

2007 APR 18 P 4: 03

CAROL G. GREEN  
CLERK APPELLATE COURTS

**ORDER**

**[Approving Temporary Changes to the Location and Business of the Chase County District Court During Interior Renovation of the Chase County Courthouse]**

In his April 9, 2007, letter to the Departmental Justice for the 5<sup>th</sup> Judicial District, the Honorable Merlin G. Wheeler, Chief Judge of the 5<sup>th</sup> Judicial District, requested authorization pursuant to K.S.A. 2006 Supp. 20-347 to change temporarily the location of the Chase County District Court due to the impending renovation of the interior of the Chase County Courthouse and the accompanying need to vacate the courthouse commencing on or about May 7, 2007, until the courthouse renovation is completed.

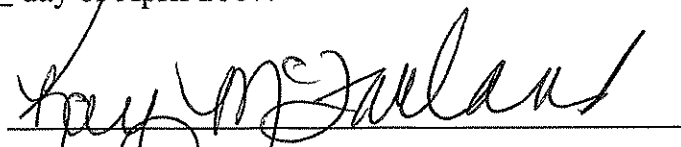
A copy of Chief Judge Wheeler's letter is attached to this Order and made a part hereof.

Upon consideration of Chief Judge Wheeler's request and, except as the Supreme Court may otherwise later order, this Court hereby approves the following changes for the location and business of the Chase County District Court:

1. The courtroom and offices of the District Magistrate Judge in Chase County and the offices of the Clerk of the Chase County District Court may be relocated for the duration of the courthouse renovation to the Municipal Building in Cottonwood Falls, Kansas, 220½ Broadway, Cottonwood Falls, Kansas 66845.

2. At the discretion of the assigned district judge and with the approval of the Chief Judge of the 5<sup>th</sup> Judicial District, trials and other business of the Chase County District Court may be conducted at the Lyon County Courthouse when it is determined that suitable facilities are not available at the Municipal Building in Cottonwood Falls.

BY ORDER OF THE COURT this 18<sup>th</sup> day of April 2007.

  
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KAY MCFARLAND  
Chief Justice

*Fifth Judicial District Court*  
*State of Kansas*

MERLIN G. WHEELER  
CHIEF JUDGE

LYON COUNTY COURTHOUSE  
430 COMMERCIAL  
EMPORIA, KS 66801  
(620) 341-3296 OFFICE  
(620) 341-3497 FAX

April 9, 2007

Hon. Carol A. Beier  
Kansas Supreme Court  
Kansas Judicial Center, Room 313  
301 SW 10<sup>th</sup> Avenue  
Topeka, KS 66612-1507

Re: Request for approval of change of location for Chase County District Court.

Dear Justice Beier:

We have been advised that the renovation of the interior of the Chase County Courthouse has been funded and the bidding process completed. The scope of this project will require that all occupants vacate the courthouse and relocate operations. The contract authorizes 400 days to the contractor once the facility is vacant and asbestos abatement has been completed, so we anticipate our relocation to be at least 18 months with our moving date to be on or about May 7, 2007.

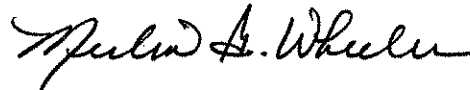
Chase County has leased space at the Municipal Building in Cottonwood Falls, Kansas to provide for the court and county administrative operations. If approved, the court address will be 220 ½ Broadway, Cottonwood Falls, KS 66845. While the new location will be able to house the clerk's office and provide a small hearing room, it is not suitable, for a variety of reasons, for either a jury trial or for hearings involving multiple parties or witnesses.

Pursuant to the authority granted to a chief judge in K.S.A., 2006 Supp., 20-347, I am requesting authorization from the Supreme Court for two things:

1. Temporary relocation of the courtroom and offices of our District Magistrate Judge and Clerk of the District of Chase County to the address noted above for the duration of the renovation; and,
2. Permission to conduct trials and other business of the Chase County District Court at the courthouse in Lyon County at the discretion of the assigned district judge when it is determined that suitable facilities are not available at the temporary location.

If you should need further information to present these two requests for consideration by the Supreme Court, please do not hesitate to contact me or Barbara Davis, Clerk.

Very truly yours,



Merlin G. Wheeler  
Chief Judge

mgw/abm

cc: File; Barbara Davis; Jeanne Turner; Judges Fowler, Larson and Conklin