

Kansas Judicial Branch

# 2023 Annual Report



*Captions from cover. From top to bottom:*

**Constitution Day Reading** Justices Evelyn Wilson and Eric Rosen take turns reading from the U.S. Constitution in celebration of Constitution Day.

**Gubernatorial inauguration** Chief Justice Marla Luckert swears in Justice Dan Biles at the gubernatorial inauguration ceremony.

**Kansas Civic Games** 60 students from 15 schools pose for a group photo at the Kansas Civics Games.

**State of the Judiciary** Chief Justice Marla Luckert gives her State of the Judiciary speech to a joint session of the Kansas Legislature.

**Gubernatorial inauguration** Chief Justice Marla Luckert looks on as Lt. Gov. David Toland and Gov. Laura Kelly sign their oaths of office after being sworn in to office in the gubernatorial inauguration ceremony.

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Kansas Judicial Branch  
2023 Annual Report  
Chief Justice Marla Luckert  
Submitted under K.S.A. 20-320

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Kansas Judicial Branch  
301 SW 10th Avenue  
Topeka, KS 66612-1507

# Introduction

**Dear Governor Kelly, Chair Warren, and Chair Humphries:**

As chief justice of the Kansas Supreme Court, I proudly submit this report highlighting 2023 Kansas judicial branch operations and accomplishments. The year presented us one enormous challenge as well as many opportunities.

On October 12, affiliates of a Russian-based ransomware group infiltrated judicial branch computer systems. In doing so, they attacked a foundational institution of our democratic society—one of our three branches of state government. These criminals acted against all Kansans, our state, and our democratic institutions.

To respond to this breach, the judicial branch worked in phases: containment, mitigation, system decontamination, restoration, and fortification of our computer systems. Another phase, the forensic investigation to verify what happened and all it affected, began immediately.

Court processes continued following the cyberattack, but Kansans and judicial branch employees missed the efficiencies electronic services provide. As we approached year-end, district courts returned to using the Kansas eCourt case management system, and their use of the Kansas Courts eFiling system was imminent. Access to the Kansas District Court Public Access Portal would accompany restoration of eFiling.

This high-level overview of our response and recovery belies the level of effort required of the people who carried out the work. Countless people worked daytime, nighttime, and weekend hours to restore electronic court operations as quickly and as safely as possible. Others worked to modify court processes, enabling courts to continue operating until access to court information systems was restored. To them, I offer my heartfelt gratitude for their commitment to our court system and the people of Kansas.

I also offer my sincere thanks to the people and organizations that supported us throughout our response and recovery.

*Continued on next page*



## INTRODUCTION

We could not have accomplished as much as we did as quickly as we did without the crucial support we received from the executive and legislative branches of government, the legal community, our justice system partners, and the people of Kansas.

Through it all, I am proud to say the judicial branch was made stronger and our information systems more secure. We are eager to share what we learned from this experience with state and local government and court systems nationwide.

The cyberattack and recovery may have dominated the last quarter of calendar year 2023, but we must not allow it to overshadow the many creative initiatives carried out by judges and judicial branch employees in partnership with others.

These initiatives reflect the work of many Kansans. They include the Kansas Rural Justice Initiative, the growing number of specialty courts across the state, increasing number of self-help centers, the Kansas Child Welfare Summit, and more.

The following pages cover these initiatives and provide a glimpse into the day-to-day work of judges and judicial branch employees who are vital to your communities because they ensure Kansans have access to their judicial system and to justice.

I thank our judges and employees for their patience and determination to continue to deliver service to Kansans as we recovered from the cyberattack.

I also reiterate my sincere thanks to the people of Kansas, including the attorney community. The cyberattack required Kansans and attorneys to adapt quickly, and I appreciate their patience and grace as we worked to harden our systems and bring them back online in the safest manner possible.

Our partnerships with our sister branches of government were also vital to our recovery efforts. We leaned on those partnerships to identify resources, offer guidance, and quickly evaluate our cybersecurity efforts now and in the years to come.

Their support extends beyond these efforts, however. For example, through 2023 House Substitute for Senate Bill 229 the Legislature and Governor Laura Kelly globally addressed several pay issues—legislative, statewide executive offices, and judicial. For the judicial branch, the change invoked in this bill is historic. On behalf of my judicial branch colleagues, I offer a deeply felt thank you to the Legislature and Governor Kelly for all your efforts and assistance.



# Year in Review

January 1 to December 31, 2023

Kansas courts are involved in a variety of events, activities, and initiatives that contribute to modern, well-run courts designed to meet the needs of communities statewide.

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## Year in Review January 1 to December 31, 2023

### January

#### 📷 January 9

Chief Justice Marla Luckert swore in Governor Laura Kelly and other statewide elected officials at the gubernatorial inauguration ceremony.

Chief Justice Luckert, Supreme Court justices, and Court of Appeals judges were also sworn in for their new terms.

#### January 11

Chief Justice Luckert gave her State of the Judiciary speech to a joint session of the Kansas Legislature.

#### 📷 January 25-27

The judicial branch hosted a record number of new judges for new judge orientation. The large number was due to many retirements over the last year and 23 new judge posts—the first since 2008—certified by the Supreme Court after the Kansas Legislature provided funding for them.

### February

#### February 22-24

The Supreme Court hosted an orientation for new chief judges to provide specialized instruction and support on their roles and responsibilities.

The Office of Judicial Administration hosted the annual chief judges conference. Chief judges from across the state participated in roundtable discussions with their colleagues, received updates on Supreme Court initiatives, and attended meetings with their departmental justices.



**1 Gubernatorial inauguration** Chief Justice Marla Luckert swears in Justice Dan Biles at the gubernatorial inauguration ceremony. **2 Gubernatorial inauguration** Chief Justice Marla Luckert looks on as Lt. Gov. David Toland and Gov. Laura Kelly sign their oaths of office after being sworn in to office in the gubernatorial inauguration ceremony. **3 New judge orientation** A record number of new judges completed orientation in January. **4 18th Judicial District go-live** Staff from the Office of Judicial Administration and the 18th Judicial District work through steps to bring the court onto the Kansas eCourt case management system. **5 Kansas Civics Games** A high school team competing in the Kansas Civics Games tries to persuade judges that election day should or should not be a national holiday.



## March

### March 28

The judicial branch hosted attorneys and judges at the Judicial Center to develop or improve their skills as continuing legal education presenters. The training is part of Kansas Continuing Legal Education's ongoing efforts to increase the quality and availability of speakers for continuing legal education programs.

## April

### 📷 April 3

District courts in the 3rd Judicial District (Shawnee County), the 7th Judicial District (Douglas County), and the 29th Judicial District (Wyandotte County) transitioned to the Kansas eCourt case management system.

### 📷 April 6

In partnership with the Kansas Press Association, the Office of Judicial Administration hosted the Kansas Civics Games. The Kansas Press Association organizes the event for high school students to promote learning about civics. It was the second year for the annual event and the first conducted in person.

### April 11

Court of Appeals Judges David Bruns, Henry Green Jr., and Sarah Warner heard oral arguments at Johnson County Community College.

The Kansas Supreme Court traveled to Concordia High School to hear two cases in its outreach to familiarize Kansans with the court, its work, and the overall role of the judiciary. Over two days, justices and local judges spoke to students at 13 schools about the Kansas judicial system. The justices also met with attorneys, community leaders, and members of the public.



### **April 11-12**

The Office of Judicial Administration hosted its annual spring Best Practices in Kansas Child Welfare Law. Over two days, national and state presenters delivered continuing education training to 520 child welfare partners, including parent and adoption attorneys, guardians ad litem, and social workers. The theme was how to engage with families involved in the child welfare system who are affected by substance use disorders and related ethical issues.

### **April 20**

Rooks County hosted a Centennial Celebration of the Rooks County Courthouse in Stockton.

### **April 23-25**

The Office of Judicial Administration hosted the annual municipal judges conference in Wichita. 150 municipal judges from across the state learned about developments in the law and resources to help them operate their courts.

### **April 25-26**

Court of Appeals Judges Kim Schroeder, Amy Cline, Lesley Isherwood, and Angela Coble discussed the Kansas judicial system with lawyers, college students, and high school students in Hays.

### **April 26**

The Kansas judicial branch hosted continuing legal education providers from across the country at the CLE Providers Conference. Kansas Continuing Legal Education accredits more than 14,000 CLE programs from nearly 1,000 providers each compliance period. Staff use the conference to educate CLE providers about Kansas requirements.



**1 & 2 New attorney swearing-in** New attorneys are sworn in in the Supreme Court Courtroom. **3 Well-being Week in Law** Court staff gather in front of the Kansas Judicial Center in preparation for the fun run (or walk). **4 Sumner County Help Center** Sumner County District Court new self-help center.

### 📷 April 28

The Supreme Court hosted a swearing-in ceremony in its courtroom for 22 new Kansas attorneys who passed the February bar examination. The Supreme Court presided over the Kansas oath and District Magistrate Judge Rachel Schwartz, U.S. District Court for the District of Kansas, administered the federal oath.

## May

### 📷 May 1-5

The Kansas Task Force for Lawyer Well-Being recognized Well-Being Week in Law by hosting activities to promote wellness in several aspects of life, including mindfulness, career and intellectual well-being, social well-being, emotional well-being, and physical well-being.

Douglas County District Court opened its legal self-help center. It will help the public understand court processes and find resources, including court forms.

Sumner County opened a self-help center in its courthouse. Visitors can research case records, complete and print forms, make payments, and file for protection orders.

In recognition of Mental Health Awareness Month, judicial branch employees hosted several events to raise awareness about mental health issues and available resources.

The 8th Judicial District (Dickinson, Geary, Marion, and Morris counties) hosted its first expungement clinic in Geary County. District Magistrate Judge Amy Coppola worked with Kansas Legal Services to bring the clinic to Junction City. The clinic was to allow people who had prior court cases to apply for expungement if they met certain criteria and had no subsequent cases.



### May 9

Court of Appeals Judges Sarah Warner, Angela Coble, and Rachel Pickering heard oral arguments at the Huck Boyd Community Center in Phillipsburg. Students from several area high schools attended. Before the morning oral arguments, the judges discussed the court system and explained how a case progresses from filing to trial to appeal.

## June

### June 5

The Office of Judicial Administration hosted a statewide professional development conference for court managers in Manhattan. Beyond professional development, judicial branch managers were able to interact with their colleagues and hear updates about changes in the judicial branch.

## August

### August 7

The 18th Judicial District (Sedgwick County) transitioned to the Kansas eCourt case management system.

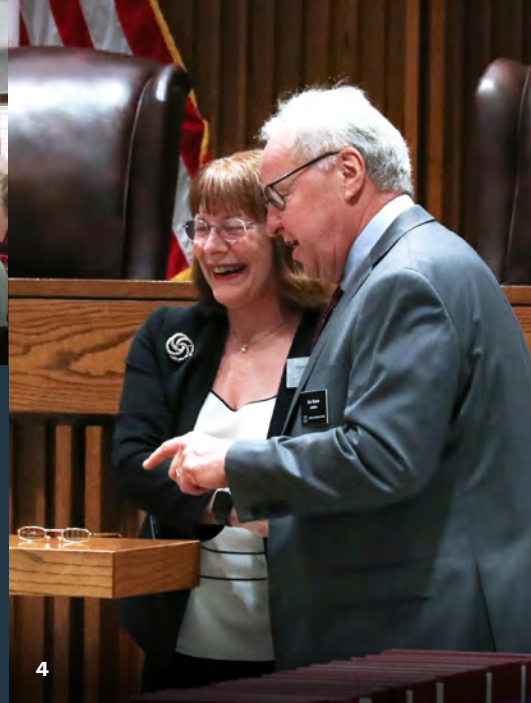
### August 22

The Office of Judicial Administration hosted its annual summer Best Practices in Child Welfare Law training. Almost 400 justice partners, including parent and adoption attorneys, guardians ad litem, and social workers attended the training in person and online.

At the best practices training, Justice Melissa Standridge was joined by Chief Justice Luckert, Secretary Laura Howard of the Department for Children and Families, Senate President Ty Masterson, and House Majority Leader Chris Croft to announce plans for the 2024 Child Welfare Summit scheduled April 15–16 in Topeka. The summit will bring together child welfare partners, the legal community, all three branches of government, and people with lived experience within the child welfare system to discuss current barriers and create plans to bring lasting change to child welfare in Kansas.



**1 Child Welfare Summit announcement** Justice Melissa Standridge is joined by Chief Justice Luckert, Secretary Laura Howard of the Department for Children and Families, Senate President Ty Masterson, and House Majority Leader Chris Croft to announce the 2024 Child Welfare Summit at the annual summer child welfare law training. **2 Rural Justice Initiative Committee meeting in Great Bend** Charles Peckham, attorney from Atwood; Judge Tom Drees, 23rd Judicial District; Joslyn Kusiak, attorney from Independence; and Ashley Comeau, attorney from Plainville. **3 Sedgwick County veterans treatment court** Chief Judge Jeffrey Goering, 18th Judicial District; Pete Meitzner, Sedgwick County Commissioner; Jonathan VanderPlas, general counsel, U.S. Senate Veterans' Affairs Committee; Retired Chief Justice Lawton Nuss; Judge Rodger Woods, veterans treatment court judge, 18th Judicial District; and Chief Justice Marla Luckert (speaking). **4 Constitution Day Reading** Justices Evelyn Wilson and Eric Rosen take turns reading from the U.S. Constitution in celebration of Constitution Day.



### 📷 August 25

The Rural Justice Initiative Committee met in Great Bend on the invitation of Rep. Tory Marie Blew, who serves on the committee. The initiative brings together judges, attorneys, and community members to address the attorney shortage in Kansas. The Great Bend committee meeting included a community roundtable discussion during which legal professionals from the area discussed how the attorney shortage affects their communities.

### 📷 September 5

Leavenworth County District Court hosted an opening ceremony for its new veterans treatment court. Speakers included U.S. Senator Jerry Moran, who helped procure federal funding for several Kansas veterans treatment courts, and Major General Clyde J. “Butch” Tate II, a Leavenworth native who’s an advisor and advocate for national, state, and local initiatives addressing the legal needs of military personnel, veterans, and families, including veterans treatment courts.

## September 📷 September 18

The Supreme Court celebrated Constitution Day with a reading of the U.S. Constitution in the Supreme Court Courtroom.

### September 19

Court of Appeals Judges David Bruns and Rachel Pickering and Senior Judge Timothy Lahey heard oral arguments at Kansas State University in Manhattan in observance of Constitution Day.

### September 22

Sedgwick County District Court hosted an opening ceremony for its new veterans treatment court. Retired Chief Justice Lawton Nuss—who was honored the next day by the University of Kansas for his public service and work with veterans treatment courts—was one of several speakers.



**1 Hispanic Heritage Month** On stage in the auditorium at Garden City High School. Becca Valdovinos Kaye, Janet Lazalde, Kaitlin Alegria, Monique Garcia, and Judge Rachel Pickering. **2 Pro Bono honorees** Justice Melissa Standridge, Robert Moody, Daren Bruschi, Matt Keenan, Chief Justice Marla Luckert, Scott Stockwell, Matt Ellis, Justice K.J. Wall, and Justice Evelyn Wilson.

### 📷 September 25-26

Court of Appeals Judge Rachel Pickering led a group of Hispanic women visiting schools in southwest Kansas to discuss careers in law. The group visited with students at Liberal High School, Seward County Community College, Garden City High School, Garden City Community College, Dodge City High School, and Dodge City Community College.

## October

### October 3

The Supreme Court hosted a swearing-in ceremony at the Topeka Performing Arts Center for 120 new Kansas attorneys who passed the July bar examination. The Supreme Court presided over the Kansas oath and District Judge Daniel Crabtree, U.S. District Court for the District of Kansas, administered the federal oath.

### October 6

The Chase County Courthouse hosted a sesquicentennial celebration that included tours of the historic courthouse, live music, and a fireworks display.

