

HOUSE BILL No. 2789

By Committee on Corrections and Juvenile Justice

2-10

AN ACT concerning restitution; relating to statistics compiled by the judicial administration; amending K.S.A. 20-318 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 20-318 is hereby amended to read as follows: 20-318. (a) There is hereby created within the state of Kansas, a judicial department for the supervision of all courts in the state of Kansas. The supreme court shall divide the state into separate sections, not to exceed six (6) in number, to be known as judicial departments, each of which shall be assigned a designation to distinguish it from the other departments. A justice of the supreme court shall be assigned as departmental justice for each judicial department.

(b) There is created hereby the position of judicial administrator of the courts, who shall be appointed by the chief justice of the supreme court to serve at the will of the chief justice. The judicial administrator shall have a broad knowledge of judicial administration and substantial prior experience in an administrative capacity. No person appointed as judicial administrator shall engage in the practice of law while serving in such capacity. Compensation of the judicial administrator shall be determined by the justices, but shall not exceed the salary authorized by law for the judge of the district court. The judicial administrator shall be responsible to the chief justice of the supreme court of the state of Kansas, and shall implement the policies of the court with respect to the operation and administration of the courts, under the supervision of the chief justice. ~~Said~~ The administrator shall perform such other duties as are provided by law or assigned ~~him or her~~ by the supreme court or the chief justice. Expenditures from appropriations for district court operations to be paid by the state shall be made on vouchers approved by the judicial administrator. All claims for salaries, wages or other compensation for district court operations to be paid by the state shall be certified as provided in K.S.A. 75-3731, *and amendments thereto*, by the judicial administrator.

(c) (1) *Annually, the judicial administrator of the court shall compile a report concerning restitution ordered and paid in the state for each*

1 *judicial district. On or before September 1 of each year, the chief judge*
2 *of each judicial district shall report the information required in this sub-*
3 *section to the office of judicial administration for the preceding fiscal year.*
4 *Annually, on or before January 1, the office of judicial administration*
5 *shall compile such reports submitted by chief judges, and send a composite*
6 *report annually to the governor and the speaker of the house of represen-*
7 *tatives and the president of the senate.*

8 (2) *The report shall contain the following:*

9 (A) *The total dollar amount of restitution ordered by the district court*
10 *in all criminal cases prosecuted in the judicial district in the preceding*
11 *fiscal year.*

12 (B) *The total dollar amount of restitution collected by the district*
13 *court in all criminal cases in the judicial district in the preceding fiscal*
14 *year.*

15 (C) *The total dollar amount of restitution ordered by the district court*
16 *in all criminal cases in the judicial district which remained uncollected in*
17 *the preceding fiscal year.*

18 (D) *The total number of offenders ordered released from probation*
19 *in the preceding fiscal year who had not fully paid the amount of resti-*
20 *tution ordered as part of the offender's sentence and, by case number, the*
21 *amount of restitution each offender had paid at the time the offender was*
22 *released from probation.*

23 (E) *The total dollar amount of uncollected restitution ordered by the*
24 *district court in the judicial district to be paid to crime victims by offend-*
25 *ers ordered released from probation in the preceding fiscal year.*

26 (F) *Case number and dollar amount of restitution ordered and cur-*
27 *rently collected for such case number by the district court in all criminal*
28 *cases prosecuted in the judicial district in the preceding fiscal year.*

29 Sec. 2. K.S.A. 20-318 is hereby repealed.

30 Sec. 3. This act shall take effect and be in force from and after its
31 publication in the statute book.

32
33
34
35
36
37
38
39
40
41
42
43