

LOCAL COURT RULES
FOR THE
TWENTY-FIFTH JUDICIAL DISTRICT
STATE OF KANSAS
JANUARY 1, 2013



JUDGES OF THE 25TH JUDICIAL DISTRICT

Hon. Robert J. Frederick	District Judge, Division 1
Hon. Michael L. Quint	District Judge, Division 2
Hon. Philip C. Vieux	District Judge, Division 3
Hon. Wendel W. Wurst	District Judge, Division 4

Hon. Wade M. Dixon	District Magistrate Judge, Greeley County.
Hon. Donna L.J. Blake	District Magistrate Judge, Hamilton County
Hon. Richard H. Hodson	District Magistrate Judge, Kearny County
Hon. James R. Collins	District Magistrate Judge, Scott County
Hon. Janna K. DeLissa	District Magistrate Judge, Wichita County
Hon. Ricklin R. Pierce	District Magistrate Judge, Finney County
Hon. Christopher D. Sanders	District Magistrate Judge, Finney County

Wendel W. Wurst , Chief Judge
Kurtis Jacobs, District Court Administrator

PREFACE

The rules set forth herein are intended to and do supplant any and all prior local rules and shall be effective as of January 1, 2013.

NOTICE

**NOTHING CONTAINED IN THESE RULES IS INTENDED TO OR IS TO BE
CONSTRUED SO AS TO SUPPLANT OR CIRCUMVENT THE AUTHORITY OF
THE KANSAS SUPREME COURT AND THE RULES THEREOF.**

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(05-98)

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GENERAL PROCEDURE

Rule No. 1

ADOPTION OF RULES

Local Court Rules adopted pursuant to Supreme Court Rule No. 105 shall be in writing, published by the Court, and made available to counsel, and for any other interested party or person upon request.

Rules promulgated as hereinafter provided shall be effective upon filing with the Clerk of the Kansas Supreme Court, and shall remain in effect as long as they do not conflict with applicable statutes or rules legislated by the Kansas Supreme Court or are otherwise amended or repealed by this Court.

In order to effectuate such rules as from time to time become necessary, the district judges and district magistrate judges shall meet to review the status of the district judiciary. The agenda at such meetings shall include a review of the effectiveness of existing rules and a discussion of proposed rules, together with any recommendations of the local bench-bar committees. The Chief Judge shall set the date, time, and place for such meetings as shall prove convenient to a majority of the judges in the district.

Rule No. 2

CHIEF JUDGE

The Chief Judge shall perform those duties as provided in the Rules of the Kansas Supreme Court and the Kansas Statutes Annotated, as amended. In the absence of the Chief Judge, such duties shall be performed by the person designated by said Chief Judge.

Rule No. 3

OFFICIAL COURT CALENDAR
MOTION DAYS, REPORTING

- 3.1) There shall be published annually an Official Court Calendar for the Twenty-Fifth Judicial District. The Calendar shall designate the various Motion Days throughout the District. The Official Calendar shall be available upon request from the Clerks of the District Court.
- 3.2) Throughout the District all matters docketed for hearing on a Motion Day before a District Judge shall not exceed twenty (20) minutes in duration. If counsel anticipates his or her motion may exceed the allotted time, then a special setting should be requested from the assigned judge.
- 3.3) The following rules shall apply to docketing motions before a District Judge in the various counties within this district:
 1. Civil motions in Finney County shall, as practicably possible, be docketed every 30 minutes, beginning at 9:00 a.m. on the designated Civil Motion Day. To place a motion before the Court, you should contact the assigned judge's office for a specific date and time and include same in your notice of hearing. Uncontested and ex parte matters may be presented to the Court at any time without prior court approval.
 2. Domestic matters in Finney County shall be docketed by the assigned judge. To place a domestic matter before the Court, you should contact the assigned judge's office for a specific date and time and include same on your notice of hearing. Uncontested and ex parte matters may be presented to the Court at any time during business hours.
 3. Criminal motions in Finney County - see Local Rule No. 30.
 4. Motions and other matters to be heard by a District Judge on Motion Day in Kearny, Hamilton, Greeley, Wichita, and Scott Counties shall be docketed beginning at the time designated on the Official Court Calendar. To place a motion or other matter before the Court, you should contact the Clerk of the appropriate district court.

- 3.4) A motion which is evidentiary in nature or which may require more than 20 minutes to present should not be docketed on a Motion Day without the prior approval of the assigned judge. A request for a hearing on any such motion should be in writing to the assigned judge with a copy to opposing counsel/party. Upon receipt, the assigned judge shall docket the matter and direct notice to counsel.

Rule No. 4

USE OF COURTROOMS

The courtrooms within the Twenty-Fifth Judicial District are provided for the use of the courts, but are not the exclusive property of the courts. Whenever a courtroom is needed for a judicial proceeding that use has priority; but at all other times when such courtrooms are not needed for judicial proceedings, their use for other types of community activities and judicial sales is to be encouraged, with a view to the public receiving the maximum use of the tax dollars supplied in providing the courtroom facilities.

Rule No. 5

FORMS OF PLEADINGS

(Repealed 1/1/95)

Rule No. 6

CONDUCT IN AND GENERAL USE OF COURT FACILITIES

To ensure the orderly course of business for the court and all offices located in the Finney County Courthouse, to guard against disruption and to alleviate congestion, the following rules and considerations of conduct should be observed by the court and counsel, litigants, witnesses, and observers.

1. When involved in proceedings on the 4th Floor of the courthouse, counsel should limit their conferences with clients to the attorney-client conference room and the 4th Floor hearing room when such space is available.
2. When it is necessary to have clients available for proceedings on the 4th Floor of the courthouse, counsel should inform their clients that all accompanying family and friends should wait in the hallway on the 3rd Floor.
3. Witnesses awaiting trial to be held in either the Hutchison Courtroom or the Main Courtroom should wait in the courtroom or the 3rd Floor hallway. Witnesses awaiting trial in the 4th Floor hearing room should wait in an area designated by the presiding judge with a view to keeping the hallway and common areas as free from congestion as possible. Exceptions may be granted by the presiding judge in any case with a view to keeping order within the courthouse and keeping hallways and common areas as free from congestion and noise as possible. When an exception is granted, other judges and supervisors affected should be notified.
4. Counsel should make arrangements for the adequate supervision and control of children whether they be witnesses, litigants, or children of witnesses and litigants. Court personnel will not provide supervision or control over such children.
5. The court, court personnel, counsel, witnesses, litigants, and observers should avoid loud conversations or any activities which would tend to disturb or disrupt the business of the court.

The court realizes that it exists for the service of all citizens; however, a disruption by one is to the detriment of all and will continue to be an ever greater problem with the increasing demands on courthouse facilities. If a disruption continues after a request to cease has been made, the offending party will be asked to vacate the courthouse entirely. If the offending party is a client, witness, or a child thereof, consultation will be had with counsel involved prior to the directive to vacate. Serious disruptions tending

to cause alarm or threaten the peace and safety of the courthouse will be dealt with summarily in any case.

Nothing in this rule is intended to supplant or in any way diminish the contempt powers of the court, nor is this rule intended to be a condition precedent to the exercise of such powers.

CASE ASSIGNMENTS AND PROCEDURE

ASSIGNMENT OF DISTRICT JUDGES

10.1 General: In addition to the specific assignments set forth below, the District Judges of this district shall have authority over all matters as may from time to time arise in the absence of the regularly assigned judge and as may be assigned by the Chief Judge or order of the Kansas Supreme Court. Cross assignments to cases in the various departments and counties may be made without formal order. All assignments are subject to local Administrative Order regarding Departmentalization of Judicial Functions in Finney County, Kansas.

10.2 Finney County Assignments: The assignments of the District Judges of the Twenty-fifth Judicial District for the calendar year 2013 shall be as follows:

- a. The Hon. Robert J. Frederick, Division 1:
 - 1. Lead Judge, Criminal Department.
 - 2. Primary assignment within the Department is Felony Criminal.

- b. The Hon. Michael L. Quint, Division 2:
 - 1. Civil Department.
 - 2. Primary assignment within the Department is Chapter 60.

- c. The Hon. Philip C. Vieux, Division 3:
 - 1. Lead Judge, Civil Department.
 - 2. Primary assignment within the Department is Chapter 60.

- d. The Hon. Wendel W. Wurst, Division 4:
 - 1. Court Administration.
 - 2. Criminal Department.
 - 3. Primary assignment within the Department is Felony Criminal.

10.3 Other County Assignments: The assignments of the District Judges of the Twenty-fifth Judicial District to duties in counties other than Finney County for the calendar year 2013 shall be as follows:

- | | | |
|----|------------------------------|----------------------------|
| a. | The Hon. Michael L. Quint | Scott County |
| b. | The Hon. Wendel W. Wurst | Wichita and Greeley County |
| c. | The Hon. Philip C. Vieux | Hamilton County |
| d. | The Hon. Robert J. Frederick | Kearny County |

(Effective 1/1/13)

Rule No. 20

PROCEDURE IN DOMESTIC CASES

The following procedure shall apply to all counsel and parties pro se appearing in all domestic cases in the District Courts of the Twenty-Fifth Judicial District:

20.1) CHILD SUPPORT/ALIMONY:

A. Interlocutory Orders:

1. No order, ex parte or otherwise, shall be entered unless the party presenting same shall have complied with Kansas Supreme Court Rule No. 139 and completed a Child Support Worksheet. Estimates of income of one or both parties will not generally be acceptable, absent extraordinary circumstances. Utilization of the rules of discovery is encouraged to determine the necessary information.
2. Absent extraordinary circumstances, no ex parte orders shall be entered for the maintenance of either party. All requests for temporary maintenance shall be upon motion reflecting service on the opposing party or counsel and notice of hearing, on a date secured from the assigned court.