### 📷 October 23

As part of the American Bar Association's 2023 National Celebration of Pro Bono, the Supreme Court honored members of the legal community who have made meaningful contributions to pro bono efforts in Kansas. They were invited to lunch with the court at the Kansas Judicial Center. Honorees are Robert Moody of Martin Pringle, Daren Bruschi of T-Mobile, Scott Stockwell of Code KC/Ad Astra Legal LC, and Matt Ellis of Koch Industries.



### **October 26-27**

The annual Judicial Conference took place in Overland Park. This is a mandatory conference for all Kansas judges and includes various speakers and presenters to meet the judges' continuing judicial education requirements.

## **November** **November 3**

The Supreme Court heard oral arguments in the new Washburn University School of Law building, after which they had lunch with law school students.

### **November 6**

Shawnee County District Court hosted an opening ceremony for its new veterans treatment court. Retired Chief Justice Lawton Nuss, Chief Judge Steven Ebberts, and Judges William Ossmann and Lori Dougherty-Bichsel provided remarks.

### **November 14**

The Kansas Supreme Court conducted a special evening session at Dodge City High School as part of its ongoing outreach to Kansas communities. Justices partnered with local judges to speak to students from nine schools within the six-county 16th Judicial District.

### **November 15**

The Rural Justice Initiative Committee hosted a panel of attorneys from the Dodge City area to share their insights about recruiting and retaining attorneys in rural Kansas.



Municipal clerks participate in the annual Municipal Clerks Conference.



# Constitution of the State of Kansas;

Adopted at Wyandot July 29<sup>th</sup> 1859.

## Supreme Court Overview

The Supreme Court is the highest court in Kansas, but it is responsible for more than deciding cases. It also manages the judicial branch of government, regulates the practice of law, and approves rules of procedure and practice used throughout state courts in Kansas.

"The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, district courts, and such courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state."

Article III, Section 1 of the Kansas Constitution



Supreme Court justices listen to oral arguments in the auditorium at Concordia High School.

# Supreme Court Overview

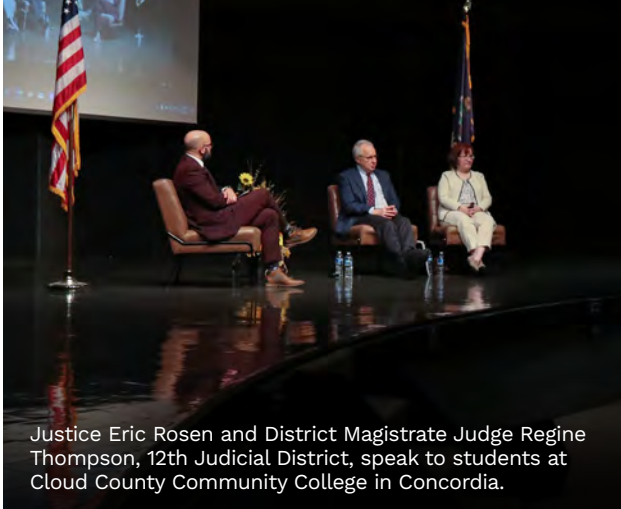
Article III of the Kansas Constitution defines the role and duties of all Kansas courts, including those of the Kansas Supreme Court. The Supreme Court's seven justices administer all courts in Kansas. The court also decides appeals of decisions made by an administrative agency, a district court (also known as a trial court), or the Court of Appeals.

The court also resolves disputes that can originate in the Kansas Supreme Court under either Article III or Article X of the Kansas Constitution. These original actions include disputes about the apportionment of representation in the Kansas Legislature, as well as a public official's wrongful restraint of someone, failure to perform a duty, or need for an authoritative interpretation of the law. The court's decisions set legal precedent about Kansas law that other courts must follow.

## **Supreme Court docket**

The Supreme Court resolves cases throughout the year, some after hearing oral arguments and others after reading written arguments.

As an appellate court, the Supreme Court does not conduct trials, hear witness testimony, or reweigh evidence. Juries, district court judges, and administrative hearing officers listen to testimony and consider evidence. They resolve disputes about facts through verdicts and findings of fact. The Supreme Court reviews the fact-finder's decision for possible legal errors claimed by litigants in their briefs.



Justice Eric Rosen and District Magistrate Judge Regine Thompson, 12th Judicial District, speak to students at Cloud County Community College in Concordia.



Justice Evelyn Wilson visits with Representative Susan Concannon (Legislative District 107), Senator Elaine Bowers (Legislative District 36), and others in the public reception following oral arguments in Concordia.

After the parties file their written arguments, the court will set many for oral argument. Oral arguments are open to the public and they are also livestreamed. Learn more at [www.kscourts.org/About-the-Courts/Supreme-Court/Oral-Arguments](http://www.kscourts.org/About-the-Courts/Supreme-Court/Oral-Arguments).

After reviewing the parties’ arguments, justices will discuss claimed errors and decide whether the errors affected the case outcome. The justices will issue a written decision. A justice who disagrees with the decision may file a dissent.

As a public education effort, the Office of Judicial Administration communications team created the video, "Supreme Court Guide to Oral Argument." It features Doug Shima, clerk of the appellate courts, in the courtroom describing oral arguments and the case process at the appellate level.



**Supreme Court  
Guide to Oral  
Argument video**  
<https://bit.ly/3PIRSDI>

**Supreme Court travel docket**

The Supreme Court usually conducts court at the Kansas Judicial Center in Topeka, but twice a year it travels to two communities to hear cases. Oral arguments in Topeka are during the day. During community visits, the court hears oral arguments in the evening, when the public can attend more easily. Justices also visit nearby schools, community colleges, and universities. These visits give the public a chance to watch its judicial system in action and learn how courts may impact them and their community. Like all dockets, oral arguments are livestreamed on the Supreme Court YouTube channel.

In 2023, the Supreme Court conducted travel dockets in Concordia and Dodge City.

**Concordia**

- The court heard two cases April 11 at Concordia High School. While there, justices visited schools in Beloit, Clay Center, Concordia, Lincoln, Mankato, Minneapolis, and Smith Center. Students from Bennington, Glasco, Lakeside, Miltonvale, Sylvan-Lucas, and Tescott traveled to neighboring schools to attend court presentations.
- In total, the court reached more than 1,000 students.



Justice Caleb Stegall speaks to students at Lincoln High School in Lincoln.

### *Dodge City*

- The court heard two cases November 14 at Dodge City High School.
- During this trip, justices spoke with students at high schools and community colleges in Ashland, Coldwater, Dodge City, Greensburg, Meade, and Montezuma.
- In total, the court reached more than 850 students.

### **Kansas court system administration**

Another important Supreme Court function is administering the Kansas court system. The chief justice serves as court spokesperson and exercises the court's general administrative authority over all state courts.

Each of the other six justices serves as a departmental justice for one of the state's six judicial departments. The departmental justices oversee administrative matters for the district courts within the judicial department.

Each Supreme Court justice also serves in multiple liaison roles between the court and the many boards and committees supporting the court, as well as for programs and initiatives led by the Office of Judicial Administration. Two current initiatives focus on child welfare cases and an attorney shortage in rural Kansas.

In 2024, the Rural Justice Initiative led by Justice K.J. Wall plans to report to the Supreme Court its findings and recommendations for addressing access to justice issues in rural Kansas.

The child welfare initiative includes two projects. One is planning a child welfare summit and the other is beginning three pilot family treatment courts.

## Child Welfare Summit in April 2024

In August, the Supreme Court announced plans for a two-day Child Welfare Summit in April 2024, an initiative led by Justice Melissa Standridge. The summit will assemble state and local leaders and child welfare partners to encourage partnership on efforts that create lasting improvement in child welfare.

In announcing the summit, Justice Standridge and Chief Justice Luckert were joined by Senate President Ty Masterson, House Majority Leader Chris Croft, and Secretary Laura Howard of the Department for Children and Families.

This is the second three-branch summit led by the judicial branch. The first focused on mental and behavioral health issues. Learning and productive discussion at that summit inspired other efforts to improve our state response to people with mental or behavioral health issues who become involved with the court system. The Child Welfare Summit will similarly bring together interested parties willing to work on improvements to our state's handling of child welfare cases.

Also in 2023, in partnership with the Department for Children and Families, district courts in three counties—Miami, Lyon, and Cowley—began planning for pilot family treatment courts. These courts focus on child abuse or neglect cases in which parental substance use is a contributing factor. Like other specialty courts, a team of judges, court personnel, attorneys, treatment professionals, and other community partners will work together to develop plans for children to have safe, permanent homes and for parents to achieve a stable recovery.

## Supreme Court rules

Each year, the Supreme Court considers proposals for new rules and amendments to current rules. These rules guide Kansas courts and help them conduct their administrative functions in a fair, efficient, and fiscally responsible manner.

New or amended Supreme Court rules adopted in 2023 are:

- New Supreme Court Rule 1203 requires a municipal court to provide information as prescribed by the court or judicial administrator. It also requires each municipal court to provide an annual caseload report.
- The Temporary Rule for Filing in a District Court by Self-Represented Litigant was updated May 3. The rule was first adopted during the COVID-19 pandemic. Updates in 2023 omit references to COVID-19 and continue to emphasize the need to increase access to justice for self-represented litigants. District courts are still required to have a drop box unless exempted by the Office of Judicial Administration.
- New Supreme Court Rule 160 applies when district courts provide public access to live proceeding by electronic means, whether it's by livestream, closed-circuit feed, or recording. When adopting Rule 160, the court rescinded temporary rules put in place during the COVID-19 pandemic that served as a guide for making proceedings available through court-initiated livestreams.





Justice Eric Rosen and District Magistrate Judge Regine Thompson, 12th Judicial District, speak to students at Cloud County Community College in Concordia.



# Court of Appeals Overview

The Court of Appeals is an intermediate appellate court. It is also a traveling court. Three-judge panels regularly leave the court's official station in Topeka to visit other cities to hear cases. Court of Appeals judges also serve on court committees and deliver educational programs.

*On January 10, 1977, there shall be and is hereby established a court of record which shall be known as the court of appeals. The court of appeals shall be a part of the court of justice in which the judicial power of the state is vested by section 1 of article 3 of the Constitution of the state of Kansas and shall be subject to the general administrative authority of the Supreme Court.*

K.S.A. 20-3001

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Judge Rachel Pickering takes her oath of office with her son and husband standing near. The oath was administered by Chief Judge Karen Arnold-Burger.

# Court of Appeals Overview



*Chief Judge*  
**Karen Arnold-Burger**

In 1895, the Legislature created the Kansas Court of Appeals to help the Supreme Court respond to Kansas' rapidly increasing population at the end of the 19th century. Six years later, the court expired and was nonexistent until 1977, when today's Court of Appeals was statutorily created as a seven-member intermediate appellate court. It was expanded to 10 members in 1987. Between 2003 and 2013, four new positions were created.

The Court of Appeals hears appeals from orders of the Kansas Corporation Commission and from district courts in both civil and criminal cases, except those that may be appealed directly to the Supreme Court. It may hear appeals en banc, which is when all 14 judges are present and participate in deciding a case. Most frequently, the court sits in panels of three judges.

Like the Supreme Court, the Court of Appeals decides cases by reading the trial record and written briefs and hearing oral arguments from attorneys.





Judge Rachel Pickering, Senior Judge Timothy Lahey, and Judge David Bruns answer students' questions at a special session in Forum Hall, Kansas State University Union, Manhattan.



Court of Appeals judges listen to oral argument at a special session at the Bowlus Fine Arts Center in Iola.

### **New judge joins court**

Judge Rachel Pickering was sworn-in April 27, 2023, as a Court of Appeals judge. Judge Pickering filled a vacancy created when Judge Anthony Powell retired. Pickering attended law school at the University of Missouri-Columbia and practiced criminal law in Topeka. She worked at both the Appellate Defender Office and the Third Judicial District Public Defender Office. She later became an assistant district attorney in the Shawnee County District Attorney's Office. She served as an assistant solicitor general in the Kansas Attorney General's Office and was then appointed as a district court judge in the 3rd Judicial District. Judge Pickering is the first Hispanic judge to serve on the Court of Appeals.

### **Court of Appeals dockets and outreach**

Court of Appeals judges traveled to hear oral arguments in Fredonia, Iola, Johnson County, Kansas City, Leavenworth, Manhattan, Phillipsburg, and Wichita. During those visits, the judges spoke with local students in Abilene, Overland Park, and Phillipsburg, and engaged with almost 500 high school and college students in Iola.

Court of Appeals judges also connect with bar associations, communities, and the public by providing continuing legal education and presentations on the judicial branch. Continuing legal education presentations in 2023 included oral argument tips, legal writing in a hybrid world, law practice management, professionalism and ethics, and courageous Kansas attorneys.

Court of Appeals judges provided continuing legal education to several organizations, including:

- Allen County Bar Association
- Johnson County Bar Association
- Kansas Association of Defense Counsel
- Kansas Legal Services
- Kansas Paralegal Association
- Kansas Trial Lawyers Association
- Kansas Sentencing Commission
- Kansas Women Attorneys Association
- Southwest Kansas Bar Association



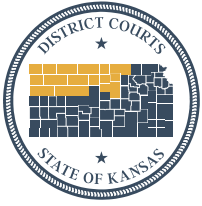
Judge Rachel Pickering is hugged by Judge Lesley Isherwood, as the new judge greets her colleagues on the Court of Appeals following her swearing-in.

A man in a dark suit, light shirt, and patterned tie is speaking at a podium. He is holding a microphone in his right hand. Behind him is an American flag. A nameplate on the podium reads "JUSTICE K.J. WA".

# Judicial Department Spotlight

By shining a spotlight on different aspects of district court operations, we give insider perspective on how courts operate. We show how an attorney shortage acutely felt in rural Kansas is also experienced in urban courts, highlight existing and upcoming court initiatives, and describe the relationships that keep our courts running.

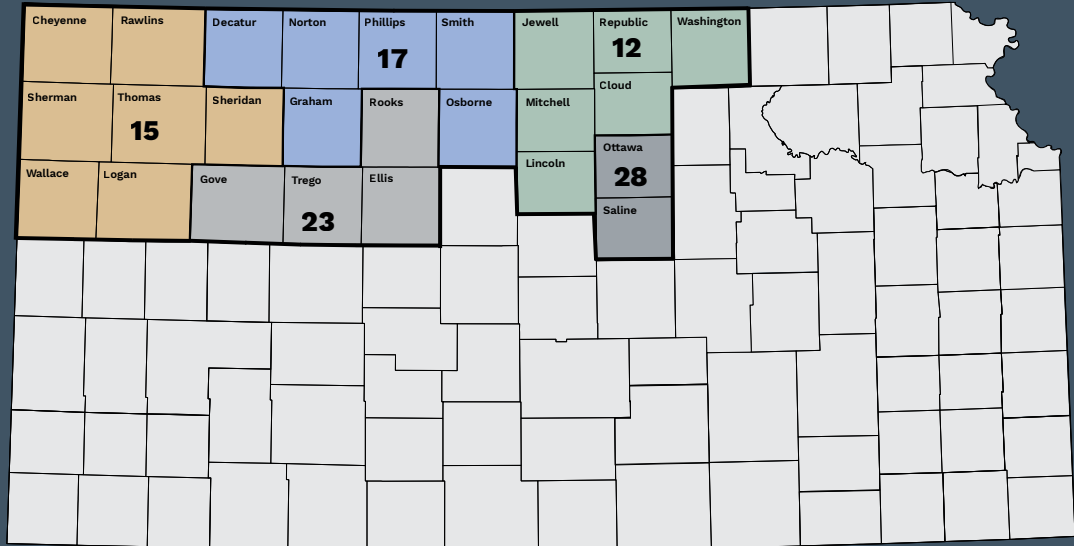
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# 1st Judicial Department

12th • 15th • 17th • 23rd • 28th Judicial Districts

## District Map



*Chief Judge*  
**Kevin Berens**  
15th Judicial District

- Cheyenne, Logan, Rawlins, Sheridan, Sherman, Thomas, and Wallace counties
- 2 district judges
- 6 district magistrate judges



*Chief Judge*  
**Preston Pratt**  
17th Judicial District

- Decatur, Graham, Norton, Osborne, Phillips, and Smith counties
- 2 district judges
- 5 district magistrate judges



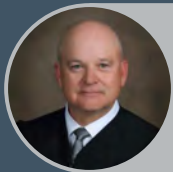
*Chief Judge*  
**Kim Cudney**  
12th Judicial District

- Cloud, Jewell, Lincoln, Mitchell, Republic, and Washington counties
- 1 district judge
- 6 district magistrate judges



*Chief Judge*  
**Renee Young**  
28th Judicial District

- Salina and Ottawa counties
- 5 district judges
- 2 district magistrate judges



*Chief Judge*  
**Glenn Braun**  
23rd Judicial District

- Ellis, Gove, Rooks, and Trego counties
- 2 district judges
- 3 district magistrate judges



*Justice*  
**K.J. Wall**  
 1st Judicial Department

Justice K.J. Wall was appointed to the Kansas Supreme Court in 2020. He is from Scott City and graduated from the University of Kansas School of Law.

