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LACK OF TRANSPARANCY In CNC

The code professional responsibility makes no distinction between minor and adults in the quality or representation. The client, even though a child, has the right to make his or her own decisions if capable. If a client if a client is incapacitated, the attorney has to

“ANGER IS THE ACID THAT COULD DO
MORE HARM TO THE VESSEL WHICH IT IS
STORED THAN ANYTHING WHICH IT IS
POURED”

make the decisions on behalf of the client and imposes a higher responsibility for advancing the interest of the incapacitated client. The question arises in each case to whether a particular child is capable of making his or her own decisions. Even small children may have opinion's that are entitled to weight. With infants and very young children however, the guardian ad litem will make the decisions of what is in the child's best intent. As a child approaches adolescences, the question becomes more difficult. No particular age determines maturity and capacity. A mature 12 year old who wants

to return home, in spite of obvious abuse or neglect, has the right to representation of his or her view. The guardian ad litem has the duty to inform the child of all relevant and non-legal consideration. However, if the child of sufficient age and capacity, the authority to make decisions is exclusively the clients, the parents of the child must understand that their statements may be used against them and may form the basis of criminal action. If the parents voluntarily seek “outside” professional help prior to the adjudication or disposition hearing, the court more likely to consider rewriting the family and the attorney should outline to the parents the judges dispositional alternatives and the likelihood of each. In one case, the natural parents argued the court could not consider evidence of parenting skills, which had been considered or found insufficient to sever parental rights in a prior action. The court of appeals found the evidence of continued failure to “parent” to comply with the reintegration plan showed a continued course of conduct, a failure to change or to improve as a parent, which is then deemed sufficient to terminate parental rights. This allows consideration of evidence in

One does not need buildings, money, power, or status to practice the Art of Peace. Heaven is right where you are standing, and that is the place to train.

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a prior termination proceedings. Now there are several factors the court can consider in deciding whether to sever parental rights based on parental unfit decisions and prior proceedings. Also the court may not terminate parental rights just on the basis of the child's "best interest" because the child has been living and doing well with others without a showing of parental unfitness. The statute does not require the court to consider and alternative to termination. The ultimate question to ask in this case "why shouldn't there be an alternative termination. Overview: After reading the law and its statutes, it is plain to see that it is time for the laws to be amended for better transparency. Some of these laws are antiquated and contradicts its self and factors that do not appear relevant, they need to be abolished from the law books. It has come to light the credibility of the system has become extremely malicious, disingenuous and deceitful when it has the

defacto mentality of "why bother trying to be compliant." Depending on our constitutional issues the judges and others (social workers, therapists, case managers, etc.) will acquiesce to the powers that be and totally disregard all expert testimony. The time has come for we the parents to acquire the knowledge needed to stop this form allowing "judicial bias to be the new standard of setting child in need of care cases. It is common knowledge the "status quo" will not be changed and getting them to hold themselves accountable for their actions has et to come to past. All we want as parents is the proper respect, honesty that "they" the system wants from us. So ask yourself whatever happens to common decency, moral and ethical behavior. Below are statutes concerning what the court adheres to in their decisions about "child in need of care" cases.

RELINQUISHMENT:

KSA 38-125

DETERMINING UNFITNESS

KSA 38-1583

INVESTIGATION:

KSA 38-1546 (A) 1993

CHILD AS A WITNESS:

KSA 60-460 (DD) (SUP. 1998)

KSA 60417 (1994)

STATE VS. THRASHER 233 KAN 1016, 1018 666 P. 2D, 722, 724, (1983)

"There is a theory which states that if ever for any reason anyone discovers what exactly the Universe is for and why it is here it will instantly disappear and be replaced by something even more bizarre and inexplicable. There is another that states that this has already happened." Douglas Adams

"To enjoy good health, to bring true happiness to one's family, to bring peace to all, one must first discipline and control one's own mind. If a man can control his mind he can find the way to Enlightenment, and all wisdom and virtue will naturally come to him."