

KY LEGISLATURE

The big winners of Kentucky's 2018 legislative session: Social workers and children



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State social workers, enduring low pay, high caseloads and constant turnover, will be up for pay raises in the coming budget year as well as new equipment to replace outdated cellphones and computers.

Three of the state's most overloaded family court divisions will each get one new judge to help with rising caseloads that include child abuse and neglect, custody, divorce and domestic violence.

And crime victims could benefit from several bills, including a law that would give them expanded rights in court if voters approve a state constitutional amendment for the measure known as "[Marsy's Law](#)."

Those were among those who could be considered winners during the 2018 legislative session that ended Saturday.

The latest: [Bevin can still veto these bills - without being overridden](#)

Marcus Vanover, a family court judge from southeastern Kentucky, said he's grateful lawmakers approved a plan to add a family court judge to his three-

county district as well as one judge each in Bullitt County and Northern Kentucky.

"It's not only good for me but for the people here," said [Vanover, the only family court judge for Pulaski, Lincoln and Rockcastle counties](#). "We'll be able to more promptly meet the needs of the people. We'll be able to focus on each particular case and give the attention each case deserves."

State court statistics from 2017 showed Vanover was the state's busiest family court judge with more than twice the caseload of one judge.

As for state social workers, a pay increase, more workers and other gains in the budget could bring about improvements in an underfunded system that has struggled for years under budget cuts, said Anita Barbee, a professor at the University of Louisville's Kent School of Social Work who tracks social service conditions in Kentucky and other states.

"This will help," Barbee said. "Paying people more will help. This is not rocket science."

Opinion: [We must stand with coal miners seeking compensation they deserve](#)

But while some had reason to celebrate outcomes of the 2018 legislative session, others were disappointed — both with bills that failed and with legislation that passed that they view with disfavor.

For example, a controversial bill to overhaul the state worker's compensation system for injured workers passed with the support of Republicans and the Kentucky Chamber of Commerce who said it would make the state more attractive to potential employers.

"It's going to make us more competitive," said the sponsor, Rep. Adam Koenig, an Erlanger Republican.

But House Bill 2, which limits some benefits and tightens rules for coal miners to qualify for compensation for black lung disease, was vehemently opposed by labor officials, police, firefighters and Democrats including Rep. Al Gentry of Louisville.

Gentry, a geologist who lost an arm on a work site in 1993, said he argued in vain against the bill, which he describes as a "handout to special interest groups."

Most new laws will go into effect in mid-July unless they had an emergency clause that allows them to take effect immediately upon the governor's signature.

Social services

The budget includes about [\\$22.2 million over the next two budget years](#) to give raises of up to 10 percent to state Cabinet for Health and Family Services social workers, who start at \$33,644 a year.

And it includes another \$28 million to hire more social workers and upgrade technology for workers who use outdated computers and phones.

The increase was sought by Gov. Matt Bevin for the cabinet, where officials have said the low pay, high caseloads and job stress have caused frequent turnover and worker vacancies throughout the state.

Must read: [What you need to know about the Kentucky tax reform bill](#)

It also includes about \$28 million over the next two years to pay relatives who care for children removed from homes because of abuse or neglect, either

through foster care payments for those providing temporary care or through a program known as Kinship Care for relatives with permanent custody.

Barbee, the Louisville professor, said more resources should begin to help turn around the embattled state social service system whittled down by a decade of budget cuts. But it won't happen overnight, she said.

"It takes a while to get all these people in place and trained up," she said. "Then you start to see a turnaround. You just need a few years to see it."

Family Courts

The family court changes in House Bill 348, while not the broader measure proposed by Justice John D. Minton Jr. to "redeploy" judges — moving judicial slots from areas where the workload is light to areas where the need is greater — is a start toward addressing areas in the most need, Vanover said.

The bill phases out three judges in areas with lighter caseloads to help make up for hiring the three new family court judges, who will be elected in November and take office in January.

"Here locally, we're very excited about it," Vanover said. "We look forward to Jan. 7 when the new judge would start."

Under HB 348, which takes effect after 2022 when the terms of current judges expire, Bullitt County and a merged Western Kentucky district of four counties each will lose one district judge. Floyd County in Eastern Kentucky will lose one of its two circuit judges.

From January: [Marsy's Law for crime victims sails through Kentucky legislature](#)

Crime victims, marriage laws

Starting this summer, teens under 17 will no longer be able to get marriage licenses under a "[child bride](#)" [bill passed by lawmakers](#) that would change a decades-old practice of allowing young teens to marry.

Senate Bill 48, sponsored By Sen. Julia Raque Adams, a Louisville Republican, foundered amid concerns about parents' rights, but it picked up speed after a social media storm critical of lawmakers.

Adams said the bill will protect children in Kentucky, especially girls sexually exploited by older men, which supporters have said is a common factor in marriages of underage girls.

Background: [Kentucky's 'child bride' bill is revised amid outrage on social media](#)

Advocates for the bill included two women who said they were married as teens, one at 13 and the other at 16, to abusive older men.

SB 48 would establish 18 as the legal age for marriage in Kentucky but would allow 17-year-olds to marry with the permission of family or district court judges. Under a change made in the Senate, parents would be able to inform the judge about their opinions, but the final decision would be made by the court.

Another measure aimed at protecting younger teens, House Bill 101, was approved by lawmakers. It makes it an offense for someone who is 10 years older to have sex with a 16- or 17-year-old.

Current law considers 16 as the age of consent for sex, but HB 101 says a teen 16 or 17 is incapable of consent if the other party is at least 10 years older than the victim.

And legislators, after several years of trying, passed a so-called "revenge porn" bill to increase penalties for posting sexually explicit images online without the consent of the person depicted. House Bill 71 would be make it a misdemeanor for the first offense and a felony for subsequent offenses.

Supporters of a bill known as [Marsy's Law](#) were elated by the passage of Senate Bill 3, meant to give crime victims more standing in the criminal justice system, which they argue is tilted toward the person accused of a crime.

SB 3, named for a California college student killed by a stalker in 1983, is part of a national movement and had been pushed in Kentucky for several years despite objections of groups including defense lawyers and civil liberties advocates.

The bill would create a new section of the state constitution to provide rights for crime victims. It would give victims rights equal to the accused, including the right to be notified of court proceedings, to attend all proceedings, to be heard at plea or sentencing hearings, to obtain reasonable protection from the accused and to be guaranteed a meaningful role in the criminal justice system.

Because it would be an amendment to Kentucky Constitution, it must be approved by voters in November.

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