Wall has administrative oversight of the 1st Judicial Department, which covers most of northern Kansas. He is chair of the Rural Justice Initiative Committee, which is examining unmet legal needs in rural Kansas.

Wall is also liaison justice to the Child Support Guidelines Advisory Committee, Kansas Children's Cabinet, Family Plans and Programs with the National Center of State Courts, Permanent Families Account Advisory Committee, and Task Force on Permanency Planning.

# Department Spotlight

## 1st Judicial Department

### Rural Justice Initiative

#### **Kansas Rural Justice Initiative Committee**

In 2022, 80% of attorneys lived in the six most populous Kansas counties, leaving one attorney for every 800 rural Kansans and a ratio of two attorneys for every 535 urban residents.

“The attorney shortage is a serious issue of quality and quantity of service provided to residents in our district,” said Chief Judge Kevin Berens, 15th Judicial District. “There are fewer attorneys available to serve residents, so they have to do more work and cover a larger area.”

The Rural Justice Initiative Committee, created in 2022, is studying unmet legal needs in Kansas related to a shrinking number of attorneys living and working in rural areas.

Committee members represent the three branches of state government, legal and business communities, law schools, and various nonprofit organizations.

#### **Young attorneys return home**

Paige Bangerter serves on the Rural Justice Initiative Committee. She said she always knew she wanted to return home to Dodge City. She credits community mentorship for her success getting started.

*Continued on next page*



**Rural Justice Initiative Dodge City meeting** Justice K.J. Wall introduces panel speakers Judge Andrew Stein and Paige Bangerter Gilmore.

“I didn’t have a firm, which is what I was looking for coming out of law school, but the whole community has acted as my firm,” Bangerter said.

The 16th Judicial District legal community sent Bangerter sample motions, walked her through hearings, and advised her on necessary motions and resources.

While Bangerter had a supportive community, not all rural attorneys do.

The Attorney Recruitment and Retention Subcommittee is exploring community-based support to attract attorneys to rural communities. These initiatives include identifying rural attorneys with existing practices to mentor new attorneys, strengthening rural attorney networks, and evaluating existing support programs for new attorneys.

Ashley Comeau, a young lawyer in Rooks County in the 23rd Judicial District, returned home after working in a Kansas City law firm.

“It’s intimidating to try to build a practice and it doesn’t happen right away,” Comeau said. “I’m almost at four years and am just now where you see your hard work come together.”

In addition to building a practice, Comeau struggled with the finances it takes to start a business in a rural area.

“Generations ago, you didn’t have to buy the practice for several hundred thousand,” Comeau said. “You didn’t have to buy a building and renovate it. You can make a really good living in rural areas, but those opportunities are much more expensive and difficult for young lawyers to obtain now.”

The Judicial, Legislative, and Community Initiatives and Solutions Subcommittee is researching ways to ease financial stresses that come with opening a rural business. Proposed solutions could include student loan forgiveness programs for attorneys committed to practicing in a rural area and developing regional programs to bring young professionals together to network and build relationships.

### **Attorney shortage impact on rural courts**

The rural attorney shortage has increased the number of pro se litigants, slowing down cases. As a judge, Berens can’t advise someone who comes to court without an attorney, but he



Rural Justice Initiative Great Bend meeting

will communicate unfamiliar legal terms and processes to keep the case moving.

“When I don’t have any attorneys involved, or I have an attorney on one side and a self-represented litigant on the other, I find myself trying to explain to the non-attorney ‘when counsel said that, this is what it means and this is what you’ve got to do,’” Berens said.

In other cases, such as high-level felonies, attorneys travel to represent their clients. If a criminal case has several defendants, each will have their own attorney.

“In murder cases with multiple defendants, we’ve had to go as far as Kansas City to get attorneys because we don’t have enough qualified attorneys,” said Chief Judge Dan Creitz of the 31st Judicial District, who also serves on the committee.

When attorneys travel from outside the district, it can cause scheduling problems.

“The more schedules you have involved from a large geographic area, especially when you have multiple judicial districts and docket schedules involved, the harder it is to schedule cases,” Creitz said.

### **Rural justice by the numbers**

In 2022, a profile of Kansas attorney data showed that although 43% of the population lives in rural areas, only 20% of attorneys reside there.

The Information Gathering and Data Collection Subcommittee is identifying areas with the greatest attorney shortages. The committee is also clarifying attorney data by surveying which attorneys are working as judges, as lawyers for government or a private employer, or are retirement eligible.

The subcommittee is also going beyond examining quantitative data. It is gathering qualitative data through listening sessions with attorneys in rural Kansas and focus groups at local law schools.

### **What’s next**

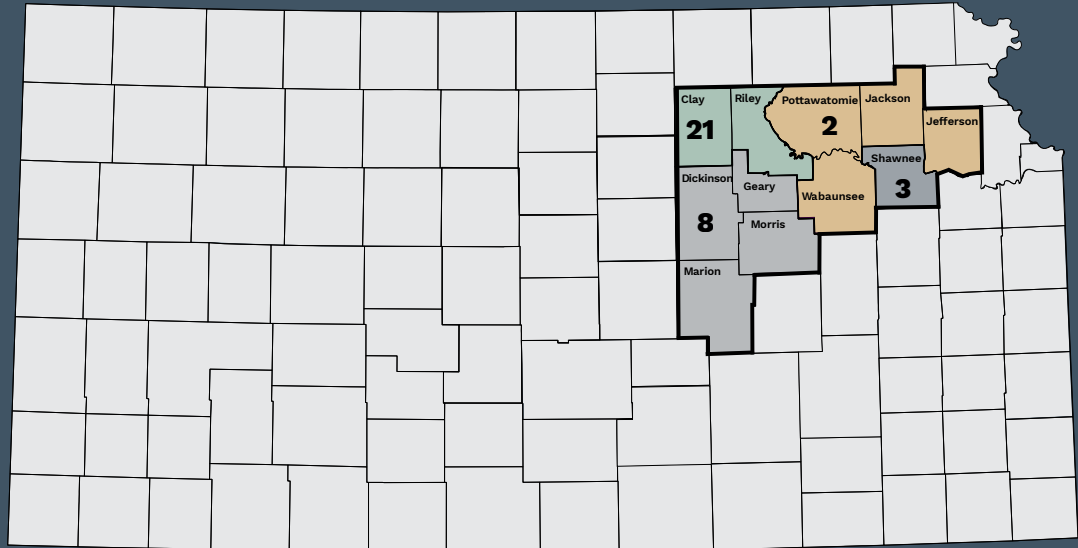
The Rural Justice Initiative Committee will submit a report to the Supreme Court in fall 2024. The report will include recommendations, which could include proposals to change laws, regulations, or rules to enhance attorney availability. They could also include best practices to make it easier to meet legal needs in Kansas and identify potential obstacles.



# 2nd Judicial Department

2nd • 3rd • 8th • 21st Judicial Districts

## District Map



*Chief Judge*  
**Grant Bannister**  
21st Judicial District

- Clay and Riley counties
- 3 district judges
- 2 district magistrate judges



*Chief Judge*  
**Jeffrey Elder**  
2nd Judicial District

- Jackson, Jefferson, Pottawatomie, and Wabaunsee counties
- 3 district judges
- 3 district magistrate judges



*Chief Judge*  
**Steven Ebberts**  
3rd Judicial District

- Shawnee County
- 15 district judges
- 2 district magistrate judges



*Chief Judge*  
**Benjamin Sexton**  
8th Judicial District

- Dickinson, Geary, Marion, and Morris counties
- 5 district judges
- 3 district magistrate judges





*Justice*  
**Caleb Stegall**  
 2nd Judicial Department

Justice Caleb Stegall was appointed to the Supreme Court in 2014. He is from Lawrence and graduated from the University of Kansas School of Law.

Stegall has administrative oversight of the 2nd Judicial Department, which includes a cluster of judicial districts that cover Topeka and areas to the west, north, and east of the capital city.

Stegall is vice chair of the Kansas eCourt Steering Committee, which is overseeing implementation of a statewide centralized case management system. He is liaison justice to the Client Protection Fund Commission and to court clerks, and he is secondary liaison on technology and computer services.

# Department Spotlight

## 2nd Judicial Department

### Clerks and Court Services Officers Work with Judges

#### **Key relationships in the court system**

Judges and court personnel who work in the court system must have strong relationships and good communication with each other for the system to function effectively.

As a criminal case flows through the system, it touches multiple offices. Law enforcement brings charges to a prosecutor's office, and that office uses its discretion to determine if charges should be filed. Once filed, the case moves to the clerk's office, ensuring that the correct judge is assigned and that service and other statutory requirements of process are recorded.

A person accused of a crime is brought before a judge and the charges are resolved by trial, dismissal, or the court accepting the accused's guilty or no contest plea. If convicted, a separate sentencing hearing takes place. The system is fluid, and there are many cases working through the process each day.

"We try to communicate as much as possible," said Kevin Murray, chief court services officer in the 21st Judicial District. "All the judges are receptive and responsive to anything you need."

*Continued on next page*



Chief Judge Grant Bannister, 21st Judicial District, talks to chief court services officer Kevin Murray and court clerk Barb Cragg.

Judges work with clerks and court services officers, communicating about schedules and upcoming hearings, to make sure court users get the best service possible.

Chief Judge Grant Bannister, 21st Judicial District, said that meeting the needs of all who come into the court system requires coordination.

“It requires the judge’s division, the clerks, and the court services officers to have the necessary coordination and communication so our operations run smoothly,” Bannister said.

For court services officers, communication with judges comes before sentencing and after sentencing. Before sentencing, court services officers provide judges presentence investigation reports.

To prepare the presentence investigation report, a court services officer gathers the person’s criminal history and performs assessments to determine their likelihood to reoffend. The report provides detailed information about the person to be sentenced and the criminal offense. The report includes the person’s

demographic and financial information, a statement from the victim about the crime’s impact and costs, and restitution information.

The presentence investigation report also discusses placement options based on the person’s criminal history score, risk and needs assessment level, special rules that could affect the sentence, and the court services officer’s assessment of probation conditions.

If a person is sentenced to probation under the supervision of a court services officer, the court services officer will focus on post-sentence work. This includes monitoring people on probation through regular contact and making sure they comply with conditions the judge sets out at sentencing. These conditions can include appointments with the court services officer, drug testing, and treatment.

“Judges make decisions based on the information that they have, whether that’s sentencing decisions or continuance decisions,” Murray said. “We try to be forward-thinking and think about those things that could come up, to mitigate unknowns.”

## Ripple effect from judicial vacancies

When there is a judicial vacancy, whether it's a district judge or district magistrate judge, it has a ripple effect on the court's workload. It affects clerks and court services officers, as well as other judges.

"We had a magistrate opening for a period of about four months," Bannister said. "We were fortunate that we were able to get quite a bit of assistance through the senior judge program. But, at the same time, we had to disperse the caseload that would otherwise go to that position."

Judges may have to take on additional cases to keep cases moving, but extra work can also fall on clerks and court services officers.

Once a district fills a judge vacancy, clerks spend time with the new judge to teach them court processes and procedures. They also learn how the new judge prefers to manage their schedules and time limits on cases. Court services officers spend time meeting with the judge to go over their roles and policies and communicating what they need to know.

The judicial system depends heavily on these relationships for operations to run smoothly. Judges, clerks, and court services officers rely on one another to make sure the public has access to justice.

## Who's who in district courts

Every day, district courts provide vital services to the people and businesses of Kansas. Beyond judges who hear and decide cases, it takes teams of people in a variety of roles to fulfill judicial branch constitutional and statutory responsibilities without giving legal advice.

### Court administrator

A court administrator implements court policies, coordinates operations, supervises nonjudge employees, and performs other duties required by law or as designated by the chief judge or judicial administrator. In districts without a court administrator, a chief clerk administrator, chief clerk, or chief court services officer may be responsible for implementing court policies.

### Court clerk

The clerk of the district court is both a role and an office. Often, the clerk's office is the initial point of contact—and sometimes the only point of contact—a person has with the court system.

The clerk is responsible for keeping an accurate record of cases brought before the court. The clerk receives filings on paper and electronically, summons jurors for jury trials, processes marriage licenses, receives payments, and helps the public with a wide variety of questions and needs.

### Court services officers

A court services officer contributes to the safety and well-being of all Kansans. They are probation officers for adults and juveniles sentenced to probation for their crimes.

Court services officers conduct criminal history checks, prepare presentence investigation reports, and administer a mandated, standardized risk assessment tool. In some courts, they may also help process child in need of care cases and, in some districts, mediate child custody disputes or perform home studies.

### Court reporters and court transcriptionists

Court reporters are vital to district courts. They record and transcribe verbatim reports of judicial trials, conferences, and hearings. They also administer oaths or affirmations to witnesses, and they mark exhibits offered as evidence. When audio recordings are made of court proceedings, a court transcriptionist will make a written record from the recording.

### Administrative support

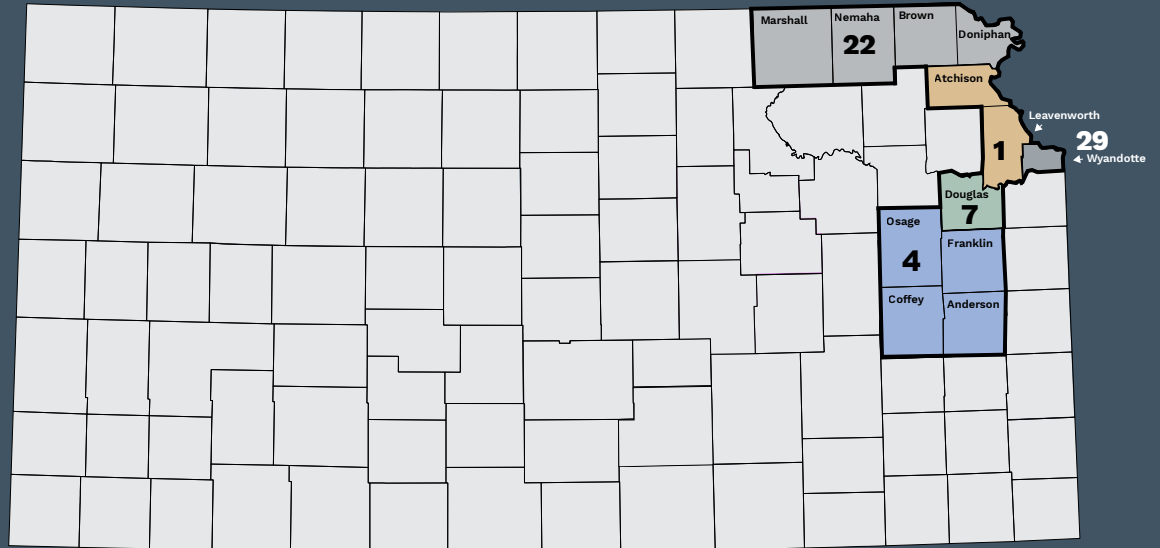
Administrative support staff ensure smoothly operating courts. They help manage case workflow and provide calendaring and other administrative services. Without them, judges would spend many hours on routine tasks or delegate them to the clerk's office, reducing efficiency for both the court and the clerk.



