impact on Kansas children and parents.

Have a good day.

cc: published

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