

IN THE SUPREME COURT OF THE STATE OF KANSAS

ADMINISTRATIVE ORDER No. 89

WHEREAS, pursuant to Kansas Constitution, Article 3, § 1 (K.S.A. 20-101), the Supreme Court has general administrative authority over all courts of this state, including municipal courts; and,

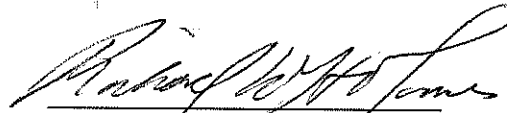
WHEREAS, enactment of the Kansas sentencing guidelines has put new emphasis on the complete criminal history of a defendant; and,

WHEREAS, the Supreme Court is undertaking a review of its record retention and preservation policies:

NOW THEREFORE, IT IS DETERMINED AND ORDERED that destruction of any records of municipal ordinance convictions comparable to Class A or B misdemeanors under state law shall be stayed pending further order or rule of the Court.

BY ORDER OF THE COURT this 8th day of March, 1994.

FOR THE COURT

A handwritten signature in cursive script, appearing to read "Richard W. Holmes", written over a horizontal line.

RICHARD W. HOLMES  
Chief Justice



# Supreme Court of Kansas

Kansas Judicial Center

Topeka, Kansas 66612-1507

RICHARD W. HOLMES  
Chief Justice

(913) 296-4898

March 8, 1994

TO: MUNICIPAL COURT JUDGES

RE: CRIMINAL RECORDS RETENTION

With the adoption of the Sentencing Guidelines, it has become apparent that we will need to review our records retention and preservation policies.

While we are studying this issue, we want to make certain that those records which are or may be significant in compiling a defendant's criminal history are preserved. By adopting the general Administrative Order which accompanies this note, we are not making any determination regarding the quantum or quality of proof required to establish a criminal history for guideline purposes. We are simply trying to preserve those records which we now have and which are at least arguably within the contemplation or philosophical purpose behind the guidelines. You may decide to preserve more than these if you have the facilities.

Thank you for your attention to this matter.

Please be sure to let me or the Office of Judicial Administration know if you have any questions or problems.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Richard W. Holmes".

RICHARD W. HOLMES  
Chief Justice

c: Mayor of the City  
Howard Schwartz  
Sen. Jerry Moran  
Rep. Michael O'Neal  
Lisa Moots  
James Vano