

Proposed Amended Supreme Court Rule 2.041

The Kansas Supreme Court is accepting public comment on proposed changes to Supreme Court Rule 2.041 concerning an ambiguity in the rule regarding the response time to file an answer to a docketing statement. The proposed changes are shown below using strikethrough for deletion and underlining for new language.

Comments may be submitted to rulenotice@kscourts.org until 5 p.m. Monday, June 11, 2018. The email subject line must read "Rule 2.041."

Rule 2.041

DOCKETING STATEMENT

- (a) **Time to File.** ~~Not~~ No later than 21 days after a notice of appeal or cross-appeal is filed in a district court, the appellant or cross-appellant must file with the clerk of the appellate courts a docketing statement, along with other documents required under Rule 2.04.
- (b) **Service.** A copy of the docketing statement must be served on all ~~other~~ parties to the appeal or cross-appeal.
- (c) **Answer to Docketing Statement.** If the statement of facts or issues in a docketing statement is insufficient to provide the court a fair summary of the facts ~~and~~ or issues on appeal, an appellee or cross-appellee may file ~~not later than 15 days after service of the docketing statement~~ ~~an answer to the docketing statement.~~ an answer to the docketing statement. The answer must be filed no later than 15 days after the filing of either:
 - (1) a timely filed docketing statement; or
 - (2) the order granting a motion to docket out of time.
- (d) **No Grounds for Relief.** No party may file a motion based on the contents of a docketing statement or an answer to a docketing statement.
- (e) **Form.** A docketing statement and an answer to a docketing statement must be on the applicable judicial council form.

[**History:** New rule effective October 1, 1982; Am. effective August 24, 1988; Am. effective February 8, 1994; Am. effective July 1, 1997; Am. (b) effective May 9, 2005; Am. (b) effective September 6, 2005; Am. (b) Ex. 3. c. effective July 7, 2008; Restyled rule and amended effective July 1, 2012; Am. (a) and (c) effective December 19, 2016.]