



Kansas Courts News Release

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District Judge Jeff Goering

District Judge Jeff Goering to sit with Kansas Supreme Court September 14

TOPEKA—District Judge Jeff Goering of the 18th Judicial District has been appointed to sit with the Kansas Supreme Court to review a case on the court's September 14 docket.

Goering will join Supreme Court justices in reviewing a case on the court's summary calendar and in the court's deliberations and decision drafting. Cases on the summary calendar do not present new questions of law, and oral argument is deemed neither helpful to the court nor essential to a fair hearing of the appeal. These cases are deemed submitted without oral argument.

"I am pleased that Judge Goering is taking time from his duties in the 18th Judicial District to sit with the Supreme Court," said Chief Justice Lawton Nuss. "It's a great help to our court, and we look forward to his contributions in deliberating and eventually deciding this case."

Goering said, "It's an honor to be asked and a privilege to sit on the Supreme Court. I thank Chief Justice Nuss and the other justices on the court for the opportunity."

Goering was elected in 2004 as a district judge in the 18th Judicial District, composed of Sedgwick County.

He graduated from Washburn University School of Law, then worked as an assistant district attorney in the Sedgwick County District Attorney's Office from 1991 to 1992. He was in private practice in Leavenworth from 1992 to 1996, during which time he also was municipal judge for the City of Leavenworth. He returned to Wichita and was in private practice from 1996 to 2005. During that time he was elected to the Kansas House of Representatives, serving from 2003 to 2004. He was a member of the Kansas Sentencing Commission from 2003 to 2004.

The case Goering will review and deliberate with the Supreme Court is:

Appeal No. 114,292: *Edina Harsay v. University of Kansas*

Douglas County: (Petition for Review) Harsay, a former assistant professor in the Department of Molecular Biosciences at the University of Kansas, appealed the district court ruling that no legal impropriety existed in the university's decision to deny her promotion to associate professor with tenure. The Court of Appeals reversed the district court's decision and remanded for further consideration by the university's various tenure committees, starting with the departmental committee, based on Harsay's correct history of research productivity and scholarly works. The University of Kansas filed a petition for review. Issues on review are whether: 1) the 30-day time period limiting the court's jurisdiction under the Kansas Judicial Review Act is extended by the statute of limitations savings statute for civil actions under K.S.A. 60-518; 2) the Court of Appeals engaged in judicial review of conflicting evidence; 3) the Court of Appeals should have remanded for the university to fully explain the basis for the decision denying tenure; and 4) the Supreme Court should consider two arguments not addressed by the Court of Appeals—whether substantial competent evidence supported the university's decision and whether it was unreasonable, arbitrary, or capricious.