B. Final Orders:

1. Compromise Support Orders: A compromise settlement must be shown to be acceptable in law or fact. If such compromise is less than suggested in the child support guidelines, the law or facts supporting such compromise must be set forth in the journal entry.
2. Orders Upon Contest: The Court shall consider the guideline support amount as a rebuttable presumption in setting a support order. A party whose position is contrary shall have the burden of proof. A party who has the burden of proof shall present to the Court affidavits which comport to Supreme Court Rule No. 139 even if the matter is not ex parte.

3. Documentary Support of Final Order: If a final order is agreed upon and is in accordance with the guidelines, a worksheet A and the appropriate affidavits shall be filed with the final order. If the final order is as a result of a compromise that is less than the guidelines, then the journal entry shall recite the law and facts which support such a compromise. If the final order is as a result of a contested hearing, the journal entry shall recite the findings of fact delivered by the Court as to that issue.

C. Stipulations:

The parties are encouraged to stipulate to the admissibility of the child support income information prior to pretrial. Failure to do so in good faith prior to pretrial shall cause the Court to consider sanctions for dilatory actions on the part of the offending party.

20.2) PROCEDURES AS TO PROPERTY DIVISION:

A. List of Property:

See 20.4/C

B. Titles:

Prior to trial counsel shall make a good faith effort to have in their possession the necessary titles to personal property and the appropriate documents affecting real property or mineral interests so that upon the completion of the action the documents may be exchanged, if necessary, forthwith.

20.3) REQUIRED CONTENTS OF DECREES AND ORDERS:

A. Orders Where Child Support or Maintenance is Entered:

The following must appear: "All child support/maintenance payments shall be made payable to the order of The Kansas Payment Center. Each of the parties shall inform the clerk, in writing, of any change of address, name, and employer with business address within seven (7) days of such change."

B. Involuntary Income Withholding for Support and Maintenance are Entered:

Income withholding orders are now mandatory in all cases involving child or spousal support.

C. Orders Where Child Custody has been Ordered by the Court:

The following must appear: "Neither party to this action, whether entitled to custody under this order or not, shall change the residence of a child subject to this order to a place outside the State of Kansas or the child's state of residence or remove the child from this state or its state of residence for a period of time exceeding 90 days without first giving written notice to the other parent not less than 21 days prior to such change. Such notice shall be given by registered mail, return receipt requested, to the last known address of the other parent."

"Any change of address of any child subject to this order, whether in state or out of state, shall be immediately revealed to the court by filing a notice thereof with the clerk of the court within seven (7) days stating the new mailing address, street address, and telephone number of the child."

D. All Final Decrees of Divorce:

The following must appear: "The parties are prohibited from contracting marriage with another person until thirty (30) days after the date of the filing of the Journal Entry and, if an appeal be taken, then any such marriage is prohibited until receipt of the mandate of the appellate court in accordance with K.S.A. 60-2106(c)."

20.4) FORMS AND THE INFORMATION TO BE CONTAINED THEREIN:

A. Domestic Relations Affidavit:

Compliance with Supreme Court Rule No. 139 is mandatory.

B. Domestic Pretrial Information Sheet:

In all domestic cases where a pretrial conference is docketed, a Pretrial Information Sheet shall be completed by each party and submitted to the Court at least seven (7) days prior to the scheduled pretrial hearing. The parties should further exchange a copy of said information sheet prior to the hearing. The format for the Pretrial Information Sheet shall substantially comply with the form provided by the Court.

C. Joint Statement of Property and Debts:

Where requested by the Court, the parties shall mutually complete a Joint Statement of Property and Debts on a form supplied by the Court.

20.5) PROTECTION FROM ABUSE ACT:

All applications for temporary restraining orders may be submitted by the Clerk of the District Court to any available judge, district or magistrate. All final order requests shall be submitted for hearing to the judge assigned on the date scheduled for hearing said requests.

20.6) VITAL STATISTICS INFORMATION/FORM:

Counsel preparing the journal entry or the prevailing party shall be responsible for providing the information on the vital statistics form furnished by the Clerk of the Court and for filing same with the Clerk together with the journal entry. Repeated failure to comply with this rule as mandated by K.S.A. 65-2422b may result in sanctions being imposed by the Court.

Rule No. 30

PROCEDURE IN CRIMINAL CASES (DISTRICT JUDGE)

The following procedure shall apply to all counsel and parties pro se appearing before a District Judge in the Twenty-Fifth Judicial District:

- 30.1) All matters docketed for hearing on a criminal motion day shall be non-evidentiary in form of presentation, and shall be scheduled every twenty minutes by the Clerk of the District Court, Criminal Division. Counsel seeking to place a matter on a criminal motion day docket shall be responsible for contacting the clerk for a date and time, noticing opposing counsel, and forwarding a courtesy copy of said motion and notice to the assigned judge in chambers. If counsel is not present when his or her case is called on the docket and no previous arrangements have been made concerning the matter pending, the case may be moved to the end of the docket and counsel so notified by the clerk, or the matter may be dismissed or such other disposition or relief granted as the Court deems proper under the circumstances.
- 30.2) All matters which may require an evidentiary hearing shall be docketed by the assigned judge. Counsel seeking to file such a motion shall be responsible for contacting the assigned judge for a date and time for such hearing. The Court in its discretion may refuse to hear any evidentiary motion which is not presented to the Court in a timely fashion, absent a showing that the grounds for such motion were not known and could not, with reasonable diligence, have been discovered prior to the date submitted. Counsel shall further be responsible for noticing opposing counsel and for providing a courtesy copy of said motion to Chambers.

30.3) In Finney County there may be conducted a pretrial conference, as provided by K.S.A. 22-3217, in all felony criminal cases. The pretrial conference shall be held subsequent to arraignment and not later than thirty (30) days prior to the scheduled trial date. The Court shall be responsible for scheduling such pretrial conference and issuing notice to counsel. Counsel shall be prepared to discuss the following matters during the pretrial conference:

- (a) Proposed instructions;
- (b) Time needed for trial;
- (c) Admissions and/or stipulations;
- (d) Plea bargain prospects;
- (e) State's witnesses and exhibits;
- (f) Motions in limine, continuances, etc.;
- (g) Legal questions;
- (h) Media concerns.

It is the intent of the Court to utilize the pretrial conference to avoid unnecessary continuances and delays in bringing matters before the Court, while at the same time relieving the Court's calendar of cases which are resolved by a negotiated plea. The presiding judge may require trial counsel to be present at all pretrial conferences and motions.

30.4) District Judges assigned to the criminal cases in Finney County will, at 8:30 a.m., prior to the commencement of their regular criminal motion day, take video appearances of those in custody in the jail or juvenile detention center. On weeks when no criminal motion day is regularly scheduled those video appearances will be taken by judges specifically assigned.

Rule No. 40

PROCEDURE IN CIVIL (CH. 60) CASES,
LIMITED CIVIL AND JUVENILE APPEALS

The following procedure shall apply to all counsel and parties pro se appearing in the Twenty-Fifth Judicial District:

40.1) PRETRIAL CONFERENCE PROCEDURE:

A. Pretrial Information Sheet:

In all civil cases, including juvenile matters before a district judge, wherein a pretrial conference is ordered, it shall be the duty of each party to the litigation to prepare a pretrial information sheet which shall set forth all necessary information as is required to be discussed at such conference in Supreme Court Rule No. 140. The pretrial information sheet shall be prepared on letter-sized paper and exchanged with counsel and mailed to the Court at least seven (7) days prior to the conference.

B. Pretrial Conference Participation:

Unless prior permission from the Court is obtained, the attorney who will be trying the case shall attend the pretrial conference. Substitute attorneys are permissible under certain circumstances; however, all will be bound by his/her representations at trial. Further, substitute attorneys will be expected to be prepared to participate in all aspects of the pretrial conference. Any attorney should be prepared to accept sanctions imposed for lack of preparedness at pretrial conference and for failure to provide a pretrial information sheet.

C. Telephone Pretrial Conferences:

The Court may agree to conducting pretrial conferences by telephone in most cases wherein all have complied with the submission of the information sheet. Any party desiring such a conference shall first obtain permission from the Court and then shall be charged with the duty of initiating the call.

40.2) DISCOVERY CONFERENCE PROCEDURE:

A. Discovery/Case Management Conference:

As near as possible, plaintiff(s) in every civil case may cause to be docketed on the Court's Motion Day a discovery or case management conference pursuant to K.S.A. 60-216.

B. Procedure:

An information sheet may be required by the presiding judge.

C. Telephone Hearings:

The Court may agree to conducting a discovery or case management conference by telephone. Any party desiring such may advise the Court by letter with notice to the opposing party and shall initiate the call.

40.3) NOTICES OF HEARING/CONTINUANCES:

Any Notice or Order of Hearing of any nature, signed by a judge of this court, shall be presumed to have precedence, as of the date of the order, over any and all notices of this court or any other courts issued subsequent to notices of the date of the order.

Where a scheduled date on the Notice of Hearing creates a conflict on your calendar, or in the event a continuance is warranted, you may proceed to either:

- A. Confer with opposing counsel, and if agreeable, submit an Order of Continuance to the assigned judge's office, leaving blank a space so that a date may be provided; or
- B. File a Motion for Continuance and obtain a date for hearing on the Motion for Continuance from the assigned judge's court reporter or administrative assistant. Serve opposing counsel with a copy of the motion and notice of hearing. Counsel may appear personally at all such hearings or make arrangements for a telephone conference call.

Do not unilaterally call the Court and request the case be continued or advanced. It is inappropriate and unfair to all concerned to handle a request in such fashion. Nor will a letter be accepted as a request for continuance or in lieu of filing the appropriate motion.

