GAL

Kansas

GAL Volunteer Handbook

2026 Edition

Child in Need of Care (CINC) · K.S.A. 38-2201 et seq.

Kansas DCF · KVC / TFI / Saint Francis · CASA of Kansas

GAL National Database · galnationaldatabase.org

1. Program Overview

Kansas's Guardian Ad Litem/CASA system operates through regional programs coordinated under **CASA of Kansas**, affiliated with the National CASA/GAL Association. The primary state child welfare agency is the **Kansas Department for Children and Families (DCF)**. Kansas has a substantially privatized child welfare system — DCF contracts with private case management organizations including **KVC Health Systems**, **TFI Family Services**, and **Saint Francis Community Services** to manage foster care and family services. Kansas uses **Child in Need of Care (CINC)** as its child welfare framework under K.S.A. 38-2201.

State Child Welfare Agency	Kansas DCF
GAL Umbrella Organization	CASA of Kansas
Primary Governing Code	K.S.A. 38-2201 et seq. (CINC)
Court of Jurisdiction	District Court (Juvenile Division)
GAL Appointment Statute	K.S.A. 38-2205
Private Case Mgmt Agencies	KVC, TFI, Saint Francis

2. Legal Foundation

K.S.A. 38-2205

Guardian Ad Litem — Appointment & Duties

Authorizes the juvenile court to appoint a GAL for any child in a CINC proceeding. The GAL must act in the best interests of the child, conduct an independent investigation, attend all hearings, and provide written and oral recommendations to the court.

K.S.A. 38-2202

CINC — Definitions

Defines the multiple categories under which a child may be adjudicated CINC, including physical, mental, or emotional abuse or neglect, sexual abuse, and being without adequate parental care or a safe home environment.

K.S.A. 38-2255 – 38-2258

Dispositional Orders & Case Plans

Governs dispositional options after CINC adjudication and requires a case plan for every child in DCF custody addressing placement, services, and permanency goals. GALs advocate for placement and services best suited to the child's individual needs.

K.S.A. 38-2264

Permanency Hearings

Requires a permanency hearing within 12 months of initial out-of-home placement. Permanency goals include reunification, adoption, guardianship, or another planned permanent living arrangement.

K.S.A. 38-2269 – 38-2270

Termination of Parental Rights

Governs grounds and procedure for involuntary TPR. Grounds include parental unfitness and failure to correct conditions within a reasonable time. State must prove grounds by clear and convincing evidence.

K.S.A. 38-2223

Child Abuse Reporting

Establishes Kansas's mandatory reporter framework. GALs are mandatory reporters. Reports made to the DCF Report Line: 1-800-922-5330. Good-faith reporters have immunity from civil and criminal liability.

3. Your Role as GAL

A Kansas GAL/CASA volunteer serves as the court's independent advocate for the child's best interests under K.S.A. 38-2205. In Kansas's privatized system, the GAL's independence from both DCF *and* the private case management agency is especially important — independently verify that services are actually being delivered, not just referred.

■ Investigate

Review all DCF and private agency records, school files, medical records, and court orders. Interview the child, foster parents, case managers, teachers, and therapists. Visit the current placement to independently assess the child's safety and well-being.

■ Advocate

Present best interests through written reports and oral statements. Independently verify that the private case management agency is delivering the services ordered by the court — not just referrals. Challenge DCF or the private agency when the case plan falls short.

■ Connect

Identify and link the child to services: tutoring, therapy, mentoring, extracurricular activities. Coordinate across DCF, the private agency, the foster family, schools, and community providers.

■ Report

Prepare written court reports before each hearing. Attend all hearings. Always review reports with your CASA supervisor before filing.

4. The Multidisciplinary Team

Role	Function
DCF Case Manager	Overall accountability for the child's case; delegates day-to-day management to private contractor
Private Case Manager (KVC/TFI/Saint Francis)	Contracted agency managing daily case management, placement, and service referrals.
DCF / State Attorney (AAG)	Represents the state in CINC proceedings — not the child independently.
Parent's Attorney	Advocates for reunification and parental rights — not the child's interests.
CASA Volunteer (GAL)	You — independently advocating for the child's best interests.
CASA Supervisor	Reviews reports, provides training and support, liaises with the court.
Foster / Kinship Caregiver	Day-to-day care provider; primary source of current information about the child.

Juvenile Court Judge	Presides over all CINC hearings; issues all orders.

5. The CINC Court Process

1. **DCF Report & Investigation**
   DCF receives a report through the DCF Report Line (1-800-922-5330). If immediate danger exists, DCF takes protective custody and files a CINC petition.

2. **Temporary Custody / Detention Hearing**
   Within 24–72 hours of removal. The court determines whether continued removal is necessary. GAL may be appointed here.

