

## **SENATE COMMITTEE ON JUDICIARY**

Hon. Jeff King, Chairman  
Hon. Greg Smith, Vice Chairman  
Hon. David Haley, R.M. Member

January 28, 2015  
10:30 am  
Room 346-S

Chief Judge Daniel D. Creitz  
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### **TESTIMONY IN SUPPORT OF SB 44**

Thank you, Mr. Chairman and this honorable committee for extending the opportunity to present testimony in support of SB 44. Due to my court schedule I cannot appear in person, but the KDJA is represented today by Chief Judge James Fleetwood and Chief Judge Merlin Wheeler. Both are available to testify. I am Daniel D. Creitz, Chief Judge of the Thirty-First Judicial District and a member of the Executive Board of the Kansas District Judges Association (KDJA) serving as the KDJA Legislative Co-Chair with Judge James Fleetwood, Chief Judge of the Eighteenth Judicial District. Judge Merlin Wheeler, Chief Judge of the Fifth Judicial District, is also a member of the KDJA Executive Board. The KDJA strongly supports SB 44.

SB 44 would amend K.S.A. 20-1 a 16 passed last session which created the electronic filing management fund. SB 44 would allow the Chief Justice of the Supreme Court to utilize funds in the electronic filing and management fund to cover a portion of the projected Judicial Branch budget shortfall for this fiscal year ending June 30, 2015. This budget shortfall is about \$3.6 million. SB 44 would grant the Supreme Court in FY 2015 the flexibility to transfer any amount of the electronic filing management fund to the judicial branch docket fee fund so that it could be utilized to cover the budget shortfall. Passage of SB 44 would have no affect on the State General Fund and also will not impact the implementation of E-Courts in Kansas.

With passage of SB 44, assuming current judicial branch revenues remain stable at current levels and assuming that no additional cuts are made to the judicial branch budget in FY 2015, then the KDJA is optimistic that court closures will be avoided in FY 2015.

The KDJA Board members and its representatives have met with leadership in both bodies and the governor's office to discuss the essence of SB 44. It is our understanding that Mr. Shaun Sullivan, the Budget Director, has agreed to include a proviso in the rescission bill utilizing the language from SB 44.

Quick passage of this bill is essential so that these funds can be utilized to cover the budget shortfall. If the money was not available until July 1, 2015, then it would be too late and court closures in FY 2015 could occur. As a result, Section 4 of SB 44 provides that it is effective upon publication in the Kansas register.

Thank you for this opportunity to testify on behalf of the KDJA.

Respectfully submitted,

Daniel Dale Creitz  
Chief Judge, Thirty-First Judicial District  
KDJA Executive Board Member and Legislative Co-Chair

James Fleetwood  
Chief Judge, Eighteenth Judicial District  
KDJA Executive Board Member and Legislative Co-Chair

Merlin Wheeler  
Chief Judge, Fifth Judicial District  
KDJA Executive Board and Legislative Committee Member