40.4) ISSUANCE OF SUMMONS/ENTRY OF APPEARANCE:

If an attorney desires to have the clerk hold summons(es) in a case pending the entry of appearance, the attorney must so request in writing at the time of filing. The clerk shall under no circumstances hold a pleading for more than fifteen (15) days awaiting the entry of appearance. If the entry of appearance is not forthcoming within the fifteen (15) days, the clerk shall cause the summons(es) to issue.

ASSIGNMENT OF DISTRICT MAGISTRATE JUDGES

50.1 General: In addition to the specific assignments set forth below, the District Magistrate Judges of this district, within their jurisdictional limits, shall have authority over all matters as may from time to time arise in the absence of the regularly assigned judge within or without their respective counties and as may be assigned by the Chief Judge or order of the Kansas Supreme Court. Cross assignments to cases in the various departments of Finney County and other counties of the district may be made without formal order. The District Magistrate Judges are specifically authorized to coordinate among themselves case conflicts, absences and vacations, subject to the needs of the docket and their other assignments.

- a. The Hon. Wade M. Dixon:
 1. All magistrate matters in Greeley County.
 2. The Civil Department in Finney County as assigned by lead judge of the department.
- b. The Hon. Donna L.J. Blake:
 1. All magistrate matters in Hamilton County.
 2. The Civil Department in Finney County as assigned by lead judge of the department.
- c. The Hon. Janna K. DeLissa:
 1. All magistrate matters in Wichita County.
 2. No specific Finney County department assignment. All matters as requested and assigned by the Chief Judge.
- d. The Hon. Richard H. Hodson:
 1. All magistrate matters in Kearny county.
 2. The Civil and Criminal Departments in Finney County as assigned by lead judges of the departments.
- e. The Hon. James R. Collins:
 1. All magistrate matters in Scott County:
 2. The Criminal Department in Finney County as assigned by lead judge of the department.
- f. The Hon. Ricklin R. Pierce:
 1. The Criminal Department in Finney County as assigned by lead judge of the department.
- g. The Hon. Christopher D. Sanders:
 1. The Civil Department in Finney County as assigned by lead judge of the department.

(Effective 01/01/06)

Rule No. 60

PROCEDURE BEFORE DISTRICT MAGISTRATE
BENCH IN FINNEY COUNTY

60.1) CRIMINAL DIVISION:

The following procedure shall apply to all counsel and/or parties pro se appearing before the District Magistrate Judge assigned to the Criminal Division of the District Court of Finney County, Kansas:

1. There shall be a call of the criminal docket on Monday, Tuesday, Wednesday and Thursday in the L.E.C. Courtroom at 8:30 a.m.; or as the Court may direct.
2. The Clerk of the District Court, Criminal Division, shall docket all such matters as are required by law or as should arise in such proceedings and as directed by the judge assigned.
3. Misdemeanor trials, preliminary hearings, and criminal motions shall be docketed and heard on Thursdays of each week in the L.E.C. Courtroom.

60.2) JUVENILE DIVISION:

The following procedure shall apply to all counsel and/or parties pro se appearing before the District Magistrate Judge assigned to the Juvenile Division of the District Court of Finney County, Kansas:

1. On each Monday and Tuesday all juvenile matters shall come before the Court. Juvenile docket calls shall be Mondays at 9:00 a.m., except on occasions of a Monday holiday, when they shall be held on Tuesdays at 9:00 a.m.
2. Juvenile Offender and CINC docket calls shall be on alternating Mondays.

60.3) LIMITED CIVIL AND SMALL CLAIMS DIVISION:

The following procedure shall apply to all counsel and/or parties pro se appearing before the District Magistrate Judge assigned to the Limited Civil and Small Claims Division of the District Court of Finney County, Kansas:

1. On each Thursday there shall be a call of the docket commencing at 8:30 a.m. for small claims cases, and at 1:00 p.m. for limited actions.
2. On each Thursday following the call of the docket the Court shall hear and determine all contested matters previously docketed by the Clerk of the Court at the direction of the judge.
3. All requests for trial by jury shall be docketed by the judge upon conference with counsel.

60.4) TRAFFIC DIVISION:

The following procedure shall apply to all counsel and/or parties pro se appearing before the District Magistrate Judge assigned to the Traffic Division of the District Court of Finney County, Kansas:

1. On each Wednesday there shall be a call of the docket commencing at 8:45 a.m. in the L.E.C. Courtroom. The Clerk of the District Court, Traffic Division, shall docket all such proceedings.
2. On each Wednesday following the docket call the Court shall hear and determine all trials and motions previously docketed by the Clerk of the Court as directed by the judge.

60.5) DOCKETING CLERK:

(Repealed 1/1/95)

Rule No. 70

PROCEDURE BEFORE DISTRICT MAGISTRATES

70.1) JUVENILE PROCEEDINGS ON THE RECORD:

All hearings before a District Magistrate of the 25th Judicial District for adjudication, disposition, termination of parental rights or order of temporary custody in any proceeding pursuant to the Kansas Code for Care of Children and proceedings pursuant to the Kansas Juvenile Offenders Code shall be on the record. Appeals therefrom shall be on the record as allowed by K.S.A. 38-1591 and K.S.A. 38-1677.

Rule No. 90

EXTENDED JUVENILE JURISDICTION
PROSECUTION PROCEDURES

90.1) DISTRICT MAGISTRATE JUDGES

Pursuant to K.S.A. 8-16, 126(b) an extended jurisdiction juvenile prosecution remains in juvenile court through the time of any revocation of juvenile sentence and imposition of the stayed adult sentence previously ordered. K.S.A. 20-302b (B)(6)(A) gives district magistrate judges unlimited power to hear any action pursuant to the Kansas juvenile offenders code; therefore, extended jurisdiction juvenile prosecution cases will be heard by district magistrate judges in the 25th Judicial District of the State of Kansas.

90.2) REVIEW OF JUVENILE SENTENCE

As provided in K.S.A. 38-16,126(c) appointed counsel shall, upon the 18th birthday of a juvenile client so entitled, file a motion with the court for a review of the juvenile sentence being served. In the absence of current counsel the court shall appoint counsel to act on behalf of those so entitled.

Twenty-fifth Judicial District of Kansas
Local Rule No. 91

JUVENILE INTERMEDIATE SANCTIONS PROGRAM

Pursuant to Supreme Court Rule 105, this local rule is established and shall govern the implementation and procedures for intermediate sanctions to be used for juvenile offenders within the Twenty-fifth Judicial District.

1. DECLARATION OF PURPOSE OF PROGRAM: The Juvenile Intermediate Sanctions program is established to formalize interagency cooperation between Court Services of the Twenty-fifth Judicial District and the Twenty-fifth Judicial District Youth Services. The Juvenile Intermediate Sanctions program is designed to give both services an optional level of supervision that is not presently available. Currently Court Services may apply as a sanction very strict supervision through assignment to Youth Services supervision. Court Services does not have an intermediate supervision level to use as incentive to the client to work out of the strict Youth Services supervision and it does not have available an intermediate level of supervision to assign a client to as a sanction that does not quite fit the Youth Services target population. Intermediate sanctions will allow Court Services to impose a an additional level of supervision as a sanction that it is not currently capable of providing. Intermediate sanctions will also allow Youth Services to impose, as an incentive for compliance, a lesser level of supervision than they are currently allowed to provide, as the circumstances of an individual case dictates.
2. INTERMEDIATE SANCTIONS AND LEVELS OF ADJUDICATION:
Intermediate sanctions, if ordered, shall be applied as follows:
 - 1, Juvenile has PRIOR PROBATION REVOCATION
 - a. 1 - 5 Felony: Youth Services supervision only.

- b. 6 - 10 Felony with Prior Conviction: Youth Services supervision ordered at Disposition. Intermediate Supervision only allowable through judicial review and order.
- c. 6 - 10 Felony with no Prior Conviction: Court Services ordered at Disposition. Intermediate Supervision only allowable through judicial review and order.
- d. Misdemeanor with 1+ Prior Felony: Youth Services ordered at Disposition. Intermediate allowable as an administrative action for compliant behavior through standard probation contract. No judicial review necessary, however, initial order allowing administrative actions is required.
- e. Misdemeanor with 1+ Prior Misdemeanor: Court Services ordered at Disposition. Intermediate Supervision allowable as an administrative sanction if client in violation through standard probation Contract. No judicial review necessary, however, initial order allowing administrative actions is required.
- f. Misdemeanor with no Prior Convictions: Court Services supervision only.

2. No Prior Probation Revocation:

- a. 1 - 5 Felony: Youth Services supervision only.
- b. 6 - 10 Felony with Prior Conviction: Youth Services supervision ordered at Disposition. Intermediate Supervision allowable as an administrative action for compliant behavior through standard probation contract. No judicial review necessary, however, initial order allowing administrative actions is required.
- c. 6 - 10 Felony with no Prior Conviction: Court Services ordered at Disposition. Intermediate Supervision allowable as an administrative action if client in violation through standard probation contract. No judicial review necessary, however, initial order allowing administrative actions is required.

- d. Misdemeanor with 1+ Prior Felony: Youth Services ordered at Disposition. Intermediate Supervision allowable as an administrative action for compliant behavior through standard probation contract. No judicial review necessary, however, initial order allowing administrative actions is required.
- e. Misdemeanor with 1+ Prior Misdemeanor: Court Services ordered at Disposition. Intermediate Supervision allowable as an administrative sanction if client in violation through standard probation Contract. No judicial review necessary, however, initial order allowing administrative sanctions required.
- f. Misdemeanor with no Prior Convictions: Court Services supervision only.