3. **GAL Appointment & Initial Investigation**
   Court appoints GAL/CASA volunteer under K.S.A. 38-2205. Begin reviewing records and contact the child immediately.

4. **Adjudicatory Hearing**
   Within 30 days (if removed) or 60 days of petition. Court determines whether the child is a CINC.

5. **Dispositional Hearing**
   Establishes the case plan, placement, and services under K.S.A. 38-2255. GAL advocates for appropriate placement and services.

6. **Review Hearings**
   At minimum every 6 months. GAL files written report; independently verifies private agency service delivery.

7. **Permanency Hearing**
   Within 12 months of initial placement under K.S.A. 38-2264. GAL advocates for appropriate permanency goal.

8. **TPR & Post-Permanency**
   Petition under K.S.A. 38-2269. GAL continues advocacy through finalization of adoption or guardianship.

6. Hearing Types & GAL Responsibilities

Hearing	Timing	GAL Focus
Detention / Temp. Custody	Within 24–72 hrs of removal	Confirm appointment; assess safety; advocate for appropriate placeme

Adjudicatory	30 days (removed) / 60 days	Present evidence; advocate for best interests
Dispositional	Shortly after adjudication	Recommend placement, services, and case plan
Review	Every 6 months minimum	File report; verify private agency service delivery; advocate for changes
Permanency	Within 12 months of placement	Advocate for appropriate permanency goal; assess concurrent planning
TPR	Per K.S.A. 38-2269 petition	Advocate for child's best interests in TPR proceedings
Post-TPR Review	Every 6 months post-TPR	Monitor adoption/guardianship progress; flag delays

7. ICWA & Tribal Inquiry in Kansas

The Indian Child Welfare Act (ICWA, 25 U.S.C. §§ 1901–1963) applies whenever a child who is or may be an Indian child is the subject of a CINC proceeding. **Kansas is home to four federally recognized tribes**: Prairie Band Potawatomi Nation (Mayetta), Kickapoo Tribe in Kansas (Brown County), Sac & Fox Nation of Missouri in Kansas and Nebraska (Reserve), and Iowa Tribe of Kansas and Nebraska (White Cloud). ICWA inquiry is mandatory in every CINC case.

Mandatory ICWA Inquiry Checklist:

- ✓ Ask both parents and known extended family about any Native American or Alaska Native ancestry at case opening
- ✓ Document the inquiry in case notes — it must appear on the court record at the initial detention hearing
- ✓ If tribal affiliation is indicated, notify the DCF case manager immediately for formal tribal notification
- ✓ The tribe — not the family, DCF, the private agency, or the GAL — determines ICWA eligibility
- ✓ If ICWA applies, placement preferences shift to Indian extended family, tribal members, other Indian foster homes (25 U.S.C. § 1915) — verify the private agency is following ICWA placement preferences
- ✓ Removal standard changes from 'reasonable efforts' to 'active efforts' — verify both DCF and the private agency meet this higher standard

8. Tribal Resources & Contacts

Tribe / Organization	Location	Contact
Prairie Band Potawatomi Nation	Mayetta, KS	(785) 966-4000 | pbpindiantribe.com
Kickapoo Tribe in Kansas	Brown County, KS	(785) 486-2131 | kickapootribeks.org
Iowa Tribe of Kansas and Nebraska	White Cloud, KS	(785) 595-3258 | iowatribe.org
Sac & Fox Nation of MO in KS & NE	Reserve, KS	(785) 742-7471 | sacandfoxks.com
Kansas Urban Indian Health Institute	Wichita, KS	(316) 262-7456 | kuihi.org
BIA Central Office	Oklahoma City, OK	(405) 208-8000 | bia.gov

9. Education Rights of Foster Youth

Education stability is critical for Kansas foster youth. Kansas's implementation of ESSA and McKinney-Vento requires schools to keep foster children in their school of origin and provide transportation across district lines. In Kansas's privatized system, verify that the private case management agency is actually arranging transportation — not just issuing the referral.

Key Education Advocacy Points:

- ✓ Obtain school records and most recent report card at every case review
- ✓ Ask whether the child has an active IEP or 504 Plan — IDEA rights follow the child through all school changes
- ✓ Confirm a School of Origin decision was made at every placement change, and transportation is in place before the move
- ✓ Ask about absences — Kansas law requires foster children's absences to be excused for court-related activities
- ✓ Kansas Extended Foster Care allows youth to remain in care until age 21 under qualifying conditions (K.S.A. 38-2302) — advocate for transition planning starting at age 14
- ✓ Connect youth 14+ to Kansas DCF's Road to Success program for independent living and vocational transition services

10. Courtroom Practice

Before the Hearing

File your written GAL report at least 48 hours before the hearing (per local Sedgwick County court rule). Review DCF's and the private agency's case plan, service logs, and progress reports. Discuss your report and recommendations with your CASA supervisor before submitting.

