

IN THE SUPREME COURT OF THE STATE OF KANSAS

ORDER

RULES RELATING TO DISTRICT COURTS

**FILED**

**JUL -5 2017**

**DOUGLAS T. SHIMA  
CLERK OF APPELLATE COURTS**

Supreme Court Rule 109A is hereby amended, effective the date of this order.

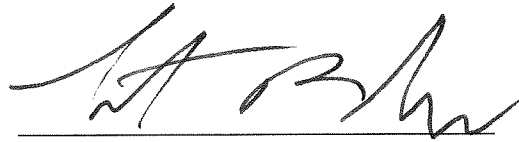
**Rule 109A**

~~THERAPEUTIC OR PROBLEM-SOLVING~~ SPECIALTY COURTS

- (a) ~~Special Court Dockets Allowed~~ Specialty Court—Defined. A judicial district may establish specialty court is a specially designed court program docket for cases in which the court may that uses therapeutic or problem-solving procedures to address underlying factors that may be contributing to a party's involvement in the criminal justice system, i.e., that target parties with a mental illness or a drug, alcohol, or other addiction. Procedures may include treatment, mandatory periodic testing for a prohibited drug or other substance, community supervision, and appropriate sanctions and incentives.
- (b) Specialty Court Allowed. A judicial district may establish a specialty court.
- (c**b**) Receipt of Ex Parte Communication. A judge presiding over a specialty court docket established under subsection (b**a**) may initiate, permit, and consider an ex parte communication with a probation officer, case manager, treatment provider, or other member of a specialty problem-solving court team, either at a team meeting or in a document provided to all members of the team.
- (d**e**) Disclosure of Ex Parte Communication. A judge who receives an ex parte communication under subsection (c**b**) ~~regarding a party~~ may preside over any subsequent proceeding ~~involving the party~~ if:
- (1) the judge discloses to the parties party and the State the existence of the communication and, if known, the nature of the *ex parte* communication; and
  - (2) the judge obtains the parties' both the party and the State consent to the judge's participation in the proceeding.

BY ORDER OF THE COURT, this 5 day of July, 2017.

FOR THE COURT:

A handwritten signature in black ink, appearing to read "Lawton R. Nuss", written over a horizontal line.

LAWTON R. NUSS  
Chief Justice