	1 - 5 Felony	6-10 Felony w/ Prior Conviction	6-10 Felony, No Prior Conviction	Misdemeanor w/ Prior 1+ Felony	Misdemeanor w/ Prior 1+ Misd.	Misdemeanor. No Priors
Prior Probation Revocation	Youth Services Supervision Only	Youth Services at Disposition. Intermediate only after judicial review	Court Services at Disposition. Intermediate only after judicial review	Youth Services at Disposition. Intermediate allowed as admin action when ordered at Disposition	Court Services at Disposition. Intermediate allowed as admin. action when ordered at Disposition	Court Services Supervision Only
No Prior Probation Revocation		Youth Services at Disposition. Intermediate allowed as admin. action when ordered at Disposition.	Court Services at Disposition. Intermediate allowed as admin. action when ordered at Disposition	Youth Services at Disposition. Intermediate allowed as admin. action when ordered at Disposition	Court Services at Disposition. Intermediate allowed as admin. action when ordered at Disposition	

III. **Minimum Supervision Standards for Intermediate Supervision Program:** The minimum supervision standards for the intermediate Supervision Program is as follows:

Supervision Activity	Youth Services Supervision	Court Services Supervision
Waiting period before assignment	90 days	No limit - used as an administrative action for a sanction
Client Reporting Schedule	Two time per month	Two time per month
Field Contacts	One per month	One per month
Curfew	Determined by Officer	Determined by Officer
Drug Testing	One time per month	One time per month
School Contact	Weekly - attendance	Weekly - attendance
Law Enforcement Checks	Weekly	Weekly
Parental Contacts	One time per month	One time per month
Employment Contacts	One telephone contact per month	One telephone contact per month
Progress Reports	One time per month	One time per month

IV. **USE OF INTERMEDIATE SANCTIONS AFTER PLACEMENT AS A SANCTION BY COURT SERVICES INTO SUPERVISION BY YOUTH SERVICES:** If a client has been placed by Court Services in strict supervision of Youth Services as a sanction, Court Services may, as an incentive, move the client to intermediate supervision upon the following procedure and goals:

1. Client will be supervised at ISP standards for the first 30 days of placement as determined by Risk/Needs Assessment.
2. Client is eligible for transfer to intermediate supervision if in compliance during the 30 day period.
3. Revocation considered if in violation.

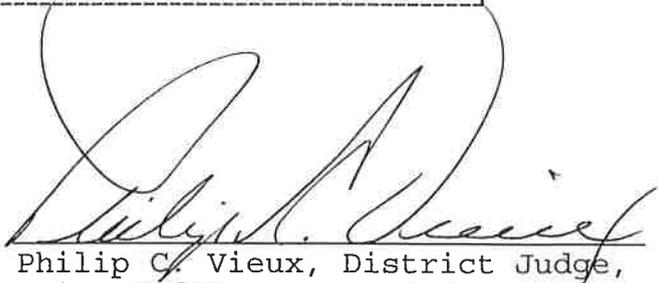
V. Release from Intermediate Supervision Program: Minimum factors to be present when the juvenile is released from an intermediate supervision program are as follows:

Youth Services	Court Services
30 days substance free.	30 days substance free.
All costs paid.	Payments regular.
Restitution paid.	Payments regular.
No major violations.	No major violations.
Employed/Employable.	Not Applicable.
Obtain or actively seeking education.	Obtain or actively seeking education.
All treatment completed.	Positively participating in treatment.
All conditions are satisfied.	Client in compliancy with conditions.
Client must have served at least 50% of court ordered time.	60 days.

VI. SUGGESTED LANGUAGE AND ORDER FOR USE OF INTERMEDIATE SUPERVISION.

[Court Services] [Youth Services] is authorized to use Intermediate Supervision as established by Local Rule No. 91 of the Twenty-fifth Judicial District as an administrative action for a sanction, or as an incentive for compliant behavior.

August 25, 2004
Date



Philip C. Vieux, District Judge,
Chief Judge, Twenty-fifth
Judicial District
State of Kansas

ADMINISTRATIVE PROCEDURE

Rule No. 100

FORM PREPARATION BY COUNSEL OF RECORD

All attorneys regularly practicing before the courts of this Judicial District shall be responsible for preparing in completed form and in accordance with applicable Statutes of the State of Kansas and Supreme Court Rules all documents including but not limited to the following documents for filing with the Clerk of the Court:

Summons;
Third Party Summons;
Summons Notice by Mail - by Party;
Subpoena(s);
Subpoena - Business Records (by Mail);
Subpoena Duces Tecum;
Subpoena Duces Tecum - Business Records;
Praecipe for Execution;
Writs of Execution;
Request for Garnishment;
Order of Garnishment;
Answer of Garnishee;
Subpoena - Juvenile;
Child Support Enforcement pursuant to K.S.A. 23-4, 107 and
K.S.A. 60-1613.

All such forms presented to the Clerk of the Court for filing are subject to his or her review for completeness. Any form not meeting the statutory prerequisites or standards established by Supreme Court Rule may be returned by the Clerk before filing.

Rule No. 101

REMOVAL OF COURT FILES FROM COURTHOUSE

Abstractors and attorneys of record who are in good standing shall be permitted to check out a court file with the Clerk of the Court upon execution of a signed receipt as provided by the Clerk. No file shall be held by an abstractor or attorney for more than seven (7) working days without the permission of the assigned judge, or, in the absence of the assigned judge, the Chief Judge.

Depositions filed with the Clerk may only be checked out with permission of the judge assigned to the case, or, in his absence, the Chief Judge.

Files checked out shall not be entrusted to anyone other than the attorney, abstractor, or their employees.

Rule No. 102

LIMITATION ON FREQUENCY OF GARNISHMENTS

Except as hereinafter provided, no more than two garnishments shall be issued out of the courts of this District applicable to the same claim or claims and against the same judgment debtor in any thirty (30) day period.

A continuing wage garnishment shall be considered as an issued garnishment for any month in which it is still in effect, and until it has been released.

A judge of the courts of this District may order an exception to this rule in any case in which the party asking for the garnishment shall in person or by attorney certify in writing:

- (a) that the garnishment is not for the purpose of harassment of the debtor, and
- (b) state facts demonstrating to the satisfaction of the judge that there is reason to believe the garnishee has property or credits of the debtor which are not exempt from execution.

Notwithstanding the above, in the event a wage garnishment is returned/answered showing that the judgment debtor is no longer employed and no wages were attached, the party may ask for issuance of one additional wage garnishment in that thirty day period providing a release has been filed if it were a continuing garnishment.

Rule No. 103

COPY CHARGE, CERTIFICATION FEE AND SEARCH FEE

There shall be assessed a copy and or fax charge for reproducing court records by the Clerk of the District Court in the sum set by resolution of the Board of County Commissioners in each county in the Twenty-Fifth Judicial District. Such sum shall be collected by the Clerk of the Court and remitted monthly to the County Treasurer. Each clerk shall post in a conspicuous place the current copy charge for their office.

Extensive records searches or those requiring the undivided and concentrated attention of court personnel will incur an hourly fee as allowed by the Open Records Act. There shall be assessed a certification fee of \$1.00 in addition to any applicable copy charges for a certified copy of a court document. All fees collected pursuant to this provision of the rule shall be remitted monthly to the State Treasurer.

Rule No. 104

REVIEW OF ELECTRONIC TAPES OF
COURT PROCEEDINGS

Counsel may review the electronic tape recording of court proceedings only upon first obtaining the consent of the judge to whom the case is assigned. The judge may designate the time, place, and manner of review and shall designate either a Certified Shorthand Reporter or a Clerk of the Court to assist counsel and monitor the review. Under no circumstance shall the tape recordings be taken from the Court or the office of the judge of the district court.

Rule No. 105

REQUESTS FOR TRANSCRIPTS OF
COURT PROCEEDINGS

- 105.1) In any proceedings before a Court in this District, counsel requesting a written transcript of such proceedings shall submit a written request for same to the presiding judge for approval. The presiding judge will enter approval or denial and file the original with the Clerk of the District Court in the county where proceedings were held. This is not intended to be applicable to those matters covered by Supreme Court Rule 3.03.

Upon receipt of an approved request the Clerk of Court will forward a copy of said request to the court reporter who took the proceedings. If the official record was by electronic recording, the Clerk of Court will get an assigned court reporter as provided in Administrative Order No. 57 and forward a copy of the request to the court reporter, filing the original in the case file. If a request is denied, in whole or in part, the Clerk will also mail a copy to the requesting party.

All such requests will be timely made and a copy mailed to opposing counsel or party pro se by the requesting party.

- 105.2) The written request will be in substantially the same form as the Request and Order for Transcript set forth in the appendix to these rules. Request for transcripts of multiple hearings within the same case should be made on the same request. Additional pages should be added to the request if necessary.
- 105.3) When a party has filed a written request for a transcript and subsequently elects to withdraw the request, they shall be responsible for advising the assigned court reporter prior to transcription. Notification after complete or partial transcription will not relieve the party of costs incurred to the point of notification.

Rule No. 106

DISCLOSURE OF INFORMATION ON
AFFIDAVITS OR SWORN TESTIMONY
PER K.S.A. 22-2302(2)

In criminal proceedings and pursuant to K.S.A. 22-2302(2), a written Order of the Court is required before affidavits or sworn testimony supporting a complaint can be made available for examination to anyone other than the defendant or defendant's counsel. In light of the statutory requirements, this rule shall act as the Order of the Court permitting law enforcement officers, Court Services officers, and Community Corrections officers to examine such affidavits or sworn testimony without further written authority of the Court. The Clerks of the District Court are accordingly authorized to assist the forenamed persons in releasing such information.