During the Hearing

Sit at counsel table or in the designated GAL position. Summarize findings and state your recommendation clearly. In Kansas's complex multi-agency system, the GAL's independent assessment is often the clearest voice for the child before the court.

After the Hearing

Review the court's order — including specific service deadlines and providers. Follow up with the private agency to confirm that new services are being arranged promptly. Calendar all deadlines.

If You Disagree

Consult your CASA supervisor immediately. Document continued concerns in subsequent reports. Kansas GALs may file a written objection or request reconsideration through the court.

11. Local Resources — Wichita / Sedgwick County

Organization	Contact
CASA of Sedgwick County	(316) 263-5437 | casasedgwickcounty.org
Child Advocacy Center — Wichita (The Arc)	(316) 660-7860 | sedgwickcounty.org/da/child-advocacy-center
KVC Health Systems — Wichita	(316) 265-9411 | kvc.org
Wichita Children's Home	(316) 858-4700 | wch.org
Rainbows United — Early Childhood	(316) 267-5437 | rainbowsunited.org
Kansas Legal Services — Wichita	(316) 265-9681 | kansaslegalservices.org
COMCARE — Crisis Services	Crisis line: (316) 660-7500 | comcare.org
United Way of the Plains — 2-1-1	Dial 2-1-1 | unitedwayplains.org

12. Mental Health Resources

Organization	Contact
Kansas DCBHDD — Children's Behavioral Health	(785) 296-3773 | kdads.ks.gov
NAMI Kansas	(785) 233-0755 | namikansas.org
Community Mental Health Centers (26 CMHCs)	Locate at kdads.ks.gov/mental-health
Kansas Youth Empowerment Academy (KYEA)	(785) 232-0597 | kyea.org
COMCARE — Sedgwick County Crisis	(316) 660-7500 | comcare.org
988 Suicide & Crisis Lifeline	Dial or text 988 (Kansas local responders)

13. Working with Children — Trauma-Informed Practice

■ Safety First

Meet the child privately, never in front of parents, caseworkers, or agency staff. Establish predictable contact so the child builds trust.

■ Listen & Validate

Allow the child to guide the conversation. Validate feelings without judgment. Do not press for abuse details — that is the forensic interviewer's role.

■ Understand Trauma Responses

Aggression, withdrawal, lying, or defiance are often trauma responses. In Kansas's multi-agency system, children may feel like they are constantly being handed off — acknowledge this disruption.

■ Build on Strengths

Document the child's strengths and interests. Advocate for extracurricular activities that build identity and belonging beyond the foster care system.

■ Developmental Awareness

Adapt communication to the child's developmental stage, not just chronological age. Traumatized children often function at a younger emotional level.

■ Maintain Boundaries

You are an advocate — not a foster parent, therapist, or friend. Follow CASA program guidelines on gifts, contact frequency, and social media.

14. Court Report Writing Guide

Your written GAL report is your most powerful advocacy tool. In Kansas's privatized system, the court often cannot independently verify whether the private case management agency has delivered services — your independent verification is essential.

1. Case Identification: Child's name, case number, DOB, current placement, school, hearing type and date. Note the private case management agency and assigned case manager.

2. Investigation Summary: Contacts since last report: visits with the child, foster parents, case managers, teachers, therapists. Records reviewed. Show independent investigation.

3. Current Placement & Safety: Describe the placement based on direct observation. Note safety, relationships with caregivers, and any concerns.

4. Educational Status: Current school, attendance, academic performance, IEP/504 status, school-of-origin compliance. Note whether private agency arranged transportation.

5. Medical & Mental Health: Independently verify that services ordered at the last hearing are actually being delivered — not just referred — by the private agency.

6. Child's Views: The child's own words about placement, family, school, and wishes. Clearly distinguish statements from your interpretations.

7. Best-Interest Recommendation: Specific recommendation with reasoning connected to your investigation. Name service providers, enrollment deadlines, and reporting requirements.

8. Requested Court Orders: Specific orders requested. For Kansas's privatized system, specify provider, enrollment deadline, and court reporting requirement in every service order.

Important Disclaimer

This handbook is a reference resource only and does not constitute legal advice. Laws, program structures, private agency contracts, and resource availability change frequently. Always verify current information with your supervising GAL staff, attorney advocate, or the relevant agency before relying on it in any legal proceeding. GAL volunteers are officers of the court and should follow their program's official guidance at all times.