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Office of Judicial Administration
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Supreme Court-appointed committee presents recommendations on municipal court practices

TOPEKA—An ad hoc committee appointed by the Kansas Supreme Court a year ago to review bonding practices, fines, and fees of Kansas' municipal courts presented its recommendations at a news conference Wednesday.

The 18 committee members were appointed by Chief Justice Lawton Nuss in an order signed September 6, 2017. Of the 18 members, 16 are municipal judges, one a city attorney, and one an attorney from the League of Kansas Municipalities.

The Supreme Court directed the committee to study current municipal court practices, examine the practices in other courts across the country, and recommend best practices for Kansas

municipal courts.

The [committee's report](#) offered 18 recommendations. It was delivered to the judicial administrator of the Office of Judicial Administration and to the executive director of the League of Kansas Municipalities, as spelled out in the Supreme Court order.

To prepare the recommendations the committee formed four subcommittees and each was assigned an area to study: bonds; enforcement; fines and fees; and indigency. The full committee also met five times over the last year.

Brenda Stoss, who chaired the ad hoc committee, is a municipal judge in Salina and New Cambria. She said the report is the first comprehensive look at municipal court practices statewide.

“The recommendations are important for municipal courts across the state as well as for the residents of Kansas who appear before those courts,” Stoss said.

The recommendations are similar to those proposed in national discussions of bonding practices, fines, and fees in that they focus on procedural fairness, but they also reflect the range of Kansas municipal courts in terms of size and number of cases processed each year.

The committee's recommendations range from improving communication with defendants to studying more thoroughly the use of pretrial bail risk assessments. They also emphasize the need to adhere to due process and equal protection requirements to ensure the economically disadvantaged are not adversely affected.

Brad Ralph of Dodge City represented the city attorney viewpoint on the committee. He is also a member of the Kansas House of Representatives.

“Our municipal courts are so often the one and only contact many Kansans have with the court system. The effort by this committee—and its resulting recommendations—was and is a demonstration that our municipal courts work extremely hard to not only serve their judicial function but also to solve problems for our residents in a fair and equitable manner at every stage of those proceedings,” Ralph said.

Plans are already in place to present the committee's report and its recommendations to interested statewide groups.

Erik Sartorius, executive director of the League of Kansas Municipalities, said city attorneys will review the report at their annual meeting in October, and the League plans to fulfill the recommendation that it conduct periodic surveys of municipal court fine schedules and make the information available to all municipal courts.

“Reviewing systems and programs in search of efficiencies is a common function within government,” said Sartorius. “What this review did—and what sets it apart from others—is it considered whether the municipal court system acts in an equitable way for individuals, rather than just efficiency. We look forward to sharing the committee's findings with our members and seeking ways to ensure that ‘equal treatment under the law’ remains a hallmark of municipal courts.”

The report is also on the agenda for municipal judges continuing judicial education next spring, said Nancy Dixon, the judicial administrator.

"The Office of Judicial Administration works with the municipal judges education committee to plan and deliver educational programs that meet continuing judicial education requirements. The purpose of this judicial education is to reduce court delay, promote fair and efficient management of court proceedings, and support the administration of justice," Dixon said.

The Office of Judicial Administration and the League of Kansas Municipalities plan to continue examining each of the recommendations and considering next steps.

There currently are 394 municipal courts in Kansas, and 234 municipal judges. Some judges serve more than one municipal court. In fiscal year 2017, Kansas municipal courts processed more than 350,000 cases. Fiscal year 2018 data are not yet published.

The Kansas Supreme Court has general administrative authority over all courts in Kansas, although municipalities are responsible for funding city courts and appointing and paying judges. The Office of Judicial Administration implements the rules and policies of the Supreme Court and oversees the operation and administration of the judicial branch.

Background

- 09-25-17 news release [Supreme Court committee to review municipal court practices](#)
- 09-06-17 order creating [Ad Hoc Committee on Bonding Practices, Fines, and Fees in Municipal Courts](#)
- [Map showing geographic distribution of ad hoc committee members](#)
- National Center for State Courts' [National Task Force on Fines, Fees and Bail Practices resource center](#)
- National Center for State Courts' report 2017 Trends in State Courts: [Fines, Fees, and Bail Practices: Challenges and Opportunities](#)

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