

IN THE SUPREME COURT OF THE STATE OF KANSAS

2009 JUN 26 A 3 2b

Re: Kansas Judicial Branch Fiscal Year 2010 Surcharge
Application to Reinstatement Fees Assessed by Municipal Courts

WHEREAS, approximately \$15.9 million has been cut from the Judicial Branch's FY 2010 maintenance budget; and

WHEREAS, it has been determined that, without restoration of the maintenance budget cut, the Judicial Branch cannot perform its constitutional and statutory duties; and

WHEREAS, the Legislature has authorized assessing a Judicial Branch Surcharge in 2009 Senate Bill 66, which includes drivers' license reinstatements assessed by municipal courts;

IT IS THEREFORE ORDERED that a \$10 Judicial Branch Surcharge shall be assessed by municipal courts on drivers' license reinstatement payments collected, effective July 1, 2009.

IT IS FURTHER ORDERED that the following terms and conditions shall apply:


1. The municipal courts may waive all or part of the Judicial Branch Surcharge set forth in this order on motion of the party to be charged, and upon a showing that such surcharge will result in undue hardship to the petitioning party;

2. The municipal court clerks shall monthly remit surcharge funds to the state treasurer as provided in 2009 Senate Bill 66. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Judicial Branch Surcharge Fund. All expenditures from such fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the Chief Justice of the Kansas Supreme Court or by a person or persons designated by the Chief Justice;

3. The Judicial Branch Surcharge is not a service or operations charge and funds will be utilized solely to make up the deficit in the maintenance budget; and

4. This order shall be effective on and after July 1, 2009, and shall continue until June 30, 2010, unless rescinded or amended by the Kansas Supreme Court.

BY ORDER OF THE COURT the 23 day of June, 2009.


Robert E. Davis
Chief Justice