

## **Amendments to Rule 174: Forms Required in a Child in Need of Care Proceeding**

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

Rule 174 requires certain Kansas Judicial Council forms to be used when entering orders in child in need of care cases. The proposed amendments expand the type and number of forms required to include:

- rulings in SOUL Family Legal Permanency appointments or disputes;
- reinstatements in child in need of care cases when SOUL Family Legal Permanency is ordered; and
- Consent to Appointment of SOUL Family Legal Permanency and Affidavit of SOUL Family Legal Permanency Custodian, when applicable.

Amendments also require the:

- judicial administrator to adopt standard operating procedures to collect data; and
- Supreme Court Task Force on Permanency Planning to approve any new or modified Kansas Judicial Council forms created under this rule.

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

Comment may be made by email to [publiccomments@kscourts.org](mailto:publiccomments@kscourts.org) until 5 p.m. Saturday, October 5, 2024. The subject line must read "Rule 174."

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### **Rule 174**

#### **FORMS REQUIRED IN A CHILD IN NEED OF CARE PROCEEDING**

- (a) **Forms Required; Court Orders.** To ensure compliance with federal and state law, a district court must use the applicable Judicial Council form when entering any of the following orders in a child in need of care proceeding:
- (1) placing a child in the custody of a person other than the child's parent or legal guardian;

- (2) ruling in a permanency hearing;
  - (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) ruling on a SOUL Family Legal Permanency appointment or dispute;
  - (87) terminating the court's jurisdiction; or
  - (9) reinstating a child in need of care case when SOUL Family Legal Permanency was ordered.
- (b) **Attachments.** To include additional information, a district court may attach an additional order or supplemental affidavit to a Judicial Council form required under this rule.
- (c) **Forms Required; Consent and Affidavit.** When applicable, a parent must use the Judicial Council form for Consent to Appointment of SOUL Family Legal Permanency and a custodian must use the Affidavit of SOUL Family Legal Permanency Custodian.
- (~~d~~) **Administrative Matters.**
- (1) **Official File.** A district court must maintain all orders and any attachments in the official file.
  - (2) **~~Required-Data Collection; Entry.~~** The judicial administrator is authorized to adopt standard operating procedures for the collection of data under this rule. A district court must enter all data into the court's case management system that is required under the standard operating procedures all required data described in the Juvenile Compliance Training Manual distributed by the Office of Judicial Administration.
- (~~ed~~) **Form Changes.** ~~The Judicial Council may create, modify, or delete forms required under this rule after review by the Supreme Court Task Force on Permanency Planning~~ must approve any new or modified Judicial Council forms under this rule.