# 3rd Judicial Department

1st • 4th • 7th • 22nd • 29th Judicial Districts

## District Map



*Chief Judge*  
**John Weingart**  
22nd Judicial District

- Brown, Doniphan, Marshall, and Nemaha counties
- 2 district judges
- 3 district magistrate judges



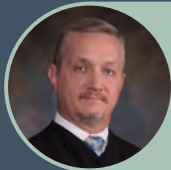
*Chief Judge*  
**Joan Lowdon**  
1st Judicial District

- Atchison and Leavenworth counties
- 7 district judges



*Chief Judge*  
**Robert Burns**  
29th Judicial District

- Wyandotte County
- 16 district judges



*Chief Judge*  
**James McCabria**  
7th Judicial District

- Douglas County
- 7 district judges



*Chief Judge*  
**Taylor Wine**  
4th Judicial District

- Anderson, Coffey, Franklin, and Osage counties
- 3 district judges
- 3 district magistrate judges



*Justice*  
**Eric Rosen**  
 3rd Judicial Department

Justice Eric Rosen was appointed to the Supreme Court in 2005. He is from Topeka and graduated from Washburn University School of Law.

Rosen has administrative oversight of the 3rd Judicial Department, which runs along the state line in the northeast corner of Kansas before extending west and south.

Rosen is liaison justice to the Board for Discipline of Attorneys, Kansas Lawyers Assistance Program, Judges Assistance Committee, Kansas Judicial Council, and to court services officers.

# Department Spotlight

## 3rd Judicial Department

### Specialty Courts

#### **Breaking the cycle with specialty courts**

Specialty courts are designed to change lives by helping people break the cycle of repeat behaviors that keep them involved with the justice system.

“Statistics show people who participate in behavioral health court, even those who haven’t graduated, have fewer repeat contacts with the court,” said District Judge Sally Pokorny, who presides over the behavioral health court in Douglas County District Court in the 7th Judicial District.

#### **Specialty courts explained**

Specialty courts are also known as problem-solving courts. They help people interrupt a cycle of repeat interactions with the justice system by leading them into treatment programs that help them restore stability in their lives.

Some specialty courts are post-conviction, meaning a person has been convicted of a crime and is required to participate in a specialty court program as part of their sentence.

Other courts are preconviction, which means a prosecutor will make an agreement with an

*Continued on next page*

# Specialty Courts

## 15 Adult Drug Courts

Allen, Cowley, Dickinson, Douglas, Ellis, Geary, Harvey, Johnson, Lyon, Reno, Riley, Saline, Sedgwick, Shawnee, Wyandotte counties

## 5 Veterans Treatment Courts

Johnson, Leavenworth, Sedgwick, Shawnee, Wyandotte counties

## 3 Youth or Truancy Courts

Johnson, Franklin, Seward counties

## 3 Behavioral Health Courts

Douglas, Johnson, Wyandotte counties

## 1 Juvenile Drug Court

Johnson County

individual to reduce or drop charges against them if they graduate from a specialty court.

In Kansas, the most common types of specialty courts are:

- Juvenile and adult drug courts, for people with a history of substance abuse disorders.
- Veterans treatment courts, for military veterans with substance abuse disorders or mental health concerns.
- Behavioral health courts, for people whose mental illness contributes to criminal behaviors.
- Youth courts, for youth with health issues, substance abuse disorders, or truancy concerns.

Specialty courts require partnership between the participant, judge, court staff, prosecutors, therapists, physicians, educators, and support programs from the community.

### Judges in specialty courts

Judges who preside over specialty courts say the experience is unlike traditional court.

“I don’t sit at my bench, and I don’t wear a robe,” Pokorny said. “I sit across from the participant and their attorney. I talk to them about good things and congratulate them on the positives. I also talk to them about things that haven’t gone as well.”

Specialty courts require more from judges, but judges say the experience is inspiring.

“Working in the behavioral health court gives me hope,” Pokorny said. “This is a way to try to divert people out of jail, who should be receiving treatment, with the hope they will not come back to the criminal justice system.”

### Court services officers

Traditionally, court services officers complete

presentence investigation reports and supervise individuals on probation. The report gives parties and the judge a person's criminal record so the judge can apply the proper sentence.

As specialty courts emerged, the court services officer role expanded. The officers are part of the specialty court team that meets to review each participant's progress before a specialty court docket.

"We plan every goal and treatment requirement and make sure they're on track," said Emily Reichelt, a court services officer in Wyandotte County District Court in the 29th Judicial District. "We even do home visits. Typical court services supervision doesn't usually include those."

Every element supports the participant's goal to successfully complete a program tailored to their specific needs. Because their interaction with participants is more frequent, court services officers who work in specialty courts might carry a smaller caseload.

When a participant completes a specialty court program, there is a graduation to celebrate. Graduations are a highlight for court employees who support specialty courts and for judges who preside over them.

"We make a big deal out of graduation," Pokorny said. "We bring in cookies and invite all their family and friends to come. We have plaques and I give a speech to the people who attend."

## eCourt efficiencies

### Central payment processing, workshare increase efficiency

As district courts transitioned to the Kansas eCourt case management system, certain accounting functions shifted from their clerk office to a central payment center in the Office of Judicial Administration.

Centralizing accounting functions provides important financial safeguards for the judicial branch and it frees clerks to focus on case processing.

District courts still manage daily balancing and over-the-counter payments. The payment center manages payments made online or sent by mail. The center also manages restitution and docket fees, reconciles credit card transactions, and handles unclaimed property.

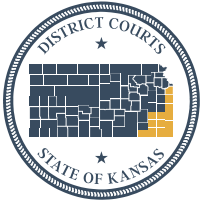
"It relieved us of a lot of work that my accounting department had," said Stacy Pletcher, clerk of the Shawnee County District Court in the 3rd Judicial District. "I love it because now I have a different office handling those transactions and the bank accounts."

The transition to the new case management system also makes workshare between courts possible. Through workshare, district court employees can get help from employees in other courts during peak workloads.

A 12-member statewide team of district court clerk staff is known as the "workshare clerks." These experienced clerks provide virtual help to courts in other jurisdictions as needed. They also help with Office of Judicial Administration projects.

Krisena Silva, district court clerk specialist in the Office of Judicial Administration, works closely with workshare clerks, some of whom have permanent assignments. A workshare clerk assigned to Sedgwick County District Court makes sure documents in child in need of care cases are available to external justice partners authorized to have access.

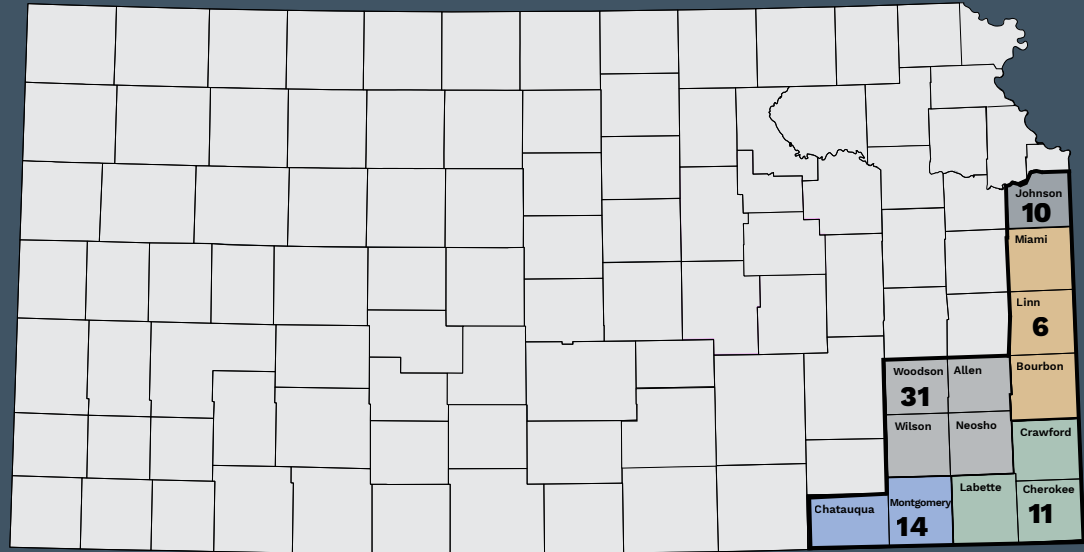
Centralizing court case data in the Kansas eCourt case management system provides the foundation for workshare, which supports efficient use of staff resources to manage district court work.



# 4th Judicial Department

6th • 10th • 11th • 14th • 31st Judicial Districts

## District Map



*Chief Judge*  
**Charles Droege**  
10th Judicial District

- Johnson County
- 22 district judges
- 4 district magistrate judges



*Chief Judge*  
**Amy Harth**  
6th Judicial District

- Bourbon, Linn, and Miami counties
- 6 district judges
- 1 district magistrate judge



*Chief Judge*  
**Lori Bolton Fleming**  
11th Judicial District

- Cherokee, Crawford, and Labette counties
- 6 district judges
- 2 district magistrate judges



*Chief Judge*  
**Jeffrey Gettler**  
14th Judicial District

- Chatauqua and Montgomery counties
- 4 district judges
- 1 district magistrate judge



*Chief Judge*  
**Daniel Creitz**  
31st Judicial District

- Allen, Neosho, Wilson, and Woodson counties
- 4 district judges
- 3 district magistrate judges





*Justice*  
**Evelyn Wilson**  
 4th Judicial Department

Justice Evelyn Wilson was appointed to the Supreme Court in 2020. She is from Smith Center and graduated from Washburn University School of Law.

Wilson has administrative oversight of the 4th Judicial Department, which covers the southeast corner of Kansas.

Wilson is liaison justice to the Access to Justice Committee, Board of Examiners of Court Reporters, Commission on Judicial Conduct, Judicial Ethics Advisory Council, Language Access Committee, and Specialty Court Committee.

# Department Spotlight

## 4th Judicial Department

### Court reporter shortage affects trial courts

Too few attorneys—both in number and experience—isn't the only shortage affecting Kansas courts. Another is too few court reporters to meet trial court needs statewide.

Official court reporters are vital to trial courts. They produce the record used by attorneys, judges, and litigants when appealing a judgement.

Advances in technology have changed how court reporters capture all that is said during a trial, but fewer people are enrolling in schools that train them. As experienced court reporters retire or leave for work outside the courts, there aren't enough people trained to replace them.

Courts regularly report trial coverage needs to the Office of Judicial Administration, which acts as a liaison between courts that have needs and courts that have court reporters who might be able to help fill those needs.

In 2024, the Office of Judicial Administration will continue exploration started by the Ad Hoc Court Record Committee to identify strategies that can be used to meet this growing need.

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### **Attorney shortage touches urban courts**

Even in densely populated Johnson County in the 10th Judicial District, the attorney shortage in Kansas affects court users.

Chief Judge Charles Droege of the 10th Judicial District says there are plenty of area lawyers to handle civil and family law, but the county struggles to meet demand for attorneys who take criminal appointments for indigent individuals.

“We’ve had our public defender’s office shut down because they have too big a caseload for each attorney,” Droege said. “We refer clients that would have gone to the public defender’s office to conflict attorneys. Most of our conflict attorneys are sole practitioners and small firms and then they become overloaded.”

He linked the shortage to factors that include low pay for public defenders and a lack of attorneys experienced in this area of law.

“For someone to pick up the types of cases where we have a shortage requires them to have some sort of experience or training,” Droege said. “We get lawyers out of law school that could handle misdemeanor appointments, but it’s a whole different thing to give them a higher-level felony case.”

### **Kansas eCourt efficiencies**

#### **Kansas eCourt aids efficiency**

The rollout of the Kansas eCourt case management system has significantly impacted judicial districts in Kansas, improving access and efficiency.

Implementing the case management system statewide allows all district court case data to reside on a single web-based platform.

Chief Judge Lori Bolton Fleming of the 11th Judicial District said there were challenges adjusting to the new system, particularly for longtime employees.

“It was a big change for our employees,” Fleming said. “However, we very quickly figured out that it was going to be an improvement on our day-to-day work.”

One notable change is the ability to access case information remotely. For judges traveling between counties, the new system allows them to access case documents and schedules with ease.

“Our judges travel around different counties to cover various cases and it’s awesome to be able

to log in wherever you are and pull up the case and your notes,” Fleming said.

Clerks can also access cases remotely.

“It’s helpful to be able to look at other counties and see details of a case,” said Stephanie Gerken, chief clerk administrator in the 6th Judicial District. “With everyone on the system, we can see if there are parties involved in cases in different courts.”

### **10th Judicial District to move to eCourt in late 2024**

Between August 2019 and the end of 2023, all Kansas district courts but one had made the transition to the new Kansas eCourt case management system. The 10th Judicial District, composed of Johnson County, will make its transition in November 2024.

All district courts except Johnson County District Court used the same case management system known as FullCourt. The court systems were not connected to one another, so they operated in data silos. Other offices with a role in the justice system—prosecutor, sheriff, community corrections, court trustee—may have had access through integrations. As these courts transitioned to the Kansas eCourt case management system, new interfaces were put in place and court data was shared through a public portal.

The 10th Judicial District operates on the Justice Information Management System built and managed by Johnson County government. Other offices with a role in the justice system use the same base information system, and integrations are deeply embedded. As a result, this transition to the new case management system requires extra care.

“Transitions for other district courts were similar with local nuances, so we worked through

them first,” said Stephanie Smith, judicial administrator. “The Johnson County system is similar, but its differences warranted putting it last to give it our full attention.”

As a result of collaboration with county government and local justice partners, Smith expects a smooth transition for Johnson County District Court. At the same time, the collaboration ensures local justice system offices will continue to have access to information they need to fulfill their roles.

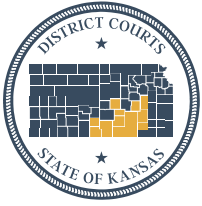
“I believe in giving credit where it’s due, and the support we’ve received from Johnson County government and our partners in the justice system is invaluable,” Smith said. “We all benefit from this collaboration.”

### **Improved efficiency, uniformity**

As courts transitioned to the new case management system, the judicial branch standardized terminology, forms, and data. This standardization helps create a uniform user experience from one jurisdiction to the next. It also contributes to efficiency by allowing workshare among jurisdictions.

Standardization also contributes to better data reporting. Easy access to statewide case management data will help the courts analyze workload and performance, and it will make it easier to measure the impact of justice initiatives.

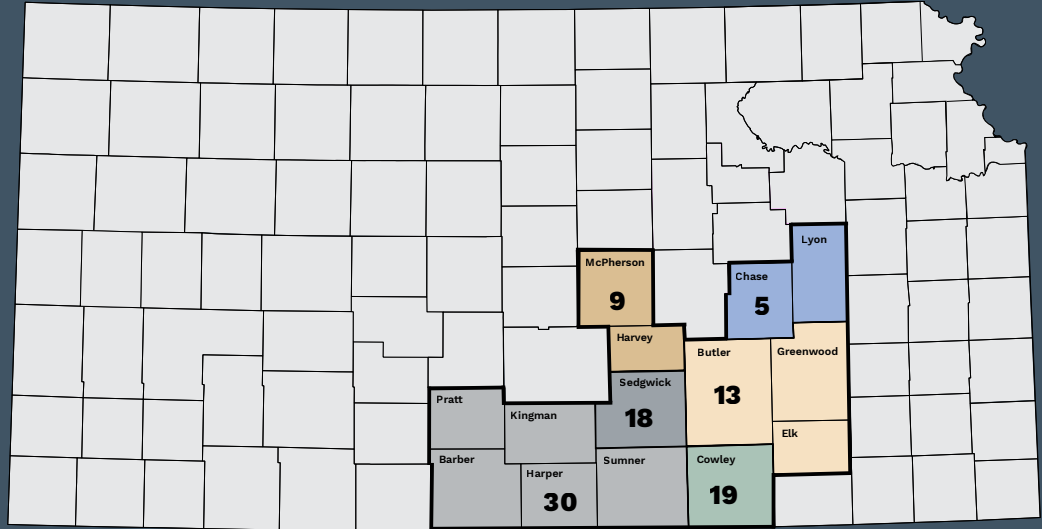
Centralizing case management data also contributes to transparency by making most case information available online through the Kansas District Court Public Access Portal.