Rule No. 107

ACCOUNTING AND REPORTS
IN PROBATE CASES

Pursuant to Kansas Supreme Court Rule No. 109(b), there is established an annual fiscal accounting or other reporting period for each guardianship, conservatorship, trusteeship, absentee's estate, convict's estate, curatorship and special personal representative's estate. As permitted by said Supreme Court Rule, the annual accounting or report period in the Twenty-Fifth Judicial District shall commence to run from the filing date that appears on the letters issued in said case, and said accounting or report shall be filed not later than thirty (30) days after the annual anniversary date in each year.

Rule No. 108

STATUTORY FEES DEEMED
UNCOLLECTIBLE

K.S.A. CH. 28, provides in part for costs to be assessed and collected in all District Court cases; and K.S.A. 22-3803 provides for the collection of certain statutory fees from the county when costs are found to be uncollectible from the defendant or have been assessed against the State.

Pursuant to this rule, any such statutory fees which are determined uncollectible or which have been assessed to the State are deemed waived by the Court. Thereafter, collection from the county shall not be pursued by court personnel. Nothing in this rule shall prevent the County Attorney or any private litigant from pursuing any collection activity.

Rule No. 109

REVIEWING OR COPYING CLOSED
ADOPTION PROCEEDINGS

All adoption proceedings judicially closed shall be sealed by the Clerk of the District Court. Access not allowed by state law shall be upon approval of the District Magistrate of the County or the District Judge assigned to the county. In the absence of either the District Magistrate or the District Judge, the Chief Judge may grant permission.

Rule No. 110
House Arrest Program

There is hereby established in the Twenty-fifth Judicial District a House Arrest Program as set forth in the House Arrest Program, House Arrest Rules, House Arrest Application and House Arrest Order published herewith and pursuant to KSA 21-6609, the provisions of which are adopted and incorporated as part and parcel of this House Arrest Program.

110.1) Rules and regulations adopted regarding the program were first adopted November 1, 1994 and were revised January 1, 1996, June 14, 2005, January 1, 2006 and January 1, 2013. 1/1/06. A copy of the House Arrest Program, House Arrest Rules, House Arrest Application, Confidential form for date of birth and S.S.N. and House Arrest Order may be found in the Appendix of the Twenty-fifth Judicial District local rules.

110.2) Pursuant to the provisions of the House Arrest Program, the Sheriff of each county of the district may opt in or out of the program in accordance with the rules of the program. Currently, the following counties have opted to participate in the House Arrest Program:

Finney County
Greeley County
Hamilton County
Kearny County
Scott County
Wichita County

(Effective 1/1/13)

Rule No. 111

CASA VOLUNTEER PROGRAM

There is hereby established in the 25th Judicial District a Court Appointed Special Advocate Program (CASA) which, when directed by the Court, shall investigate those facts and circumstances affecting the welfare of a child for whom appointed, and to advocate the best interests of the child and assist the Court in obtaining for said child the most permanent, safe, and homelike placement possible.

The CASA Program, which has elected to be called "Spirit of the Plains CASA", shall be administered by the District Court and subject to the rules, regulations, and standards set forth in Supreme Court Rule No. 110 and Supreme Court Administrative Order No. 55, and the following local policies and procedures:

1. Upon motion of any party, or upon its own motion, the Court may appoint a CASA to any child that is alleged to be, or has been adjudicated, a child in need of care as defined by law. All such orders of appointment shall be in accordance with K.S.A. 38-1505 (a) and shall authorize the CASA to carry out those duties prescribed by Supreme Court Rule No. 110. The Order of Appointment shall comply in substance to the form provided by the Court and shall be signed by the judge assigned and delivered to the Clerk of the District Court, Juvenile Division, for filing.
2. The Clerk of the District Court shall file the Order of Appointment in the pending proceedings and provide file-stamped copies of said Order to the Finney County Attorney; guardian ad litem; counsel for the parents or the parents, if pro se; CASA; SRS; and any other party or agency as designated in the Order.
3. Upon receipt of a copy of the Order of Appointment, Spirit of the Plains CASA, through its director shall select an appropriate and qualified volunteer and file with the Clerk of the District Court a Notice of Assignment designating the name of said volunteer. Spirit of the Plains CASA shall thereafter direct copies of said Notice of Assignment to the County Attorney; guardian ad litem, counsel for the parents or the parents, if pro se; the CASA volunteer; SRS; and any other party or agency as reflected on the Order of Appointment. The Notice of Assignment shall comply in substance to the form provided by the Court.

4. Upon designating the assigned CASA Volunteer, the CASA Director shall prepare and cause to be executed before the Clerk of the Court or Deputy Clerk an oath subscribed by the volunteer, which oath shall be filed with the Clerk of the Court in said proceedings. The form of said oath shall comply in substance to the form provided by the Court.
5. In the event an alternate or substitute CASA Volunteer becomes necessary, the Director of CASA shall comply with the provisions of paragraphs 3 and 4 above, as it applies to the alternate or substitute volunteer.
6. The director of Spirit of the Plains CASA shall be entitled to complete access to all juvenile court files, including the social file, in which a CASA Volunteer has been assigned. The volunteer assigned, upon filing of the oath, shall also have complete access to the file of the juvenile assigned. The authority granted under this provision shall permit the copying of said file in the office of the Clerk of the District Court by CASA, but does not permit the removal of the original Court file from the Clerk's office.
7. In the event a grievance or conflict should arise concerning the Spirit of the Plains CASA program, such grievance or conflict shall be stated in writing and presented to the Chief Judge for resolution. Any conflict or grievance concerning a volunteer shall be referred to the Director and the District Magistrate Judge assigned for resolution.
8. The District Magistrate Judge assigned may at any time during the pendency of the matter issue an order terminating the appointment of the CASA. The Court acting within its discretion may issue said order upon motion of any party or upon its own motion. The Court shall issue such order or ensure that such order is included within the journal entry when said proceedings have reached a judicial conclusion and no other Court intervention is foreseen or warranted. An order of termination shall substantially comply with the form provided by the Court.
9. A CASA volunteer, once appointed, shall be given notice of all court hearings involving the child(ren) and shall receive copies of all orders, journal entries, pleadings, reports, and evaluations from the party or agency causing same to be filed in the District Court.

(Amended June 13, 1994)

Rule No. 112

COURT-ASSIGNED INTERPRETERS

To assist the Court in understanding non-English speaking parties or witnesses while maintaining the neutrality of the Court, the following individuals are hereby designated as Official Court Interpreters:

Mary Aronson
Southeast Asian Mutual Assistance
Association

The named individuals shall not be subject to employment or utilization by law enforcement agencies or by counsel to confer with their clients without first obtaining the permission of the assigned judge, or in his absence, the Chief Judge. This is true for not only criminal cases (felony/misdemeanor) but also juvenile and traffic cases as well.

In employing an interpreter in felony cases, counsel should refer to B.I.D.S. Reg. 105-7-6 or call B.I.D.S.

In juvenile, misdemeanor, and traffic matters, the rate is \$25.00/hour as of 01/01/05, billable to the county upon order approved by the assigned judge.

Rule No. 113

CSO DISTRIBUTION AND RECEIPT
OF CONFIDENTIAL INFORMATION

1. The Court Services Office of the 25th Judicial District may at the discretion of the Chief Court Services Officer distribute, upon request, such information pertaining to any person, whether juvenile or adult, either currently or previously on probationary status from this Court, to any agency of the U.S. Armed Services or any department or division of the U.S. Department of Labor/Job Corps Program.
2. The Court Services Office, through its Chief Court Services Officer, is further authorized and assigned as designee for the Chief Judge of this district to receive all confidential information as permitted by law, and as it pertains to any individual now or previously incarcerated within the jurisdiction of the Department of Corrections, or its equivalent, in any other state. The intent of this rule is to address those states which by statute or regulation authorize release of confidential information to the Chief Judge of the judicial district only. Its purpose is not to circumvent any state's legislative or agency prohibitions or mandates but to afford a more efficient and economical procedure for receiving pertinent information by the appropriate agency within this judicial district.

Rule No. 114

AUTHORIZATION OF FACSIMILE NUMBERS

As provided by Supreme Court Rule 119(d)(1) the following numbers are authorized for filing by fax in the designated departments of the offices of the Clerk of the District Court within the 25th Judicial District:

FINNEY COUNTY: (620) 271-6140

Chapter 60 Civil	Criminal
Chapter 61 Civil	Juvenile
Domestic	Traffic/Fish & Game
Probate	Care & Treatment
Liens	Municipal Appeals

ADMINISTRATIVE: (620) 271-6141

GREELEY COUNTY: (620) 376-2351 All Departments

HAMILTON COUNTY: (620) 384-7806 All Departments

KEARNY COUNTY: (620) 355-7462 All Departments

SCOTT COUNTY: (620) 872-3683 All Departments

WICHITA COUNTY: (620) 375-2999 All Departments

Rule No. 115

REPEAT APPEARANCES ON HEARINGS IN AID OF EXECUTION

Under the code of civil procedure for limited actions which allows courts to order a judgment debtor to return from time to time to furnish current information without the repeated filing of motions and service of process, it shall be the policy of the courts in this District that a judgment debtor be required to appear no more frequently than once per calendar month.

This does not prevent the assigned judge on a case from ordering a judgment debtor to appear more frequently if the circumstances so warrant.

Pursuant to law, a judgment debtor who continues to make regular payments as agreed between the parties, or who is found to be disabled and otherwise unable to pay, shall not be required to return to court more frequently than yearly unless, upon motion and a showing of good cause, the assigned judge otherwise directs.

