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Chief Justice Lawton R. Nuss

Supreme Court announces cases for October 3 special session at Emporia State University

TOPEKA — The Kansas Supreme Court announced the two cases it will hear in a special session Tuesday, October 3, at Emporia State University, the next destination in the court's ongoing outreach to familiarize Kansans with the high court, its work, and the overall role of the Kansas judiciary.

The court will be in session from 6:30 p.m. to about 8 p.m. in Webb Hall, on the second floor of the ESU Memorial Union, 1331 Market St.

After the session concludes, the justices will greet the public in an informal reception in Webb Lobby on the east side of Webb Hall.

“The Supreme Court extends a personal invitation to the people of Emporia and surrounding communities to come see your state's highest court in action,” said Chief Justice Lawton Nuss. “It’s a much more personal experience than watching the online broadcasts we’ve provided of all our court sessions since 2012. Plus, we get the pleasure of visiting with you afterward.”

The October 3 docket includes the following cases:

Appeal No. 114,705: *Rochelle Patterson, Mother and Next Best Friend of Nicolette Patterson, a minor, and Gavin Patterson, a minor, v. Cowley County, Kansas; Kansas Department of Wildlife, Parks and Tourism; Bolton Township; and Elaine Selenke as mother and heir-at-law of Courtney Brewer.* Patterson seeks compensation in the death of her ex-husband, one of two people who drowned when their vehicle skidded off a rural road into the Arkansas River; there were no signs warning that the road ended at the river bank. At trial, Cowley County District Court dismissed the defendants. The Court of Appeals affirmed part of that ruling, reversed part of it, and remanded part of it to the trial court. Among the issues is that the appeals court decision conflicts with a previous Supreme Court ruling.

Appeal No. 114,682: *State of Kansas v. Dustin B. Hilt.* Hilt appeals his Johnson County hard-50 life sentence for first-degree murder on the basis that a juror was wrongly replaced during the sentencing phase, that the State committed prosecutorial error, and that the trial court did not legally pronounce the sentence. In an earlier ruling, the Kansas Supreme Court vacated Hilt's original hard-50 sentence because it was imposed by a judge rather than a jury, which violated the Sixth Amendment as interpreted by the U.S. Supreme Court. After a resentencing hearing before a jury, the district court again imposed a hard-50 sentence.

Summaries of the cases and briefs filed by the attorneys involved are available online by following the Emporia Special Session link under *What’s New* on the Kansas judicial branch website at www.kscourts.org.

Anyone who wants to attend the special session should plan to arrive at the Memorial Union early enough to allow time to get through security screening. The doors open at 5:30 p.m. Court security offers these guidelines to ease the process:

- Do not bring food or drink.
- Do not bring large bags, large purses, backpacks, computer cases, or briefcases.
- Do not bring knives, pepper spray, firearms, or weapons.
- Do not bring electronic devices like laptop computers, handheld games, personal digital assistants, or tablets. If you must carry a cell phone, turn it off and store it out of sight while court is in session.

Audience members are prohibited from talking during oral arguments because it interferes with the attorneys’ remarks and questions asked by the justices. If someone arrives after proceedings start, or must leave the auditorium before it ends, he or she should be as quiet as possible entering and exiting the auditorium. Talking immediately outside the auditorium is also discouraged.

The special session will also be broadcast live over the Internet. The livestream may be accessed selecting the *Watch Supreme Court Live!* link on the judicial branch home page at www.kscourts.org.

Emporia State University is the court’s 14th destination since 2011, when it first convened outside of the Kansas Judicial Center to mark the state sesquicentennial.

Stops in 2011 included the historic Supreme Court courtroom in the Capitol, and locations in Salina, Greensburg, and Wichita. The court visited Overland Park in 2012; Pittsburg in 2013; Kansas City in 2014; Hays and Garden City in 2015; Topeka, Hiawatha and Hutchinson in 2016; and Winfield in 2017.

The court started conducting evening sessions when it visited Fort Hays State University in April 2015.

That event drew a crowd of nearly 700 people. Subsequent evening sessions have also drawn crowds numbering in the hundreds.

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