# 5th Judicial Department

5th • 9th • 13th • 18th • 19th • 30th Judicial Districts

## District Map



*Chief Judge*  
**Jeffrey Larson**  
5th Judicial District

- Chase and Lyon counties
- 3 district judges
- 1 district magistrate judge



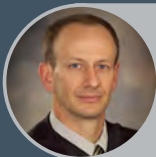
*Chief Judge*  
**David Ricke**  
13th Judicial District

- Butler, Elk, and Greenwood counties
- 4 district judges
- 2 district magistrate judges



*Chief Judge*  
**Nicholas St. Peter**  
19th Judicial District

- Cowley County
- 3 district judges
- 1 district magistrate judges



*Chief Judge*  
**William Mott**  
30th Judicial District

- Barber, Harper, Kingman, Pratt, and Sumner counties
- 3 district judges and 1 district judge vacancy
- 3 district magistrate judges



*Chief Judge*  
**Jeffrey Goering**  
18th Judicial District

- Sedgwick County
- 31 district judges
- 1 district magistrate judge



*Chief Judge*  
**Marilyn Wilder**  
9th Judicial District

- Harvey and McPherson counties
- 4 district judges
- 2 district magistrate judges



## Justice Melissa Standridge

### 5th Judicial Department

Justice Melissa Standridge was appointed to the Supreme Court in 2020. She is a graduate of the University of Missouri-Kansas City School of Law.

Standridge has administrative oversight of the 5th Judicial Department, which covers south-central Kansas. She chairs the committee planning the 2024 Child Welfare Summit scheduled April 15–16 in Topeka.

Standridge is liaison to the Board of Law Examiners, Admissions Review Committee, attorney registration, and all education, training and testing for appellate judges, district judges, district magistrate judges, municipal judges, and lawyers. Education-related committees include the Continuing Legal Education Board, Judicial Education Advisory Committee, Municipal Court Clerks Education Committee, and Municipal Court Judges Education Committee. She is also liaison to the District Magistrate Judge Certification Committee.

# Department Spotlight

## 5th Judicial Department

### Sedgwick County resolution docket

#### Resolution docket fast-tracks case processing

On any given day, in what was once a cafeteria in the basement of the Sedgwick County Courthouse, a judge, a prosecutor, and a team of defense attorneys work to resolve lower-level criminal cases at a brisk pace.

District Judge Sean Hatfield presides over the “resolution docket,” which is resolving cases in weeks rather than months. Hatfield was assigned the docket by Chief Judge Jeffrey Goering, who has administrative oversight of the 18th Judicial District.

The proposal for the docket came from Sedgwick County District Attorney Marc Bennett. His office faced a growing number of cases involving crimes committed during the COVID-19 pandemic, when social distancing and unexpected illness slowed case processing. At the time, priority was given to the most serious criminal cases.

Bennett knew filing several hundred cases would strain the court system and the criminal defense bar, so he proposed a concept used a decade earlier to work through more than 1,200

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Defense counsel Scott Poor, District Judge Sean Hatfield, and District Attorney Marc Bennett in the former basement cafeteria now serving as a courtroom for the resolution docket.

cases awaiting trial. It requires his office to do all its work before charges are ever filed.

A three-attorney unit in Bennett’s office reviews and makes charging decisions in cases presented by law enforcement. Bennett hired a part-time retired defense attorney to review cases again for legal issues and help draft plea agreements. He hired a retired detective to review evidence to verify it’s complete before the case is filed with the court clerk. This front-end work allows his office to lay out what a person facing a criminal charge needs to know and it includes a plea deal.

Hatfield said it’s the thoroughness of the pre-charge work and the plea deals that make the docket effective.

“A lot of these cases involve restitution,” Hatfield said. “The district attorney’s office will agree to early termination of probation if the restitution is paid, there are no other violations, and the person has done well on probation.”

Hatfield said including payment plans in the plea means victims are made whole sooner and the person who committed the crime can move on with their life. But that’s not to say every person facing charges will or should accept a plea deal.

“There are people who very much need and should exercise their rights,” Hatfield said. “Those cases take the regular criminal track. No one is forced into a plea.”

Bennett says doing the work up front benefits his office as well. In the first five or six months after the docket started in January 2023, more than 300 cases were resolved, a volume comparable to the work of three attorneys in a year.

By its one-year mark, the resolution docket had disposed of more than 550 cases, including more than 350 felonies and more than 150 misdemeanors. Combined, they represent around 22% of the district’s criminal docket for the year. Another 167 cases moved to the regular criminal docket after their plea offers were declined.

“People want to accept responsibility for what they did, fight if it needs to be fought, and if not, get the best deal and move on,” Bennett said. “It’s better than getting in line behind violent person crimes vying for court and attorney time.”

The resolution docket also depends on five defense attorneys assigned to it through an agreement Bennett reached with the Board of Indigents’ Defense Services. The team, known as HP Defense, is led by Scott Poor. They work from an office in the basement near the cafeteria-turned-courtroom.

When a person appears on a summons, requests an attorney, and the case is assigned to the resolution docket, they are directed to

Poor's office. The office gets the discovery file, or evidence, a few days before the case is scheduled. It includes a plea deal.

"The DA's office organizes it, bundles it, and gives it to me. I can't think of an instance where something was missing," Poor said.

Poor said the plea deals are good, but it doesn't mean his office will recommend every client accept what's offered.

"We certainly get cases where the defenses are strong and obvious, so we will tell the client not to sign the plea and take it to trial," he said, but those cases are fewer.

## Child Welfare Summit

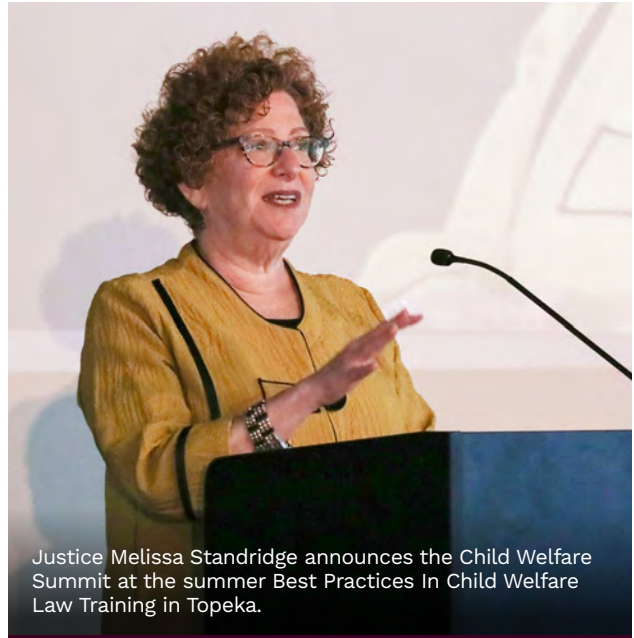
### Child Welfare Summit: A joint effort to improve child welfare

In April 2024, Kansas will host the first Child Welfare Summit. This inaugural three-branch initiative will bring together the legal community, public and private child welfare partners, child welfare experts, and children and families with lived expertise. They will discuss key challenges in the child welfare system and explore collaborative solutions and implementation strategies.

The summit, April 15 and 16 in Topeka, aims to make lasting improvement in child welfare in Kansas.

"Child welfare involves a wide variety of complex matters, including legal issues, social work, healthcare, education, and mental health," said Justice Melissa Standridge.

"Collaborative efforts promote innovation by bringing together diverse ideas and pooling resources and expertise."

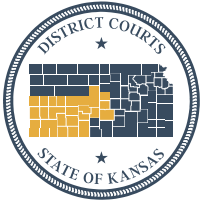


Justice Melissa Standridge announces the Child Welfare Summit at the summer Best Practices In Child Welfare Law Training in Topeka.

Standridge announced the summit in August during a daylong training on child welfare. She was joined by Chief Justice Marla Luckert, Senate President Ty Masterson, House Majority Leader Chris Croft, and Laura Howard, secretary for the Department for Children and Families.

All 31 judicial districts will be represented at the summit by a team of child welfare partners who work in the district. Teams will include judges, prosecutors, parent attorneys, guardians ad litem, Department for Children and Families staff, contracting case management provider staff, court appointed special advocates, and citizen review board members.

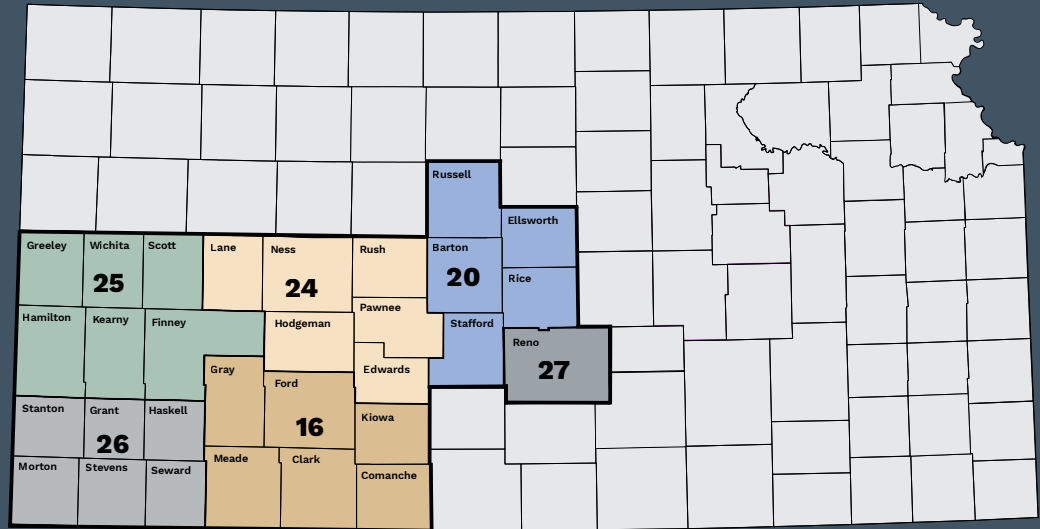
Teams will develop local actions plans using strategies and best practices discussed at the summit to address specific needs in their communities. These action plans will include specific strategies and practices for strengthening families and improving outcomes for children.



# 6th Judicial Department

16th • 20th • 24th • 25th • 26th • 27th Judicial Districts

## District Map



*Chief Judge*  
**Kristi Cott**  
25th Judicial District

- Finney, Greeley, Hamilton, Kearny, Scott, and Wichita counties
- 4 district judges
- 6 district magistrate judges and 1 district magistrate judge vacancy



*Chief Judge*  
**Bruce Gatterman**  
24th Judicial District

- Edwards, Hodgeman, Lane, Ness, Pawnee, and Rush counties
- 1 district judge
- 6 district magistrate judges



*Chief Judge*  
**Steve Johnson**  
20th Judicial District

- Barton, Ellsworth, Rice, Russell, and Stafford counties
- 3 district judges
- 4 district magistrate judges



*Chief Judge*  
**Patricia Macke Dick**  
27th Judicial District

- Reno County
- 4 district judges
- 1 district magistrate judge



*Chief Judge*  
**Laura Lewis**  
16th Judicial District

- Clark, Comanche, Ford, Gray, Kiowa, and Meade counties
- 3 district judges
- 5 district magistrate judges



*Chief Judge*  
**Clint Peterson**  
26th Judicial District

- Grant, Haskell, Morton, Seward, Stanton, and Stevens counties
- 3 district judges
- 5 district magistrate judges





*Justice*  
**Dan Biles**  
 6th Judicial Department

Justice Dan Biles was appointed to the Supreme Court in 2009. He is from El Dorado and graduated from Washburn University School of Law.

Biles has administrative oversight of the 6th Judicial Department, which covers southwest and mid-central Kansas.

Biles is chair of the Kansas eCourt Steering Committee, which is overseeing implementation of a statewide centralized case management system. He is liaison justice to the Advisory Council on Dispute Resolution and the Kansas Bar Association State-Federal Courts Committee, and on pro se matters and technology and computer services.

# Department Spotlight

## 6th Judicial Department

### Language Access

#### Language access in Kansas courts

Whether a jury trial, hearing, or mediation, all people have a right to understand their court proceedings. This makes ready access to language interpreters vital in court settings.

District courts throughout Kansas use foreign language interpreters. In the 16th Judicial District in southwest Kansas, the most frequently used interpreters are for Spanish, K'iche', Haitian Creole, French, Somalian, Vietnamese, Dinka, Karen, Italian, and Laotian.

Demand for foreign language interpreters occurs daily.

"In every single courtroom in my district, we're using Spanish [interpreters] at least once, if not numerous times a day," said Chief Judge Laura Lewis of the 16th Judicial District.

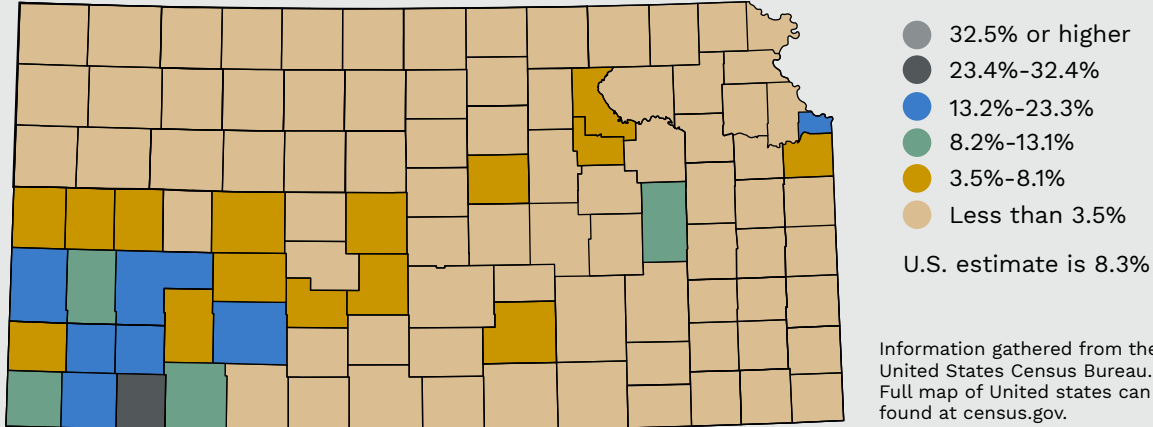
To help meet that demand, each district has a local language access coordinator who finds interpreters when they are needed.

"Language access coordinators are very knowledgeable about how to get an interpreter and how to connect with the Office of Judicial

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## People That Speak English Less Than “Very Well” in the United States

Population 5 years and older by county and tract



**Read the Statewide Language Access Plan**  
<https://bit.ly/4cFJi2D>

Administration if they need resources,” said Sarah Hoskinson, chief of access to justice initiatives in the Office of Judicial Administration.

While having a live, in-person interpreter is best, courts are often forced to find an interpreter working remotely. Several districts use virtual interpreter services that connect courts to an interpreter available at any time.

“It’s purely on the phone,” said District Judge Teresa Watson of 3rd Judicial District, who is the current chair the Language Access Committee. “Sometimes that’s all we’ve got. If it’s a scheduling matter or something simple, the telephone works fine.”

Watson said there’s a learning curve to use technology for remote interpreters and it makes

hearings more challenging. It also adds time and expense. And some Kansas courts struggle with interpreter availability.

“Availability and being willing to work within what we can pay them [are the biggest challenges],” Lewis said.

To help courts address language access in Kansas, the Kansas Supreme Court created the Language Access Committee. The committee makes recommendations to the Supreme Court regarding a language access program to ensure people have meaningful access to the court system, regardless of what language they speak.

In late 2022, the Kansas Supreme Court adopted a Statewide Language Access Plan prepared by the committee.

The plan serves as a blueprint for providing language assistance to those who need it. The plan also assesses and gives guidance, advice, and recommendations on relevant state demographics and language access needs, the language access infrastructure, court interpreter

requirements, court education and training, and other related resources.

With the plan adopted, the committee is now working on training for court employees.

The Statewide Language Access Plan is another key step to help Kansas courts meet the Supreme Court's strategic goal to maximize access to and promote justice for all court users.

## District judge travel

### District judges cover large rural districts

Chief Judge Bruce Gatterman has been the sole district judge in the 24th Judicial District since 2003. There are six district magistrate judges, but Gatterman is the only district judge in his rural, six-county district.