K.S.A. 61-3605

(Effective 01/01/06)

Rule No. 116

NOTICE OF INITIAL DATE OF JURY SERVICE TO PROSPECTIVE JURORS

Supreme Court Standards Relating to Jury Use and Management, Standard 5, revised 9/8/06, states that prospective jurors should be given 20 days notice of the initial date of jury service unless otherwise prescribed by local rule. As the courts of the Twenty-fifth Judicial District do not call jurors for a pool to be present in the courthouse for assignment if needed, but rather calls jurors for individually scheduled trial, 20 days notice would not be practical in this district.

The standard to be observed in the Twenty-fifth Judicial District shall be to notify prospective jurors 7 to 14 days prior to the initial date of jury service.

(Effective 01/01/07)

APPOINTMENTS

Rule No. 200

APPOINTED COUNSEL, RULES AND REGULATIONS

As provided by law, there shall be established in each county within the Twenty-Fifth Judicial District of Kansas a panel of attorneys for Indigent Defense Services to provide legal representation to those persons who shall appear before the Courts in this District and who have been determined indigent by the Court pursuant to B.I.D.S. Reg. 105-4-1, et seq.

The panel of attorneys in each county shall be divided into "Panel A" and "Panel B." Panel A shall be those attorneys who voluntarily elect to represent indigents for which compensation is paid by the State, and Panel B shall be those attorneys who voluntarily elect to represent indigents for which compensation is paid by the county. The rate of compensation for attorneys on Panel B shall be set by the Chief Judge.

The names of those attorneys who appear on Panel A in each county within the District on December 31st of each year shall continue on said panel for the following year unless a new list has been compiled or they specifically request to be excluded prior to December 31st or are found by the Court to be unqualified or unfit. Those attorneys seeking to join the Panel A appointment list shall comply with Rule 200.5 infra.

Panel B appointments shall be derived from the names of those attorneys who contract with the Board of County Commissioners of the respective counties within the District or, in the absence of a contract, a voluntary panel comprised of those attorneys who elect to be appointed. Where a voluntary panel is in effect, those names appearing on said list on December 31st of each year shall remain on said list for the following year, absent a specific request to the contrary or a finding of being unqualified or unfit.

In addition to all B.I.D.S. Regulations governing indigent defense services, the following local rules shall apply:

200.1) (Amended)

200.2) Any attorney on the panel who is appointed to a defendant charged with a severity level 1 or 2 felony, or an off-grid felony, which has been docketed for trial by jury may, at his or her election, request to be passed for three (3) subsequent appointments. All such requests shall be made either orally or in writing to the clerk or magistrate judge administering the appointment of counsel, or to the Chief Judge.

- 200.3) In those cases meeting the criteria of an "exceptional case," as defined by K.A.R. 105-5-8, counsel shall present to the assigned judge an order setting forth specific findings which form the basis for a determination that the case is exceptional. Said order shall be accompanied by counsel's claim voucher and any other materials which may aid the Court in approving the order.
- 200.4) Any attorney whose name appears on a voluntary panel may elect to withdraw from such panel at any time during the period of his or her enlistment. All such requests must be in writing and submitted to the Chief Judge. Except for good cause shown, counsel shall not be permitted to withdraw from those cases he or she has pending at the time the request is submitted, although no further appointments shall be made. The foregoing rule is subject to any contractual relationship counsel may have with the county.
- 200.5) Any attorney whose name does not appear on a voluntary panel may elect to join such panel upon submission of a written request to the Chief Judge. All contractual panels shall be subject to the further approval of the Board of County Commissioners of said county.
- 200.6) In those counties in the district in which the panel of voluntary attorneys shall prove inadequate or no attorneys have enlisted, the district or magistrate judge of said county may solicit an attorney from another panel in the same or different county to represent an indigent party. The attorney shall not be bound to accept the appointment, however, and may accept or reject the appointment at his or her discretion.
- 200.7) In those counties in which a public defender system is in effect or where a county has contracted for indigent defense services, a voluntary panel shall be considered a reserve panel where conflicts of interest may arise or in such instances where the public defender or contracted counsel cannot, for whatever reason, represent the indigent party appearing before the Court.

- 200.8) Any attorney who is appointed to represent a person determined indigent by the Court who shall have credible evidence that such person is not indigent within the guidelines promulgated by B.I.D.S. shall promptly file his or her motion for reconsideration of indigency status with the Court appointing said counsel. The Court, upon receiving said motion and upon hearing held, shall review the status of indigency and may submit the matter for review to the Court Services Office of this district for investigation pending a final determination. In the event any such motion for reconsideration of indigency is filed, counsel filing same shall be permitted to withdraw upon submission of a written motion and order to the Court.
- 200.9) In all State compensated cases, the income and expense guidelines promulgated by B.I.D.S. shall be controlling of the status of indigency. In all county compensated cases, the B.I.D.S. guidelines shall control absent county legislation or administrative rule to the contrary.

Rule No. 201

APPOINTMENT OF PRO TEM JUDGES

Pursuant to K.S.A. 20-310a, the following attorneys are designated Judge Pro Tem for the named counties in the Twenty-Fifth Judicial District:

E. Edward Brown, or in his absence, Michael E. Collins, or Dean Ryan in Finney County, Kansas;
Jake Brooks in Scott and Wichita Counties, Kansas;
Wayne K. Westblade, in Greeley, Hamilton and Kearny Counties, Kansas.

The Judge Pro Tem as assigned herein is authorized to provide emergency judicial coverage in his assigned county whenever the district judges and district magistrate judges are absent, sick, or otherwise disabled, provided no other judge is available in the District.

The rate of compensation for a Judge Pro Tem shall be set uniformly throughout the Twenty-Fifth Judicial District at the rate of \$60.00 per hour.

Rule No. 202

MEDIA COORDINATOR

Pursuant to Kansas Supreme Court Rule No. 1001, Court Administrator of the 25th Judicial District, is hereby appointed media coordinator to work with the Chief Judge, the trial judge, and the media in implementing the privilege conferred by Supreme Court Rule and amendments thereto.

Any request by the news media or educational television to photograph and/or record public proceedings in the District Courts of this District shall be in writing, addressed to the attention of the Media Coordinator as herein designated. The Media Coordinator shall thereafter promptly confer with the trial judge in developing the conditions and procedures provided by the Supreme Court's Rule and as directed by the trial judge.

In the absence of the Court Administrator the Chief Judge shall fulfill the functions designated herein.

Rule No. 203

AMENDED ORDER OF APPOINTMENT MULTIDISCIPLINARY TEAM/COMMUNITY SERVICES TEAM

The 1st day of January, 2006, and hereafter until otherwise amended or repealed, the Court, being duly advised and informed and having received the requisite recommendations, finds that there shall be established in Finney County, Kansas, a Multidisciplinary Team to assist in gathering information regarding children alleged to be a child in need of care by reason of physical, mental, or emotional abuse or neglect or sexual abuse, all as provided by K.S.A. 38-1523a, as amended. This team, should it so choose in any particular case, may serve as a community services team as defined by K.S.A. 38-1502(dd).

WHEREUPON, the following-named individuals, having previously agreed to serve on such Multidisciplinary Team, and having subscribed and sworn to maintain the standards of confidentiality provided by law, shall be appointed to serve on said Team:

Jodi Inguanza, Facilitator
1710 Palace, Garden City, KS
(620) 272-5932

Steve Meyers, M.D.

Lt. Rod Dozier

Carol Neeley

Lt. Greg Hands

Tammy Brimer

Jill Whippo

Linda Roemer

Jeff Sharp

Tamara Hicks

Jessica Bird

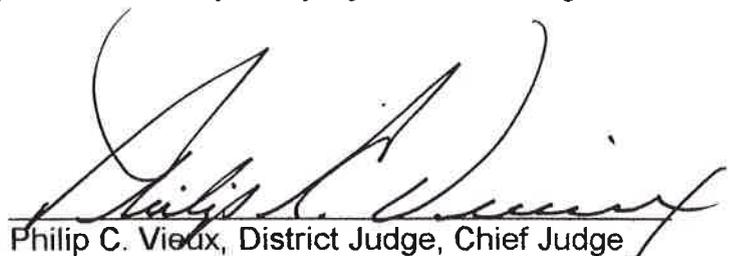
Rick Dalke

Mike Houser

Lana Christensen

Jennifer Meng

THEREFORE, only persons herein listed are authorized to convene pursuant to K.S.A. 38-1523a unless specifically approved by the Chief Judge. Persons herein listed who no longer wish to serve in this capacity may be removed by notifying the Chief Judge.



Philip C. Vieux, District Judge, Chief Judge

APPENDIX TO LOCAL RULES

HOUSE ARREST PROGRAM (01/01/15)
TWENTY-FIFTH JUDICIAL DISTRICT

Pursuant to Local Rule No. 110 and K.S.A. 21-6609, the following policy and procedure shall govern the implementation and utilization of the House Arrest Program in the Twenty-Fifth Judicial District.

I. DECLARATION OF PURPOSE OF PROGRAM:

The House Arrest Program, hereinafter also referred to as "program," is established to provide a sentencing and disposition option whenever allowed by law and warranted in the discretion of the presiding judge.

