

IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order No. 95

**CONFIDENTIALITY OF APPELLATE COURT RECORDS**

WHEREAS, the Kansas Legislature has intended that certain records, proceedings, documents, and other materials and information be closed to public inspection, confidential, or privileged; and,

WHEREAS, in some instances certain matters are deemed closed, confidential, or privileged by courts and administrative agencies:

NOW, THEREFORE, in all proceedings before the Kansas Appellate Courts (including but not limited to cases involving adoptions, children in need of care, juvenile offenders, mental health, and alcoholism and drug abuse), all documents, records of proceedings, exhibits, and other matters which have been deemed closed to public inspection, confidential, or privileged in a district court or administrative agency by statute, rule, or order shall remain closed, confidential, or privileged in the appellate courts. All material and records sealed or marked closed or confidential in proceedings below shall remain sealed or closed in the appellate courts.

No portions of such closed, confidential, sealed, or privileged matters, documents, or records shall be included in the appendices to any appellate brief. Insofar as an appellate file contains any such confidential or closed material, to that

*Copies:  
Patty B.  
Cindy H.  
12-30-94  
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extent it shall not be made available to public inspection. Appellate procedural and scheduling matters in such cases are not considered closed or confidential. It shall be the duty of the parties to bring the existence of confidential, closed, or privileged materials to the attention of the appellate courts.

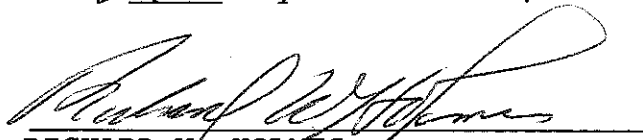
Additional matters arising during the appellate process in such cases may be closed by order of the appellate courts.

Notwithstanding the foregoing, all materials, records, exhibits, and other information in the cases shall be available and accessible to the parties or their counsel of record, the courts, and court personnel for their respective uses within and concerning relevant proceedings before the courts and appropriate agencies. Such materials and records also may be opened to other persons by specific order and direction of the appellate courts.

Any violation of this order and of its intent to keep certain matters private, closed, and confidential may be punished as contempt of court.

This order shall be published in the Advance Sheets of the Kansas Reports and be made available in the offices of the Clerks of the District Courts and the Clerk of the Appellate Courts.

BY ORDER OF THE COURT this 24<sup>th</sup> day of December, 1994.

  
RICHARD W. HOLMES  
Chief Justice