Like other district judges in rural, multicounty districts, Gatterman must travel to other counties to hear cases, including jury trials in serious matters, that are beyond the jurisdiction of a magistrate judge.

By statute, district magistrate judges have limited jurisdiction compared to district court judges. Qualifications to become a district magistrate judge are also different. District judges can hear any matter within their jurisdiction, including felony and civil cases.

"Magistrate judges can hear all misdemeanors, all traffic cases, and all felony cases up to arraignment," said Gatterman.

Gatterman is based in Pawnee County, but travels to Edwards, Hodgeman, Lane, Ness, and Rush counties to fulfill his duties. One week each month, Gatterman visits all six counties in his district to hear cases in person.



Chief Judge Bruce Gatterman spends one week each month driving to courthouses in the other four counties in his five-county judicial district.

Beyond docket week, Gatterman also travels for jury trials.

### How technology helps

Gatterman uses Zoom videoconferencing to hear some matters remotely. Before using Zoom for court hearings was common, Gatterman traveled more often than he does now.

"My travel used to run 1,500 to 1,700 miles a month," Gatterman said. "That's been cut at least in half. Unless I've got a jury trial, an average month now is going to be 600 to 700 miles."

Electronic filing also helps Gatterman manage his workload.

"Typically, after a docket week I would return to the office and have 50 journal entries to review and sign," Gatterman said. "Now they come in through efilng, which is a quicker process."

Even though his travel days can be long, Gatterman says he enjoys his job.

"It's a demanding job, but it's very rewarding," he said.



Supreme Court Portrait

A woman with blonde hair, wearing a dark blazer over a light-colored top, stands at a dark wooden podium. The podium features a logo for the 'STATE ALUMNI ASSOCIATION'. She is speaking into a microphone. In the background, another woman is seated at a table with laptops. The setting is a large room with high ceilings and arched windows. The foreground shows the backs of several audience members seated at tables.

# Office of Judicial Administration

The Office of Judicial Administration provides a wide range of services that support efficient, effective judicial branch operations and reinforce the goal to maximize access to and promote justice.

Caption: Stephanie Smith, judicial administrator, speaks at a court manager conference.

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Office of Judicial Administration leadership: Amy Deckard, Laurel Klein Searles, Allyson Christman, Kelly O'Brien, Stephanie Smith, Steve Phillips, Amy Raymond, Sarah Hoskinson, and Lacey Spaulding.

# Office of Judicial Administration



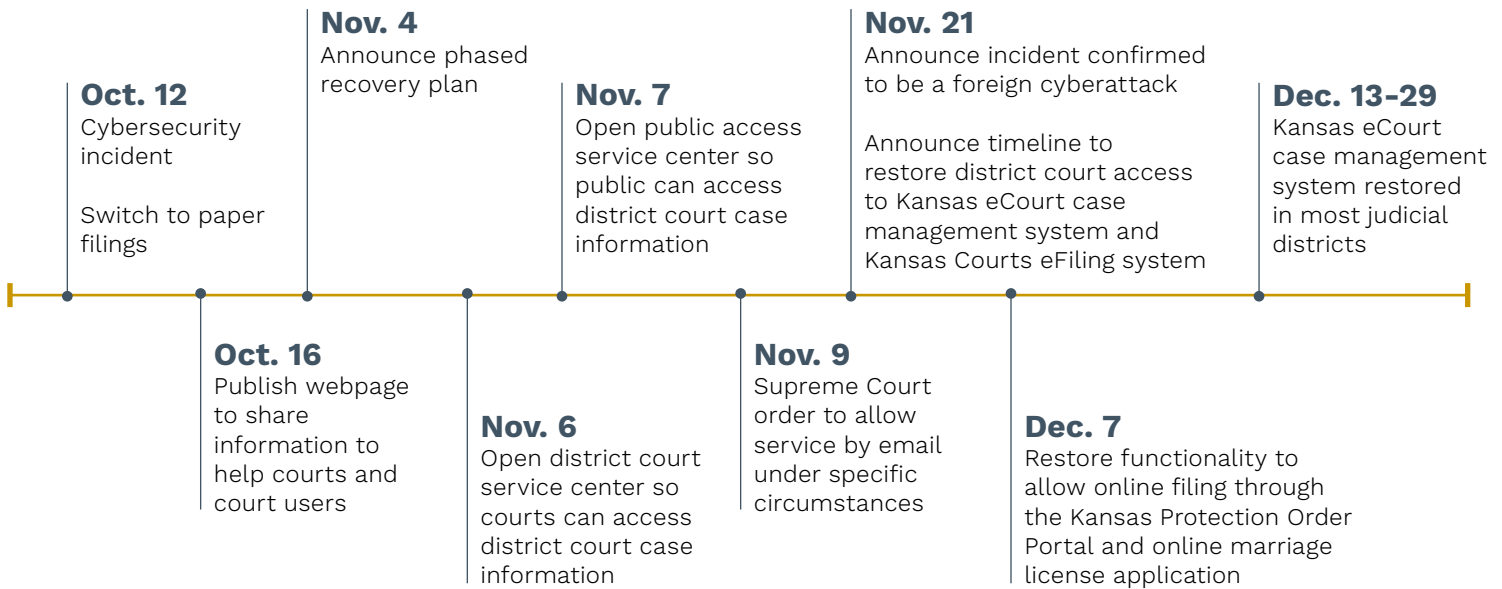
**Stephanie Smith**  
*Judicial Administrator*

Opportunity and partnership through adversity was the theme for the Office of Judicial Administration in 2023.

## Cyberattack recovery

### Timeline

This timeline lists pivotal dates from the cyberattack through our recovery milestones in 2023.





Court staff test public access service center before it opens.



Court staff who worked in the service center set up to meet district court information needs. Staffing changed from week to week, and some work was carried out remotely.

The cyberattack on court information systems, which occurred in the fourth quarter, overshadowed all else in 2023. Partnerships with the Legislature, district courts, and counties were already extremely important, but they became crucial in cyberattack recovery efforts and cybersecurity planning going forward.

The Office of Judicial Administration team worked long days, nights, and weekends to restore and strengthen IT systems before bringing case processing back online statewide. While that work was underway, district courts reverted to operating on paper statewide, something unseen for more than 20 years.

Judicial branch information systems were restored as quickly as possible, and the work was done carefully and systematically. At the same time, new and enhanced security measures were put in place. This was to ensure a safe, secure environment for the multiple systems that make up the Kansas eCourt environment. These systems had to be brought back online in a particular order. All was done with guidance from outside experts.

While restoration efforts were underway, temporary services were put in place to meet critical internal and external needs. A public access service center and a district court service center in the Kansas Judicial Center provided access to case information until the case management system was fully restored.

When district court access to the Kansas eCourt case management system was restored at the end of the year, courts were relieved to

### District court service center

- 15,122 requests for documents or information filled
- 2,138 convictions reported to division of motor vehicles
- 856 driver's license reinstatements processed

### Public access service center

- 2,058 appointments scheduled for public to search court records
- 51 days service center in operation

*Continued on next page*



Paper files in Sedgwick County District Court.



Staff from the Office of Judicial Administration work with staff in the 18th Judicial District (Sedgwick County) during their court's transition to the Kansas eCourt case management system.

return to electronic case processing. It took a few more weeks to restore electronic filing, and work was just beginning for district court clerks tasked with adding cases and documents filed while the case management and e filing systems were offline.

After access to the statewide case management system was restored, courts benefitted from the workshare partnerships developed since beginning to use the Kansas eCourt case management system. District court clerks rose to the challenge and began helping their colleagues across the state with the seemingly insurmountable task of working through a backlog of paper filings.

The Office of Judicial Administration's partnership with all 105 counties proved vital to restoring systems and implementing various cybersecurity measures. Partnerships with the legislative and executive branches proved to be a lifeline for cybersecurity measures and reconnecting integrated systems.

Despite adversity, the Office of Judicial Administration came through the incident with some significant wins: strengthened operations; improved cybersecurity; and expanded channels for collaboration.



**Sarah Hoskinson**

## Executive team gains new members

Sarah Hoskinson, a pivotal lead in our access to justice initiatives, moved to the executive team this year as chief of access to justice and special projects counsel. She's filled many roles with the judicial branch, including with the legal and legislative teams and trial court services. She leads many innovative projects, including the eviction resolution program, self-represented litigant e filing project, online portal for protection orders, and a statewide virtual self-help center. Sarah also serves as liaison to



the Supreme Court Access to Justice Committee and Language Access Committee. In addition to leading access to justice initiatives, she has taken on various high-level duties in her role as special projects counsel.

Amy Deckard joined the Office of Judicial Administration as chief financial officer. She oversees the approximate \$200 million annual judicial branch budget. Before joining the executive team, she was with the Kansas Legislative Research Department, where she served as assistant director for fiscal affairs. As chief financial officer, Amy directs the financial department and its accounting functions. She also oversees Kansas Judicial Center repairs, maintenance, and building projects. The financial department has expanded in recent years through centralized payment processing and reviewing financial practices statewide. Centralization and standardization efforts have strengthened accounting controls consistent with the goal to properly steward taxpayer resources.

Steve Phillips joined the Office of Judicial Administration as general counsel, the organization's chief legal adviser. He came from the Kansas Attorney General's Office, where he most recently served in the civil litigation division. In that role, he counseled the judicial branch and other state entities. Steve leads a team of attorneys in the Office of Judicial Administration who provide legal assistance to court staff statewide. They also review contracts, give employment law advice, and answer legal questions about various matters associated with court operations and proceedings. The Office of Judicial Administration legal team works in partnership with the Kansas Attorney General's Office to provide litigation support to judges and employees served with subpoenas or discovery requests and other types of legal representation.



**Amy Deckard**



**Steve Phillips**

## Kansas eCourt implementation

During 2023, three of Kansas' four urban courts (Shawnee, Wyandotte, and Sedgwick counties) and one midsized court (Douglas County) transitioned to the Kansas eCourt case management system.

These go-live events were major endeavors. Their success depended on the partnership between the information services team from the Office of Judicial Administration and counties, district judges and employees, and external justice partners that include county government, attorney offices, and law enforcement agencies. The collaboration developed or strengthened during these go-live events are instrumental for the future success of our integrated systems.

*Continued on next page*

Another component of the Kansas eCourt project is a new uniform supervision system. It works with the case management system and helps court services officers maintain information about people under their supervision.

Throughout the entire Kansas eCourt case management system implementation, the Office of Judicial Administration information services team has trained more than 1,500 court employees and judges to use these new systems.

With courts in 104 of 105 counties now operating on the Kansas eCourt case management and uniform supervision systems, only two tracks remain in the project. One covers the 10th Judicial District (Johnson County), and the other covers the appellate courts. Both transitions will occur in 2024.

## **Moving systems to the cloud**

The judicial branch was awarded nearly \$3 million from the Federal Bureau of Justice Statistics' National Criminal History Improvement Program in 2023. The grant allows the judicial branch to continue developing a statewide supervision system and migrate the Kansas eCourt case management system to a cloud-based hosting system, further modernizing operations and enhancing the Office of Judicial Administration's cybersecurity posture. It will also improve how criminal conviction data is communicated to the Kansas Bureau of Investigation, which shares data with other state and federal law enforcement agencies.

In a news release about the grant, Governor Laura Kelly had this to say: "The nearly \$3 million Kansas is receiving from the National Criminal History Improvement Program will empower us to modernize our court systems, ensuring greater efficiency, accuracy, and convenience in data transmission. Thanks to the U.S. Department of Justice and the Office of Justice Programs, we will remain committed to upholding the rule of law and fostering a safer, more just Kansas."

## **Upgrades in technology, infrastructure**

The judicial branch was allocated \$2.4 million in 2023 through the Strengthening People and Revitalizing Kansas (SPARK) Efficiency and Modernization Program. This money is used statewide to upgrade technology and IT infrastructure in 21 district courts and the Office of Judicial Administration. Some of these upgrades were for enhanced audio-visual capacity for remote hearings, which saves litigants and taxpayers time and money.

## **Judicial Center gym for health**

When 92% of the judicial branch budget is used to pay salaries and wages, judges and employees are the court system's most valuable assets. Helping them maintain their health and well-being is important, and it helps fulfill the Supreme Court's strategic objective to be an employer of choice.

Through a partnership with the executive branch, the Office of Judicial Administration was able to purchase from an executive branch agency high-quality gym equipment at a reduced



cost. Architects from the Department of Administration incorporated the in-house gym concept into existing building projects, making effective use of space in the Kansas Judicial Center. The result is a modest space that allows judges and employees to focus on their health and well-being over their lunch hours and before and after work.

## State Justice Institute grant projects

In 2023, for the first time, the State Justice Institute board of directors visited the Kansas Judicial Center to see firsthand the results of work it has funded for the judicial branch over the last several years.

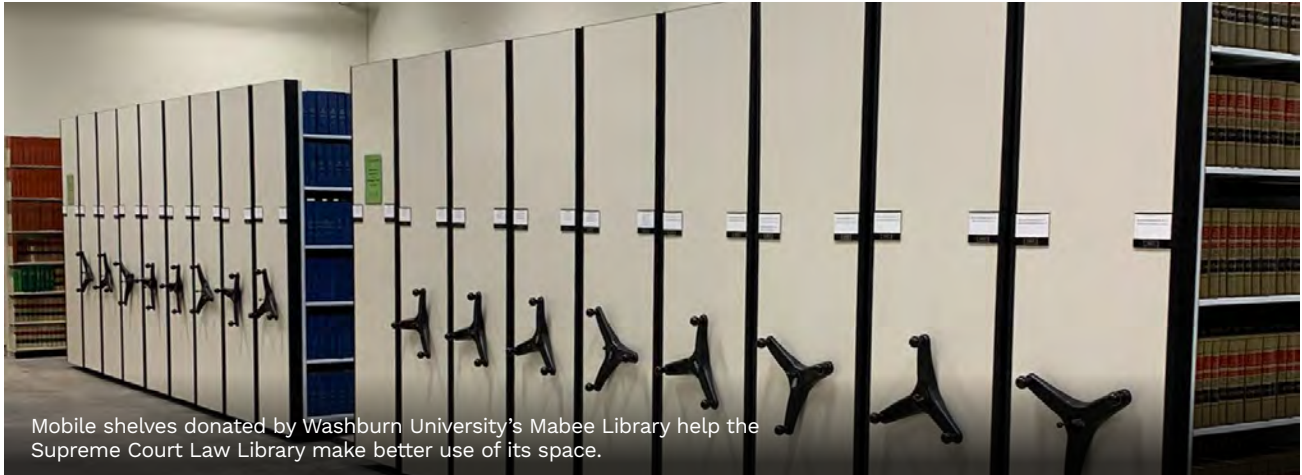
The State Justice Institute was established by federal law to award grants to improve the quality of justice in state courts and foster innovative, efficient solutions to common issues faced by all courts.

Grants from the State Justice Institute have funded projects in many areas, including studies for employee classification and compensation, self-help centers, municipal courts, and self-represented litigant e-filing. Upcoming projects include an organizational study of the Office of Judicial Administration and strategic planning support for the Supreme Court.

We look forward to continuing our partnership with the State Justice Institute to help the judicial branch continue to apply innovative, efficient solutions.

### Midwest summit

In fall 2023, the State Justice Institute funded a midwestern summit focused on attorney shortages. Teams of judges, court administrators, county and district attorneys, public defenders, legislators, educators, and executive branch agency officials from 11 midwestern states met to work on solutions to this issue. Members of the Kansas team shared the innovative ways they were addressing the problem through partnerships with the legislative and executive branches, attorneys, and state agencies such as the Kansas Department of Commerce.



## Preparing for interactive civics learning center

Planning is underway for an interactive public learning center in the Kansas Judicial Center. The planning committee includes representatives from all three branches of government and from the community. The Kansas Department of Administration, Kansas State Historical Society, and the Kansas State Board of Education are represented on the planning committee.

The committee began meeting in 2023 to make recommendations on space requirements, potential locations within the Judicial Center, and desired exhibits and educational materials. The learning center will include hands-on exhibits and provide civics education about the three branches of government, with a focus on the judicial branch.