II. PROGRAM CONSIDERATIONS:

a. **NO VESTED OR PROTECTED INTEREST:** No individual shall be considered to have a vested or protected interest in house arrest in lieu of incarceration. Whether house arrest should be ordered shall be in the sole discretion of the presiding judge.

b. **CONVICTIONS FOR WHICH PROGRAM MAY BE CONSIDERED:**

1. The program is available to the Court for defendants convicted of **(A)** a second or third Driving Under the Influence of Alcohol or Drugs, K.S.A. 8-1567, after 48 consecutive hours of incarceration in the county jail; **(B)** a fourth or subsequent Driving Under the Influence of Alcohol or Drugs, K.S.A. 8-1567, after 72 consecutive hours of incarceration in the county jail; **(C)** a third Driving while License Canceled, Suspended or Revoked, K.S.A. 8-262(c), after 48 consecutive hours of incarceration in the county jail; **(D)** a third driving after being declared a habitual violator, K.S.A. 8-287, after 48 consecutive hours of incarceration in the county jail, **(E)** Refusing to Submit to Alcohol or Drug Testing in violation of K.S.A. 8-1025 after the defendant has served the statutorily required minimum consecutive hours of imprisonment and **(F)** the one month enhanced penalty pursuant to K.S.A. 8-1567 for a child or children under 14 years of age in the vehicle, after serving the minimum mandatory sentence pursuant to K.S.A. 8-1567 in the county jail; and, **(G)** any other crime or infraction wherein the law allows house arrest as a sentencing or disposition alternative.

2. No defendant shall be placed by the court under house arrest if found guilty of:

(A) Any crime designated as a class A or B felony in article 34 or 35 of the Kansas Statutes Annotated, prior to their repeal;

(B) subsection (b) of K.S.A. 21-5604, and amendments thereto;

(C) K.S.A. 21-5602, and amendments thereto;

(D) any off-grid felony; or

(E) any nondrug crime ranked in severity levels 1 through 5 or any felony ranked in severity levels 1 through 3 of the drug grid, unless the offender has been sentenced to probation.

3. Unless statutorily prohibited, the program may be used, in the sole discretion of the sentencing judge, when jail time is assessed as a condition of probation or as a sanction for offenders who have failed to comply with conditions of probation or parole.

4. This program is not applicable to Juvenile Offender actions.

c. HOUSE ARREST IS NOT PROBATION OR PAROLE: Unless otherwise ordered by the presiding judge, the defendant shall not be considered to be on probation or parole while under house arrest. However, while under house arrest, the defendant shall comply with all conditions of probation (except the requirement of reporting to a supervision officer) and violation of any condition of probation shall be considered a violation of the house arrest rules and a basis for termination of house arrest.

d. NOTIFICATION OF PLACEMENT IN PROGRAM: At the time of placement of an inmate under house arrest, the program monitor shall provide written notification to the sheriff and district or county attorney of the county in which any person under house arrest is to be placed and to the chief law enforcement officer of any incorporated city or town in which such person is to be placed of the placement of the person under house arrest within the county or incorporated city or town.

e. CONSIDERATIONS: In determining whether to order house arrest, the Court may consider any and all information available including public policy, public safety, employment, educational opportunity, family obligations, prior convictions, prior programs, prior revocations, or prior denial of probation or parole.

III. HOUSE ARREST AGREEMENT:

The defendant must read, consent to, execute, file with the clerk, and abide by the terms and conditions of the House Arrest Agreement of the Twenty-Fifth Judicial District.

IV. PROCEDURE:

a. WRITTEN APPLICATION: Any defendant seeking an order for house arrest shall complete and file with the clerk of the district court a written application for house arrest on the approved form within five working days of the offender's conviction.

b. DISTRIBUTION OF APPLICATION: The defendant shall deliver a copy of the application for house arrest to the sentencing judge, the county attorney, and the Court Services Office.

c. HOUSE ARREST ASSESSMENT: Upon receipt of the house arrest application, the Court Services office shall complete and file a House Arrest Assessment which shall include the defendant's criminal, incarceration, probation, parole and program history and any other relevant information for the Court's consideration. The Court Services Officer preparing the assessment shall not be required to appear at any hearing whereat house arrest is considered.

d. **PLACEMENT IN PROGRAM:** If the Court finds the defendant should be placed under house arrest, an Order for House Arrest (which shall be prepared and submitted at the time of sentencing by the defendant's counsel) shall be entered which sets forth the sentence imposed, the credit for time served, the sentence to be served before the defendant is discharged or placed on parole, and the number of days/hours of house arrest to be served within the confinement of the defendant's residence in order to satisfy the sentence to be served before discharge or parole. The Order for House Arrest shall remand the defendant to the custody of the sheriff for placement in the designated residence after the defendant has filed the House Arrest Agreement with the clerk, the defendant has served the term of incarceration in the county jail ordered by the Court, and the program monitor certifies to the sheriff that the defendant has satisfied all conditions for placement under house arrest.

e. **PROGRAM MONITOR:** The House Arrest Program in Twenty-fifth Judicial District shall be monitored by the independent contractors or government entity, and agents thereof, as are approved by the Chief Judge of the Judicial District to administer the provisions of and monitor the defendant's compliance with the terms of the house arrest program.

f. **PAYMENT OF COSTS:** All costs associated with the program shall be assessed to and paid by the defendant in advance in accordance with the defendant's agreement with the program monitor. Failure to timely pay such costs shall result in the immediate discontinuation of house arrest and the immediate incarceration of the defendant.

g. **BREACH OF TERMS:** Breach of any provision of the House Arrest Agreement, failure to timely pay the costs of the program, or any other failure to fulfill the requirements of the program (whether because of the defendant's actions or the action of another) shall result in immediate discontinuation of house arrest and the immediate incarceration of the defendant.

h. **TREATMENT AND COUNSELING:** If specifically ordered, the defendant may attend drug and alcohol treatment programs while under house arrest.

i. **DOCUMENTS AND APPLICATIONS:** The defendant and defendant's attorney shall timely prepare all necessary applications, documents, and orders.

V. PROCEDURE UPON VIOLATION:

a. **IMMEDIATE INCARCERATION:** Whenever a defendant breaches any provision of the House Arrest Agreement, fails to timely pay the costs of the program, fails to comply with the Order for House Arrest, or fails to fulfill any requirements of the program (whether because of the defendant's actions or the action of another) the defendant shall be immediately incarcerated.

b. **DETENTION UPON BREACH:** The defendant shall be immediately transported to and lodged in the County Jail by any law enforcement officer who discovers or is notified by

the program monitor of any breach of the House Arrest Program, Agreement or Order. Any law enforcement officer who has reasonable cause to believe the defendant has failed to comply with the Order for House Arrest, the House Arrest Agreement or Program has authority to detain and transport the defendant to the County Jail.

c. **WRITTEN REPORT:** A written report setting forth nature of the defendant's breach of the House Arrest Program or Agreement or Order for House Arrest shall be promptly filed by the program monitor who shall forward a copy of the report to the defendant, the County Attorney and the sentencing judge.

d. **PROBABLE CAUSE DETERMINATION:** Upon receipt of the report by the sentencing judge, the Court will make a probable cause determination whether the defendant has breached the House Arrest Agreement or Order for House Arrest. If no probable cause of a breach is found, the defendant shall be released from incarceration and returned to the program. If probable cause of a breach is found, the judge shall set the matter for hearing to determine whether house arrest should be terminated. All relevant evidence may be received by the Judge of the District Court, including letters, affidavits, reports, and results of tests for alcohol and drugs. Upon determining the defendant has breached the House Arrest Agreement or Order for House Arrest or that the defendant is no longer suitable for house arrest, the defendant shall be returned to the County Jail to serve the balance of the original sentence in the county jail.

e. **NO CONDITIONAL RELEASE:** Pending the termination hearing, the defendant shall remain incarcerated and the defendant shall not be entitled to bond or conditional release.

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

STATE OF KANSAS,)
Plaintiff,)
VS.)
_____,)
Defendant.)

CASE NO. _____

HOUSE ARREST PROGRAM APPLICATION

Name: _____
Last First Middle Int. Maiden

A/K/A: _____

K.B.I.#: _____

D.O.B. (List year only) _____ **Full date of birth on form supplied.**

S.S.N. (List last four digits only) _____ **Full S.S.N. on form supplied.**

PLACE OF BIRTH: _____

SEX: Male Female RACE: White Black American Indian Asian

EYES: _____ HAIR: _____ HEIGHT: _____ WEIGHT: _____

CURRENT CONVICTION:

DRIVING UNDER THE INFLUENCE Number of prior convictions since July 1, 2001 _____

DRIVING WHILE SUSPENDED, ETC. 2nd Conviction 3rd Conviction

HABITUAL VIOLATOR

OTHER (INCLUDING CLASSIFICATION AND PERSON/NON-PERSON): _____

DATE OF CONVICTION: _____

DATE OF SENTENCING: _____

SENTENCING JUDGE: _____

ATTORNEY OF RECORD: _____

CRIMINAL HISTORY:

• Have you ever been convicted of any felony, misdemeanor or traffic offense in any jurisdiction?

Yes No

• Have you been denied parole or probation by any parole board or judge within the past year?

Yes No

• Were you on probation, parole or house arrest when arrested for your current offense?

Yes No

• Are you now or have you ever been involved in a post conviction house arrest program?

Yes No

• Have you ever had a probation, parole or house arrest program revoked?

Yes No

IF YOUR ANSWER TO ANY OF THE ABOVE IS "YES", EXPLAIN GIVING NAME AND LOCATION OF COURT, NAME AND DESIGNATION OF CRIME AND ANY APPLICABLE DATES:

EMPLOYMENT:

• Are you working a minimum of 30 hours per week?: Yes No

• Name of Business: _____

Location/address of business: _____

Location/address of work station: _____

• Your job title and duties: _____

• Your employment supervisor's name: _____

Title, address and telephone #: _____

• Hours of the day/Days of the week worked: _____ ? _____

• How far do you reside from your work station? _____

• What is your average monthly take home pay after deduction of taxes, any child support being withheld, and any medical insurance premiums? \$ _____

EDUCATION:

- What is the highest grade level you have completed? _____
- Are you currently a full time student? Yes No
- What is your degree program or educational goal? _____

• What is the name, address, email address and telephone number of your advisor or a responsible _____

• What hours and days of the week do you attend? _____

- What is the location of the school you attend? _____
- How far do you reside from your school? _____

RESIDENCE:

• What is the street address of your residence? _____

• What is the name and address of the owner of the residence? _____

• What is the name and address of the leaseholder of the residence? _____

• Who are the planned occupants of the residence?:

Name	Age	Sex	Relationship	Occupation

•Put an asterisk by the name of the above named people on probation, parole or released on bond or house arrest.

