

**SENATE WAYS AND MEANS COMMITTEE**

**Hon. Senator Ty Masterson, Chair**  
**Hon. Senator Jim Denning, Vice Chair**  
**Hon. Senator Laura Kelly, R. M. Member**  
**March 2, 2016, 10:30am**  
**548-S**

Chief Judge Daniel D. Creitz  
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**WRITTEN NEUTRAL TESTIMONY ON SB 403 MUNICIPAL INFRACTION  
REVENUE**

Thank you, Mr. Chairman, and this honorable committee for this opportunity to provide written neutral testimony regarding SB 403, highlighting some concerns of the Kansas District Judges Association (KDJA). I am Daniel D. Creitz, Chief Judge of the Thirty-First Judicial District, and a member of the Executive Board of the KDJA serving as the KDJA Legislative Co-Chair with James Fleetwood, Chief Judge of the Eighteenth Judicial District. Regretfully, my court docket prevents me from appearing in person this morning.

Our primary concern is that if municipal court jurisdiction is suspended under Section 4 of the bill, then jurisdiction is transferred under Sec. (7)(b) to the district courts. Thus the bill could substantially increase district court caseload and district court costs. In FY 2015, over 428,000 cases were filed in municipal courts. About 82% of the cases were traffic infractions. If municipal court jurisdiction is suspended, the district court caseload could increase two-fold. If that happens, nothing in the bill transfers filing fees to the district court or imposes a transfer fee payable to the district court. District courts would then absorb the costs of adjudicating these cases, which would require more judges and staff to process the additional caseload.

In addition, Section 6 provides that, "A person shall not be assessed costs for the administration of justice described in subsections (a) if such person makes an appearance, waiver, plea and payment in accordance with K.S.A. 12-4305(c)." These costs include the Judicial Branch education fund (used to fund municipal judge and employee training), Kansas Law Enforcement Training Center fund, and prosecutor training funds. This section eliminates a significant funding source for these necessities without providing another funding source. The Kansas district courts are already operating on a very limited budget, and without additional funding the judicial branch should not be asked to cover any of these necessities.

We would ask that you consider these issues as you work the bill. Thank you for the opportunity to testify.