This project is part of a multiyear modernization of the Kansas Judicial Center. As the footprint for the Supreme Court law library decreases, and more resources are accessed electronically, the library's print collection is decreasing.

It was necessary to consolidate the library's print collection to free space for the learning center. Through a partnership with Washburn University, the Supreme Court Law Library acquired compact shelving, which allowed revamping how the library collection is stored. The donation saved nearly \$1 million, the estimated cost to purchase new compact shelving for the library stacks area.

## Celebrating Constitution Day

Judges and employees in the Kansas Judicial Center celebrated Constitution Day by reading the U.S. Constitution in the Supreme Court Courtroom. Supreme Court justices, judicial branch employees, and members of the public took turns reading from the U.S. Constitution the afternoon of Monday, September 18.

Constitution Day, which will be celebrated annually in the Judicial Center, reminds us of the vision our founders had for the United States at its formation—a representative form of government with three equal branches.



Shelley Sutton, director of Continuing Legal Education, reads from the Constitution while Chief Justice Marla Luckert, Justice Evelyn Wilson, and Justice K.J. Wall wait their turn.



Chief Justice Marla Luckert speaks about the meaning of the U.S. Constitution before those assembled take turns reading from it.

As Chief Justice Luckert said in her invitation to this event, it’s our responsibility as Americans to know and understand our Constitution. It empowers us to “stand up for our rights and dreams.”

## Access to justice initiatives

A judicial branch goal is to ensure the legal system is available to all Kansans, including self-represented litigants, and reduce potential barriers to equal access to justice.

### Eviction resolution and mediation programs

An eviction resolution program was developed in the 18th Judicial District (Sedgwick County) using a grant awarded in 2022. The grant provided funding for a program manager and covered some project development costs. Sedgwick County District Court was selected because it has one of the state’s largest eviction dockets.

The eviction resolution program helps landlords and tenants by providing information about the eviction court process and community resources. Since its inception, the program has provided services to more than 1,500 court users, including landlords, tenants, and others involved with the process.

In 2023, the district court began coordinating eviction mediation sessions through the program. A video about the eviction mediation process was created with help from the National Center for State Courts. In 2023, a total of 17 mediations occurred, with 14 reaching agreement.

An evictions fundamentals class was also developed and taught by a volunteer attorney from the community. Three classes were conducted in Wichita in 2023.



**Watch  
Landlord-Tenant  
Mediation Video**

<https://bit.ly/4aMEGpx>

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In 2023, the Douglas County District Court received a grant to develop its own eviction resolution program, and the Johnson County District Court established an eviction mediation initiative.

### **Court self-help centers**

Court self-help centers are for people who don't have an attorney to guide them through the legal process. It's where they can seek help with their legal needs, including access to standardized forms for common case types, computers, printers, and nonlegal help navigating the court system. Some self-help centers have volunteer attorneys who consult with self-help center users. Their services are through a contract with Kansas Legal Services.

In 2023, four new self-help centers opened in courts in Chase, Douglas, Lyon, and Sumner counties. Courts in Cheyenne, Cowley, Finney, Logan, Reno, Riley, Rawlins, Shawnee, Sherman, and Wallace counties are also developing self-help centers.

### **AmeriCorps Court Navigator program**

Court navigators assist with self-help centers and court-based programs such as the eviction resolution program. In 2023, the judicial branch welcomed an inaugural cohort of court navigators in two counties.

Through a collaboration with AmeriCorps and Wichita State University, the Sedgwick County District Court is hosting an AmeriCorps Court Navigator who is building capacity at the court's local law library self-help center. The navigator connects individuals with legal information about court processes and gathers data that can be used to help meet the needs of self-represented litigants statewide.

In Douglas County, an AmeriCorps Court Navigator is building community resources for the court-based self-help center and working to expand the availability of self-help resources at satellite locations such as the local public library. The Douglas County District Court partnered with United Way of Kaw Valley to establish the navigator position.

### **Georgetown Judicial Innovation Fellowship electronic filing project**

In 2023, the Kansas judicial branch was among three placement sites selected for the Georgetown Judicial Innovation Fellowship. The fellow program brings experienced technologists and designers into state, local, and tribal courts to develop solutions that improve public access to justice. In Kansas, the fellow is designing an electronic filing system for people who don't have access to a lawyer. This project is made possible, in part, through a grant from the State Justice Institute.

### **Alternative dispute resolution**

The Office of Judicial Administration is responsible for administering the Kansas Dispute Resolution Act, which includes credentialing alternative dispute resolution providers.

In 2023, the office approved 250 individuals to mediate disputes outside the courtroom. Some of these dispute resolution providers were also approved to handle more complex civil, domestic, juvenile dependency, and parent-adolescent mediation, as well as case management, domestic conciliation, and parenting coordination.



# Office of the Disciplinary Administrator

The Supreme Court has exclusive jurisdiction over the admission and discipline of attorneys. It adopts rules governing the attorney disciplinary process, the Office of the Disciplinary Administrator, and the Board of Attorney Discipline.

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Disciplinary Administrator Office staff members meet. All are deputy disciplinary administrators except Matthew Vogelsberg, who is chief deputy disciplinary administrator. From left are Alice Walker, Kate Duncan Butler, Matthew Vogelsberg, Amanda Voth, and Julia Hart.

# Office of the Disciplinary Administrator



**Gayle Larkin**  
*Disciplinary Administrator*

## Allegations of attorney misconduct

The Office of the Disciplinary Administrator receives, reviews, investigates, and prosecutes complaints against attorneys for violating the Kansas Rules of Professional Conduct. The rules define what constitutes ethical professional conduct, although they cannot cover every scenario or ethical question.

Complaints are initially investigated by local bar associations or disciplinary administrator staff, and many are resolved or dismissed after a preliminary investigation. Common reasons for dismissal are the alleged facts do not constitute a violation of ethical rules, the complaint is frivolous, lacks adequate detail, is duplicative, or involves a matter outside the Kansas Board for Discipline of Attorneys' jurisdiction.

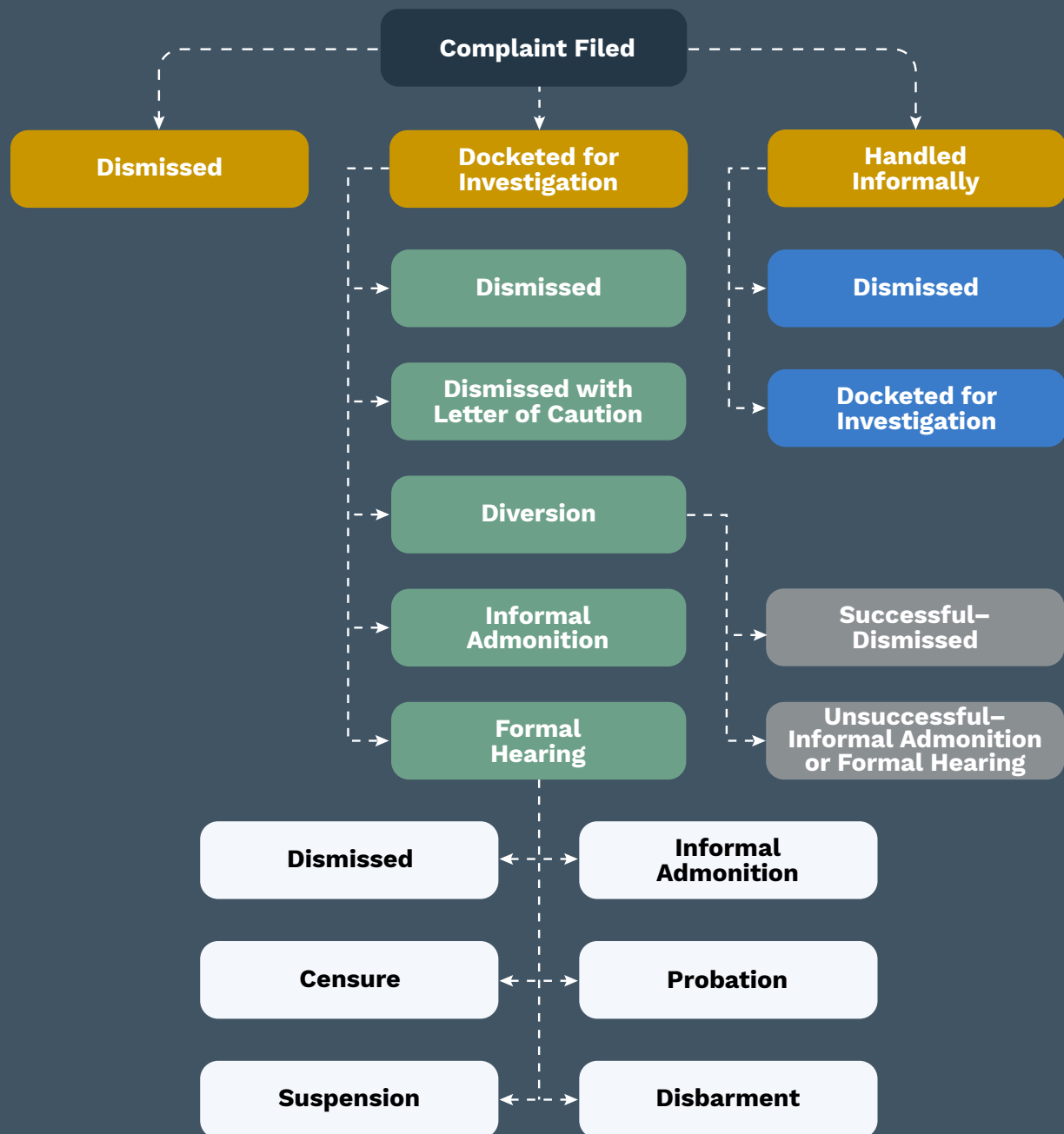
When an investigation is complete, a three-attorney review committee studies the complaint and the investigative report. It may dismiss a complaint if it is found to be without merit. If the committee finds probable cause to believe an attorney violated disciplinary rules, it can either place the attorney on diversion,

*Continued on next page*



# Attorney Conduct Complaint Process

Full procedure found in Supreme Court Rules 200–240



## Fiscal Year 2022—2023

- 1037 complaints received
- 890 dismissed after preliminary investigation
- 147 fully investigated
- 15 informally admonished
- 12 diversion agreements
- 6 summary submission agreements
- 13 formal hearings

## Discipline imposed by Supreme Court

- 6 disbarred
- 1 indefinite suspension
- 7 definite suspension
- 6 probation
- 1 published censure

## Additional Supreme Court decisions

- 2 discharged from probation
- 5 transferred to disabled inactive status
- 4 reinstate license; three placed on probation

informally admonish the attorney, or direct the disciplinary administrator to prepare a formal complaint.

A second three-attorney hearing panel hears evidence from the disciplinary administrator's office and the attorney accused of violating the rules.

This second hearing panel can dismiss the complaint, find a minor violation occurred and admonish the attorney, or find a more serious violation occurred and more serious discipline is warranted. In the latter case, the panel submits a formal report to the Supreme Court with recommended discipline for the attorney.

## Preventing misconduct

The Disciplinary Administrator's Office provides many services and programs designed to protect the public by preventing attorney misconduct. These include offering attorneys continuing legal education programs on professional ethics free of charge. The office also provides on-call ethical guidance and ethics refreshers by email.

The office also randomly audits trust accounts set up by attorneys to hold client funds. It also investigates claims of economic loss due to the dishonest conduct of attorneys and works with the Client Protection Fund Commission to reimburse clients for such losses.

In 2023, the office published two handbooks for attorneys. One is a trust account handbook and the other a succession and retirement planning handbook. These publications are available free of charge.



# Commission on Judicial Conduct

The commission is charged with helping the Supreme Court exercise its responsibility in judicial disciplinary matters. The Supreme Court established rules related to judicial conduct, which apply to all judges in Kansas.

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# Commission on Judicial Conduct

The Commission on Judicial Conduct helps the Supreme Court oversee judicial discipline by investigating complaints that allege a judge violated the Code of Judicial Conduct.

The commission is made up of six lawyers, four nonlawyers, and four judges. Members are grouped into two seven-member panels that meet in alternating months.

The commission receives complaints and it may also investigate judicial misconduct on its own. Additionally, it receives referrals from the Office of Judicial Administration and the Office of the Disciplinary Administrator.

***Most complaints that allege judge misconduct are actually the complainant's dissatisfaction with a judge's ruling. These appealable matters are questions of law rather than questions of conduct, and they are not within the commission's jurisdiction.***

The Clerk of the Appellate Courts serves as secretary to the commission and reviews all complaints. The secretary determines whether a complaint alleges a code violation that is within the commission's jurisdiction. If it does not, and the inquiry panel agrees, it is dismissed.

Complaints not dismissed are assigned to an inquiry panel to determine whether the alleged information or facts support a code violation. If the inquiry panel finds no violation, it will either dismiss the complaint or dismiss it with informal advice.

If a violation is found, the inquiry panel may issue a letter of caution or cease-and-desist order, or it may refer the matter for formal proceedings. All inquiry panel investigations and dispositions are confidential unless made public by the panel or the matter advances to formal proceedings.

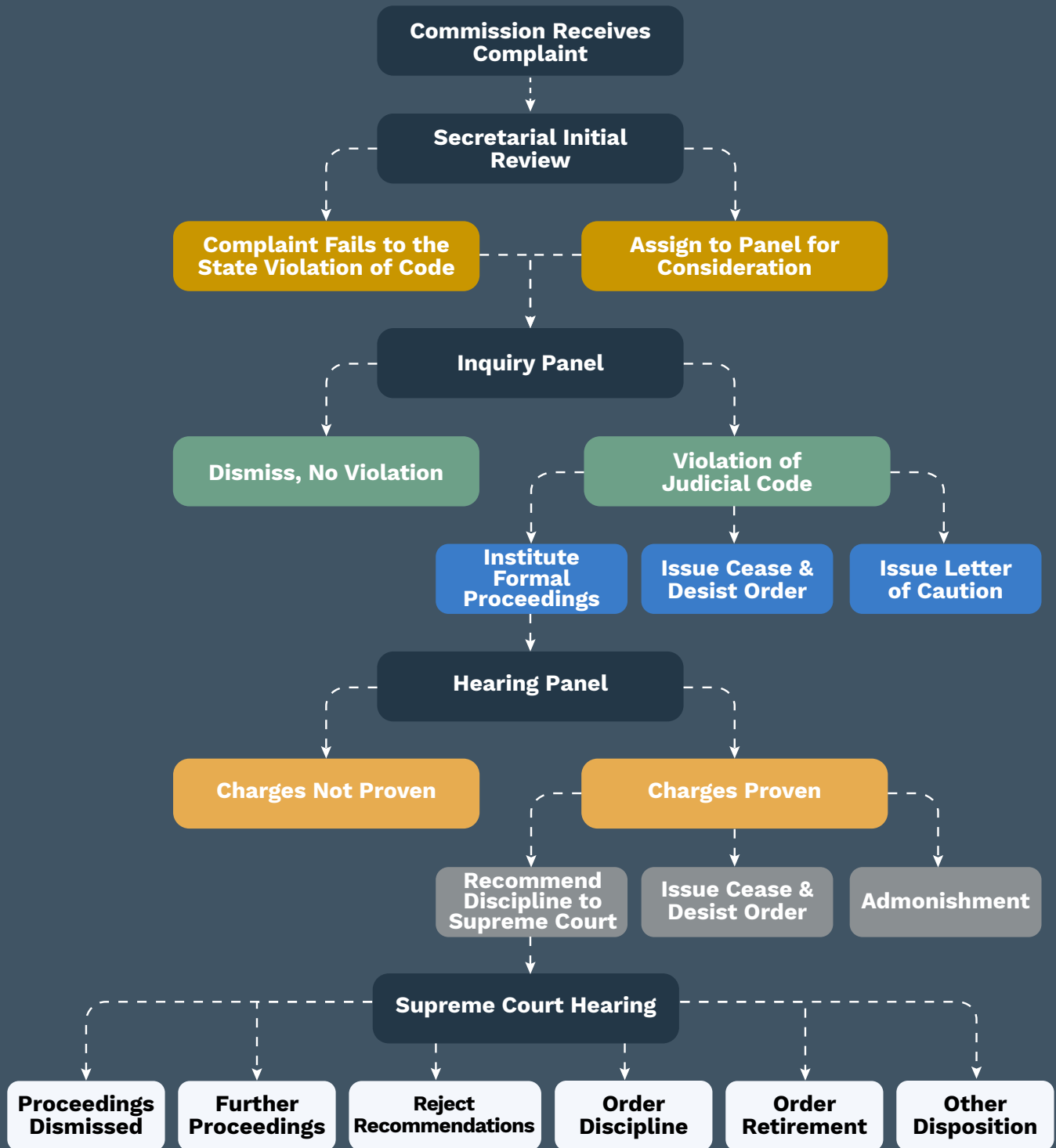
In formal proceedings, the complaint goes to the hearing panel for a separate, independent proceeding. At a formal hearing, the judge can be represented by legal counsel. The formal hearing is a public hearing.

