

Proposed Amended Rule 502

The Kansas Supreme Court is considering proposed amendments to Supreme Court Rule 502 to strengthen continuing education requirements for municipal court judges who do not have law licenses. The proposed changes are shown using strikethrough for deletion and underlining for new language.

The Supreme Court is accepting comment on the proposed amendments until 5 p.m. Sunday, August 6, 2017. Comment may be submitted by email to publiccomments@kscourts.org with Rule 502 in the subject line.

Rule 502 Required Continuing Judicial Education Municipal Court Judges

- (a) **Applicability.** ~~This rule applies only to m~~Municipal court j~~udges not licensed to practice law in the s~~State of Kansas_ shall earn a minimum of 10 hours of approved continuing judicial education in each calendar year in which the judge successfully completes the certification examination administered by the Supreme Court.
- (1) Municipal court judges who are also district magistrate judges are governed by Rule 501.
- (2) Municipal court judges licensed to practice law in the state of Kansas, who are not district magistrate judges, are governed by Rule 802.
- (b) **Education Requirement.** A judge must earn 13 hours of continuing judicial education credit each calendar year. Of those 13 hours, at least 2 hours must have been accredited for judicial ethics credit.
- (c) **Carry-forward.** A judge cannot carry forward excess continuing judicial education credits to the next calendar year.
- (d) **Credit Calculation.** A judge earns one credit hour for 50 minutes of attendance and one-half credit hour for 25 minutes of attendance at instructional activities of a continuing judicial education program accredited under this rule.
- (e) **Accreditation—General Continuing Judicial Education.**
- (1) Courses not applicable to the functions of a municipal court do not satisfy the education requirement under subsection (b).
- (2) The Supreme Court ~~must~~ shall approve a ~~all~~ programs for general continuing judicial education credit before a judge can use attendance at the program to satisfy

the education requirement under subsection (b). The Supreme Court, through the Municipal Judges Education Committee or the judicial administrator, will ~~and shall~~ designate at the time of accreditation the number of general continuing judicial education ~~credit~~ hours ~~which a judge can be earned by actual program attendance~~ attending the program.

(3) A continuing legal education program accredited by the Kansas Continuing Legal Education Commission is considered approved by the Supreme Court for general continuing judicial education credit if the program is applicable to the functions of a municipal court.

(4) A judge must use a form approved by the Supreme Court to request accreditation of a general continuing judicial education program not sponsored by the Supreme Court or accredited by the Kansas Continuing Legal Education Commission. The judge must submit the request at least 30 days before the program, and the judge cannot claim hours for attendance to satisfy any of the required annual education hours until the judge receives written notice of accreditation from the Supreme Court.

(f) **Accreditation—Judicial Ethics Credit.**

(1) The Supreme Court must approve a program for judicial ethics credit before a judge can use attendance at the program to satisfy the annual judicial ethics credit requirement under subsection (b). The Supreme Court, through the Municipal Judges Education Committee or the judicial administrator, will designate at the time of accreditation the number of judicial ethics credits a judge can earn by attending the program.

(2) A judge must use a form approved by the Supreme Court to request accreditation of a judicial ethics program not sponsored by the Supreme Court. The judge must submit the request at least 30 days before the program, and the judge cannot claim hours for attendance to satisfy any of the required judicial ethics credits until the judge receives written notice of accreditation from the Supreme Court.

(g) **Teaching Credit.** A judge may earn up to five credit hours for 50 minutes spent teaching an approved program. In determining the number of credit hours to award, the judicial administrator will calculate time spent in preparation and teaching.

(h) **Annual Compliance Report.** ~~(e) Each judge must required by this rule to earn continuing judicial education credits shall~~ submit an annual report of the judge's compliance with this rule continuing education credits earned by the judge in the format and such form and manner prescribed by as the Supreme Court shall prescribe. The judge must submit the report to the judicial administrator no later than February 1 following the calendar year for which hours are being claimed.

- (i) **Waiver, Extension of Time.** ~~(d)~~ The Supreme Court may grant waivers or extensions of time to complete continuing judicial education requirements because of hardship, disability, or other good cause. A judge must submit a request for waiver or extension in writing to the judicial administrator prior to February 1 following the calendar year for which the waiver or extension is sought.

- (j) **Oversight.** The judicial administrator will implement and administer the continuing judicial education program established by this rule and will develop any forms, subject to approval by the Supreme Court, necessary for that purpose.