- Are all of the above willing to abide by the rules of the house arrest program? Yes No

HEALTH:

- Describe the status of your health, including particulars as to disabilities and medications, together with the name and address of any treating physicians or health care providers.

RELEASE OF INFORMATION:

- I hereby authorize my employer, school, medical providers to provide and release to the County Attorney, County Sheriff, Court Services or house arrest program monitor any and all information, records or documentation requested relating to my whereabouts, education, employment, or medical care and treatment.

Certification of the Defendant:

State of Kansas)
County of _____) SS:

I, after first being duly sworn upon my oath, state that I understand the rules and regulations of the program and agree to abide by the same.

Date

Defendant's Signature

Print Name of Defendant

Subscribed and Sworn to before me this _____ day of _____, 20 ____.

My Commission Expires:

Notary / Clerk of Court / Judge

Approval of Attorney of Record for Defendant:

Attorney's Signature: _____

Address: _____

Print Name: _____

Supreme Court No.: _____

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

STATE OF KANSAS, Plaintiff,)
)
 VS.)
)
 _____, Defendant.)

CASE NO. _____

HOUSE ARREST AGREEMENT
TWENTY-FIFTH JUDICIAL DISTRICT

I, _____, have received and read a copy of the House Arrest Program and this Agreement. I agree to abide by the House Arrest Program, the Order for House Arrest and the term and conditions of this Agreement and understand that any violation of the program, order, or this agreement will result in the immediate termination of house arrest, removal from the program, and return to secure incarceration in the county jail.

RULES AND CONDITIONS

1. **OBEY ALL LAWS AND CONDITIONS:** While under house arrest:
 - a. I shall obey all federal and state laws and municipal and county ordinances. If detained or arrested for any reason including traffic violations, I shall to notify the program monitor immediately.
 - b. I shall comply with all terms and conditions of probation/parole except the requirement to report to my probation officer.
 - c. I shall not possess or consume any alcohol or illegal drugs, including over-the-counter medication and prescriptions containing alcohol; shall not allow any alcohol or drugs in my residence or any automobile in which I am present; shall not be any place where alcohol or drugs are kept, sold or consumed.

2. **OBSERVE ALL TERMS:** I agree to abide by and to comply with the all the terms of the House Arrest Program, this Agreement and the orders of the Court.

3. **CONFINEMENT TO RESIDENCE:** While under house arrest, I will be confined to and remain within the boundaries of my residence at all times except when in the course of my employment, approved schooling or court ordered counseling or when going to and from work, school or counseling by the most direct route. In the event of a medical emergency, I will contact the program monitor to obtain permission to leave my residence for emergency medical care, will return to my residence immediately upon release from such medical care and shall furnish the program monitor documentation of the emergency medical care.

4. **MONITORING:** My compliance with the house arrest program and this agreement will be

monitored by the program monitor. In connection with such monitoring, I agree to allow access to all areas of my residence for purposes of monitoring compliance with this agreement and of inspecting, repairing or adjusting monitoring equipment and agree to allow and cooperate in telephone calls and personal visits to my residence, school or place of employment by the program monitor or Sheriff's Department at any time day or night; to provide urine, blood or breath samples and to submit to random testing whenever or wherever requested by the program monitor or Sheriff's Department in order to determine an alcohol or drug use; and to wear, use, and care for monitoring equipment as directed by my program monitor. A positive field test for any alcohol or illegal drug shall or refusal to cooperate and properly perform any test requested shall be cause for immediate incarceration.

5. **PAYMENT OF COSTS:** I agree to timely pay the fees required by the program monitor and any cost related to drug and alcohol testing at the time of testing.
6. **LIABILITY:** I agree that all medical expenses incurred while in the house arrest program, whether work related or not, shall be my responsibility and not the responsibility of the program monitor, the County or the Court. While in the house arrest program, I will not be, nor represent that I am, an agent, contractor or employee of the program monitor, the Sheriff or the Court for any purpose whatsoever. While in the house arrest program, I will be solely responsible for any and all contractual obligations and or tort liability that I may incur.
7. **EMPLOYMENT, EDUCATIONAL AND TREATMENT CHANGES:** I will immediately notify the program monitor of any change in my employment, counseling or schooling.
8. **WEAPONS PROHIBITED:** No firearms or other weapons shall be in my possession, vehicle, or residence while I am under house arrest.
9. **RELEASE OF INFORMATION:** I agree to sign any and all authorizations for release of information requested by the program monitor, County Attorney's, Sheriff's Office, or Court Services Office related to my whereabouts, employment, schooling, counseling, or medical treatment.
10. **REVOCAION OF PROGRAM:** I understand that any failure to fully comply with the terms and conditions of this Agreement, any violation of the House Arrest Program, or any positive test for alcohol or drugs or any refusal or failure to fully cooperate with a request for alcohol or drug testing result in termination of my eligibility for house arrest and my immediate incarceration in the county jail.

Certification of the Defendant:

State of Kansas)
County of _____) SS:

I, after first being duly sworn upon my oath, state that I understand the rules and regulations of the house arrest program and agree to abide by the.

Date

Defendant's Signature

Print Name of Defendant

Subscribed and Sworn to before _____ day of _____ . ____.

My Commission Expires:

Notary / Clerk of Court / Judge

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS
TWENTY-FIFTH JUDICIAL DISTRICT

IN THE MATTER OF THE
MARRIAGE OF

AND

)
)
)
)
)

Case No. ____ D ____

DOMESTIC PRETRIAL INFORMATION SHEET

Note: This information sheet, with applicable exhibits, **shall** be submitted at least seven (7) days prior to the pretrial conference. Sanctions shall be considered against any party not complying.

1. Name of Submitting Party: _____
2. Name of Attorney for Submitting Party: _____
3. Style of Case: _____

Type of Case

Issues of Case

- A. Divorce
- B. Annulment
- C. Separate Maintenance
- D. Reciprocal Support
- E. Support-Common Law
- F. Custody and Visitation -
Common Law
- G. Paternity
- H. Other: _____

- A. Child Custody/Visitation
- B. Child Support
- C. Spousal Support
- D. Property/Debt Division
- E. Paternity
- F. Marriage
- G. Jurisdiction
- H. Other: _____

4. Indicate letter of above issues that have been settled or agreed upon by the parties:

5. Indicate letter of above issues that have not been settled or agreed upon by the parties:

6. List all witnesses intended to be called at trial:

7. List all exhibits intended to be used at trial:

8. Motions submitted to be handled at the pretrial conference: _____

9. How long will this case take to try: _____

10. If not settled, attach exhibits, appropriately lettered to match the list of issues set forth in paragraph numbered 3 above, containing short factual statements and proposed dispositions of issues. Mere conclusions will not be acceptable as a factual statement.

11. If child support is at issue, attach proposed Schedule A.

Attorney for Submitting Party or
Submitting Party if Pro Se

CERTIFICATE OF SERVICE

I do hereby certify that on this __ day of _____, 199__, I mailed a true and correct copy of the above information sheet and attached exhibits to the Clerk of the District Court for filing in the case and to the following:

Attorney for Submitting Party or
Submitting Party if Pro Se

REQUEST AND ORDER FOR TRANSCRIPT

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS
TWENTY-FIFTH JUDICIAL DISTRICT, STATE OF KANSAS

_____,
PLAINTIFF,
VS.
_____,
DEFENDANT.

▶ CASE No. _____
ATTORNEY MUST SUBMIT THE ORIGINAL
TO PRESIDING JUDGE IN ABOVE CASE

REQUEST FOR TRANSCRIPT

Comes now _____, attorney for the above named defendant plaintiff, and requests that a transcript be prepared of the following described hearing for the following purposes.

Case Caption: _____
(Transcript) **Courtroom:** _____
(No. _____) **Hearing date:** _____
Hearing time: _____
Presiding Judge: _____
Court Reporter: _____
Electronic Record: **Tape No.** _____ **Starting at Count No.** _____
Portion Sought: _____

(Transcript) **Courtroom:** _____
(No. _____) **Hearing date:** _____
Hearing time: _____
Presiding Judge: _____
Court Reporter: _____
Electronic Record: **Tape No.** _____ **Starting at Count No.** _____
Portion Sought: _____

Intended Use: _____

DATE _____

SIGNATURE _____

PRINT NAME _____

APPROVAL/DENIAL

The request for transcript is approved as follows:

Full request is granted minus opening statements and arguments of counsel.
 Part of request is granted minus opening statements and arguments of counsel as follows: _____

Other: _____

Denied: _____

DATE _____

JUDGE OF THE DISTRICT COURT _____

ORIGINAL TO CLERK UPON APPROVAL OR DENIAL

7. Has a jury trial been requested by you? Yes___ No___
8. How long do you expect this matter to take? _____
9. Is there a need for a guardian ad litem? Yes___ No___
10. Set forth below a **concise** statement of all motions you now have on file which will require the Court's attention.
11. Set forth below, by PIK No., if possible, all requested instructions.

CERTIFICATE OF MAILING

I, do hereby certify that on this ___ day of _____, 19___, I mailed a true and correct copy of the above PRETRIAL INFORMATION SHEET to the persons below listed at their last known address as shown, the same being at least seven (7) days prior to the pretrial conference:

Signature of Attorney