If the hearing panel finds charges are proven by clear and convincing evidence, it can:

- Issue admonishment;
- issue a cease-and-desist order; or
- recommend the Supreme Court impose public censure, suspension or removal, or compulsory retirement.

# Judicial Conduct Complaint Process

Full procedure described in Supreme Court Rules 602–651



A judge must appear for a proceeding before the Supreme Court. The judge may file written exceptions to the hearing panel disposition or address the court regarding the appropriate disposition.

When exceptions are taken, appellate procedure rules apply. When not taken, the panel’s findings and conclusions of law are conclusive and the judge may not challenge them.

The Supreme Court may refer the matter back to the hearing panel, reject the panel’s recommendations, dismiss the proceedings, order discipline, order compulsory retirement, or take other necessary action.

Complaint disposition by calendar year				
	2019	2020	2021	2022
Complaints filed	307	227	222	283
Resolved under Rule 607(a) and (d)	124	94	94	120
Dispositions by inquiry panel				
Dismissed	152	112	102	141
Dismissed with letter of informal advice	10	5	5	5
Letter of caution	8	4	7	6
Cease and desist	2	2	1	1
Refer for formal proceedings	0	1	1	3
Dispositions by hearing panel				
Recommendation to Supreme Court		1	1	
Cease and desist			1	

A photograph of a seminar in a rustic room with a wooden wall and a large screen. A panel of seven people is seated on a stage, and an audience of about 20 people is seated at round tables in the foreground. The room has a high ceiling with exposed pipes and several hanging light fixtures. The overall tone is professional and educational.

# Kansas Lawyers Assistance Program

The Supreme Court created the Kansas Lawyers Assistance Program to help lawyers experiencing personal difficulties that could adversely affect their ability to practice law and, by extension, negatively impact their clients. It is governed by a board whose members are appointed by the court.

Caption: A panel of Kansas Lawyers Assistance Program volunteers speak during a seminar for lawyers and other volunteers. The focus was on reducing the stigma associated with mental health conditions to encourage help-seeking behaviors in the legal profession.

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## As the Learner Matures

- Self-Concept
- Experience
- Readiness
- Orientation
- Motivation

Source: Chan, S., *Applications of Andragogy in Multi-Disciplined Teaching and Learning*, 39:2 J.L. ADULT EDUC. 25, 27 (2010).



Danielle Hall, executive director of the Kansas Lawyers Assistance Program, giving a presentation at the Symposium on Continuing Legal Education and the Professional Education of Lawyers hosted by Villanova School of Law and the Supreme Court of Pennsylvania CLE Board and the Association of American Law Schools Journal of Legal Education.

# Kansas Lawyers Assistance Program



**Danielle Hall**  
*Executive Director*

The Kansas Lawyers Assistance Program was created in 2001 to provide identification, peer intervention, counseling, and rehabilitation to Kansas lawyers and law students experiencing personal difficulties that adversely affect their ability to practice law.

Its charge is to:

- Provide immediate and continuing help to any legal professional—lawyer, bar applicant, or law student—experiencing a physical or mental health issue such as depression, stress, grief, or anxiety; alcohol or drug abuse; gambling addiction; an age-related concern; or any other circumstance that may affect their quality of life or ability to perform their duties;
- protect Kansans from potential harm that could be caused by a legal professional who needs help;
- educate the legal community about the nature of issues that may affect them and the services available to them; and
- develop programs that emphasize preventing circumstances that might negatively affect them.



The program's most used service is short-term counseling. These sessions are with a licensed clinician and are offered at no cost to the attorney. For some, short-term counseling can be enough to get them through what is affecting them and give them practical coping mechanisms.

Another frequently used service is through a team of volunteers who serve as monitors and mentors. It can help the attorney to have someone to talk with, check in on them, give them guidance, or hold them accountable.

Two new services are law practice management and financial wellness. Law practice management includes one-on-one coaching, forms, and other resources such as technology, time management, and law office best practices. The Lawyers Assistance Program provides these services to law professionals referred by the Office of Disciplinary Administrator, and they are available to any Kansas attorney without a referral.

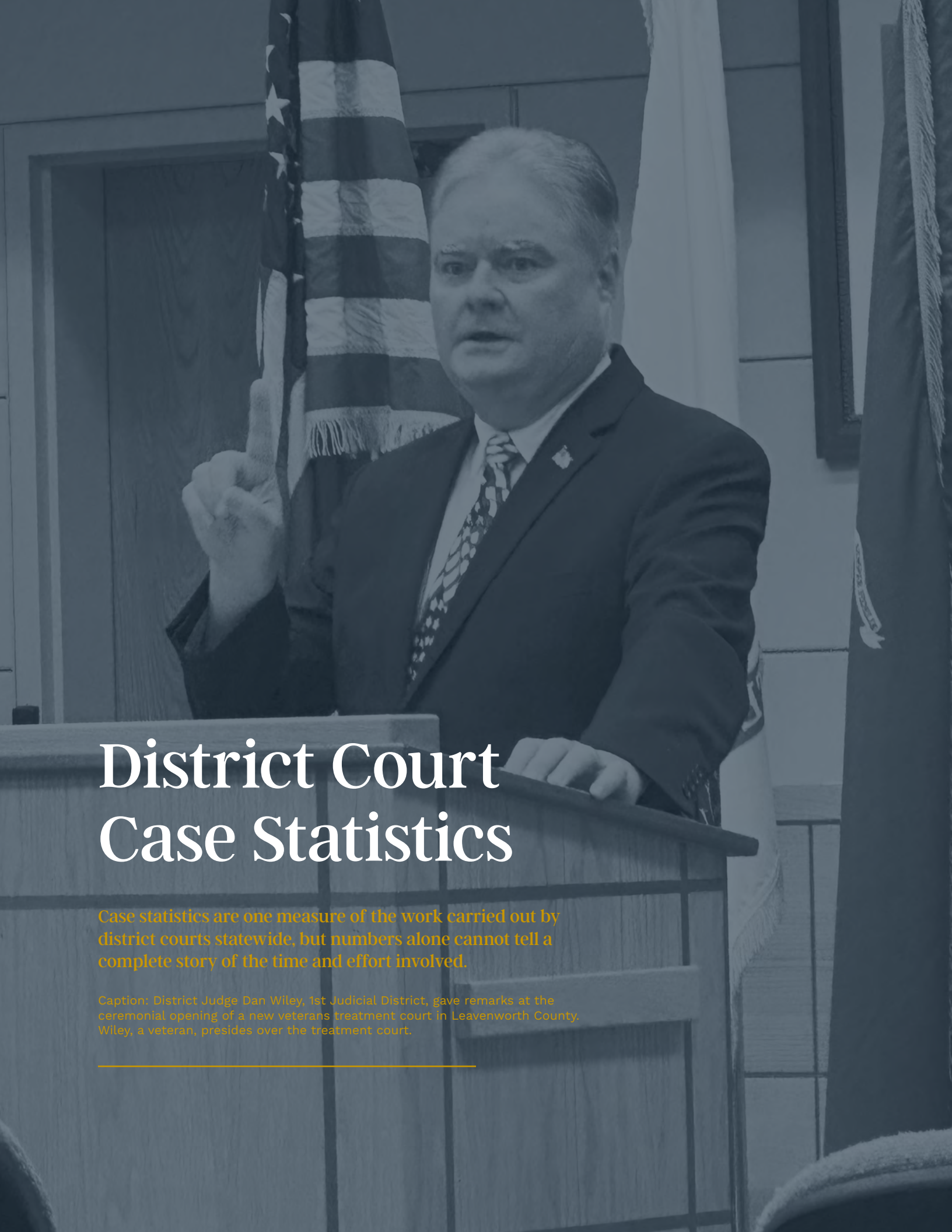
A recently developed financial rehabilitation program is for bar applicants whose applications are flagged due to large unpaid debts, missing payments, and matters in collection. Through the financial wellness program, bar applicants can receive financial coaching, work on a repayment plan, and set future goals for financial wellness, which allows them to offer evidence of rehabilitation. This program is in the pilot stage and will be offered to the entire bar soon.

In fiscal year 2023, the Lawyers Assistance program had 198 open client files. In fiscal year 2022, it had 184, and in fiscal year 2021, 129.

Services are without cost unless the professional needs treatment or long-term care, and the Kansas Lawyers Assistance Program Foundation may provide financial assistance.

All communication between the attorney and an individual or entity operating under the Lawyers Assistance Program is privileged against disclosure and treated the same as confidential communications between an attorney and client.





# District Court Case Statistics

Case statistics are one measure of the work carried out by district courts statewide, but numbers alone cannot tell a complete story of the time and effort involved.

Caption: District Judge Dan Wiley, 1st Judicial District, gave remarks at the ceremonial opening of a new veterans treatment court in Leavenworth County. Wiley, a veteran, presides over the treatment court.

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# District Court Case Statistics

Case statistics offer one view of the work carried out by district courts. The numbers reflect the volume of cases filed in district courts, but it's important to consider the amount of work required to dispose of these cases and the effect they have on parties involved in them.

Comparatively, adoption cases are small in number, but ensuring permanency for children involves many people working together, including foster parents, case workers, social workers, judges, parents' attorneys, and guardians ad litem. The number of misdemeanor and felony cases cannot convey the countless hours of work by law enforcement, court services officers, social workers, drug and alcohol counselors, clerks, and judges.

On the following page are fiscal year 2023 case filings for a few common case categories. Other case types included in the total but not listed in the common categories include fish and game, juvenile offender, traffic, and miscellaneous matters, such as small claims and care and treatment.

# Total Cases: 333,958\*

● Civil ● Criminal ● Probate



\*These preliminary numbers could change slightly once filing statistics for fiscal year 2023 are finalized. When the transition to the Kansas eCourt case management system is complete, timely gathering and reporting annual case management statistical data will resume.

\*\* from abuse, stalking, sexual assault, or human trafficking

A woman wearing glasses and a dark judicial robe is speaking at a podium. She has her hands clasped in front of her. In the background, several other women are seated, some wearing judicial robes, listening attentively. The scene is set in a courtroom or a formal hearing room.

# Judicial Branch Budget

About 92% of the judicial branch budget is used to pay salaries for 290 judges and justices and about 1,700 employees.

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Emily Reichelt, court services officer in Wyandotte County District Court, works in her office.

# Judicial Branch Budget

For the past several years, Kansas' three branches of government worked together to accomplish historic achievements for the Kansas judicial system. This included strengthening employee pay by bringing employees to full-market pay, moving the judicial branch budget away from a dependency on unstable court user fees to state general funding, and implementing cost-of-living pay increases for employees and judges.

The judicial branch is deeply grateful for the work by the Legislature and executive branch for these accomplishments.

## House Sub. for SB 229

In 2023, the Legislature, Governor Laura Kelly, and the judicial branch again worked together to achieve competitive judge salaries through House Sub. for SB 229. This law globally addresses legislative, executive, statewide elected official, and judge pay. It is historic for the judicial branch.

For decades, the judicial branch requested funding to address under-market judge pay. The law establishes new compensation rates for all judicial branch judges. The statute provides a formula to set pay rates, using district judge salaries as its lodestar.

*Continued on next page*

## JUDICIAL BRANCH BUDGET

Starting January 1, 2025, a Kansas district judge will earn 75% of the annual salary of a U.S. district judge. Salaries for other judge classes will be determined from the resulting Kansas district judge figure: magistrate judges, chief judges, Court of Appeals judges, and Supreme Court justices.

This statutory change strengthens the entire judicial system. Not only will current judges benefit, increased judicial compensation makes judge positions more appealing to anyone considering joining the Kansas bench. It narrows the gap between salaries the judicial branch offers and salaries potential judicial candidates make outside the judiciary. The court system is optimistic this increased competitiveness will attract the well-experienced and professionally diverse candidates Kansas businesses and Kansans need.

This achievement would not have been possible without the work of many dedicated people from all three branches of government. Governor Laura Kelly and her office, and the leadership of Senate President Ty Masterson and House Speaker Daniel Hawkins and their staffs were instrumental to passing this law. We also thank all our legislative partners, legislative staff, and the Office of Judicial Administration team for their efforts. And the associations that represent judicial branch judges and employees that have consistently supported competitive judge pay. We express our gratitude to the Kansas District Judges Association, the Kansas District Magistrate Judges Association, the Kansas Association of Court Services Officers, the Kansas Association of District Court Clerks and Administrators, and the Kansas Court Reporter Association.

### Cost-of-living increases

The 2021 Legislature appropriated historic salary increases to bring all judicial branch employees to then full market pay. This ended more than a decade of below-market, uncompetitive employee salaries that contributed to turnover, difficulty recruiting qualified employees, and low morale—all of which weakened almost every facet of court administration.

The Legislature capped employee pay increases for fiscal year 2022 at 12%. Positions eligible for more than a 12% increase received the difference in fiscal year 2023.



Dawn Rouse, court administrator in the 13th Judicial District, testifies before the House General Government Subcommittee.



Additionally, judicial branch employees were included in the statewide 5% employee cost-of-living increase in fiscal years 2023 and 2024. These legislative actions were instrumental in keeping exceptional talent with the branch and strengthening the court system’s ability to attract well-qualified employees.

These efforts have a far-reaching and profound impact. Judicial branch employees across the state were able to give up second jobs or their partners no longer had to work a second job. More time is spent with family, and every additional dollar means a little less stress.

A well-functioning judiciary must continue to be maintained. The judicial branch fiscal year 2025 budget includes a request to increase employee salaries by 5%, an amount designed to offset inflationary pressures and other market forces. Legislative leaders, the governor, and staff have worked hard to strengthen the judicial branch workforce—we cannot afford to lose ground now.

The fiscal year 2025 budget request respectfully asks the governor and Legislature to increase judicial branch employee salaries by 5% to maintain market rate pay and attract and retain the employees Kansans need in their court system.

## **Employee positions**

For more than a decade, there was almost no growth in employee and judicial positions. In fiscal years 2022 and 2023, the Kansas judicial branch asked the Legislature to address some of the most critical shortages. The Legislature responded by creating new court services officer and judicial positions, as well as some administrative support personnel. The branch thanks the Legislature for recognizing the need for these positions.

A third area where the branch has been critically understaffed is in the administrative office. For the branch to provide the online and in-person services Kansans expect from their court system, critical staffing gaps must be filled.

The highest priority is IT security positions. Prior to a cybersecurity incident in October, the judicial branch budget request reflected the need for these positions. With the events in October, these positions are even more critical to adapt to a changing cybersecurity landscape.

The branch also faces increased demand for IT support and financial positions to help with financial controls and auditing those processes. Other positions focus on meeting the needs of litigants, witnesses, jurors, and others who use the court system to make it easier for Kansans to successfully navigate the judicial system.

The Office of Judicial Administration carefully evaluated whether to request new employee positions due to the additional cost to the state. Judicial branch requests are based on the need to equip the courts with personnel to provide the level of service needed for an efficient court system.

# In Closing

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Chief Justice Marla Luckert speaks at annual conference for judges.



## In Closing

Kansas judges and court employees are the heart and soul of our judicial system. Without their dedication to the people of Kansas, new initiatives and projects like those highlighted in this report would not be possible. Kansans owe much to these public servants who innovate and tirelessly work to improve access to a fair and impartial system of justice.

*Marla Luckert*



