

*As Amended by Senate Committee*

Session of 2008

**SENATE BILL No. 546**

By Committee on Judiciary

2-5

10 AN ACT establishing a family dispute resolution fund; providing for  
11 grants; concerning docket fees; amending K.S.A. 20-367 and K.S.A.  
12 ~~2007 Supp. 60-1621~~ and repealing the existing sections **section**.  
13

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

15 New Section 1. (a) There is hereby created in the state treasury the  
16 family dispute resolution fund. Money credited to the fund pursuant to  
17 K.S.A. 20-362, and amendments thereto, shall be used for the purpose  
18 of making grants for programs providing services to persons and families  
19 in domestic high conflict cases to assist them with the most appropriate  
20 method of resolving their family-oriented dispute. The programs may  
21 include high conflict education courses, high conflict parenting plans, case  
22 management, child custody evaluations, neutral exchange sites and other  
23 programs determined by the Kansas supreme court.

24 (b) All expenditures from the family dispute resolution fund shall be  
25 made in accordance with appropriations acts upon warrants of the direc-  
26 tor of accounts and reports issued pursuant to vouchers approved by the  
27 chief justice of the Kansas supreme court or by a person or persons des-  
28 ignated by the chief justice.

29 (c) The chief justice may apply for, receive and accept money from  
30 any source for the purposes for which money in the family dispute res-  
31 olution fund may be expended. Upon receipt of each such remittance,  
32 the chief justice shall remit the entire amount to the state treasurer in  
33 accordance with the provisions of K.S.A. 75-4215, and amendments  
34 thereto. Upon receipt of each such remittance, the state treasurer shall  
35 deposit the entire amount in the state treasury to the credit of the family  
36 dispute resolution fund.

37 (d) Grants made to programs pursuant to this section shall be based  
38 on the number of persons to be served and such other requirements as  
39 may be established by the Kansas supreme court in guidelines established  
40 and promulgated to regulate grants made under authority of this section.  
41 The guidelines may include requirements for grant applications, organi-  
42 zational characteristics, reporting and auditing criteria and such other  
43 standards for eligibility and accountability as are deemed advisable by the

1 supreme court.

2 Sec. 2. K.S.A. 20-367 is hereby amended to read as follows: 20-367.

3 (a) On and after July 1, 2006 through June 30, 2010, of the remittance of  
 4 the balance of docket fees received by the state treasurer from clerks of  
 5 the district court pursuant to subsection (f) of K.S.A. 20-362, and amend-  
 6 ments thereto, the state treasurer shall deposit and credit ~~to the judicial~~  
 7 ~~performance fund, a sum equal to 3.54%~~ *3.49%* of the remittances of  
 8 docket fees; ~~to the access to justice fund, a sum equal to 4.92%~~ *4.85%* of  
 9 the remittances of docket fees; ~~to the juvenile detention facilities fund, a~~  
 10 ~~sum equal to 2.73%~~ *2.69%* of the remittances of docket fees; ~~to the ju-~~  
 11 ~~dicial branch education fund, the state treasurer shall deposit and credit~~  
 12 ~~a sum equal to 2.10%~~ *2.07%* of the remittances of docket fees; ~~to the~~  
 13 ~~crime victims assistance fund, the state treasurer shall deposit and credit~~  
 14 ~~a sum equal to .56%~~ *.55%* of the remittances of the docket fees; ~~to the~~  
 15 ~~protection from abuse fund, the state treasurer shall deposit and credit a~~  
 16 ~~sum equal to 2.68%~~ *2.64%* of the remittances of the docket fees; ~~to the~~  
 17 ~~judiciary technology fund, the state treasurer shall deposit and credit a~~  
 18 ~~sum equal to 4.25%~~ *4.19%* of the remittances of docket fees; ~~to the dis-~~  
 19 ~~pute resolution fund, the state treasurer shall deposit and credit a sum~~  
 20 ~~equal to .34%~~ *.33%* of the remittances of docket fees; ~~to the Kansas~~  
 21 ~~juvenile delinquency prevention trust fund, the state treasurer shall de-~~  
 22 ~~posit and credit a sum equal to 1.24%~~ *1.22%* of the remittances of docket  
 23 fees; ~~to the permanent families account in the family and children in-~~  
 24 ~~vestment fund, the state treasurer shall deposit and credit a sum equal to~~  
 25 ~~.21%~~ of the remittances of docket fees; ~~to the trauma fund, the state~~  
 26 ~~treasurer shall deposit and credit a sum equal to 1.48%~~ *1.46%* of the  
 27 remittance ~~remittances~~ of docket fees; ~~to the judicial council fund, the~~  
 28 ~~state treasurer shall deposit and credit a sum equal to 1.11%~~ *1.09%* of  
 29 the remittance ~~remittances~~ of docket fees; ~~to the child exchange and vis-~~  
 30 ~~itation centers fund, the state treasurer shall deposit and credit a sum~~  
 31 ~~equal to .67%~~ *.66%* of the remittance ~~remittances~~ of docket fees; ~~to the~~  
 32 ~~family dispute resolution fund, the state treasurer shall deposit and credit~~  
 33 ~~a sum equal to 1.50% of the remittances of docket fees;~~ and to the judicial  
 34 branch nonjudicial salary initiative fund, the state treasurer shall deposit  
 35 and credit a sum equal to ~~17.85%~~ *17.58%* of the remittance ~~remittances~~  
 36 of docket fees. The balance remaining of the remittances of docket fees  
 37 shall be deposited and credited to the state general fund:

- 38 (1) *3.54% to the judicial performance fund;*
- 39 (2) *4.92% to the access to justice fund;*
- 40 (3) *2.73% to the juvenile detention facilities fund;*
- 41 (4) *2.10% to the judicial branch education fund;*
- 42 (5) *0.56% to the crime victims assistance fund;*
- 43 (6) *2.68% to the protection from abuse fund;*

- 1     **(7) 4.25% to the judiciary technology fund;**  
 2     **(8) 0.34% to the dispute resolution fund;**  
 3     **(9) 1.24% to the Kansas juvenile delinquency prevention trust**  
 4 **fund;**  
 5     **(10) 0.21% to the permanent families account in the family and**  
 6 **children investment fund;**  
 7     **(11) 1.48% to the trauma fund;**  
 8     **(12) 1.11% to the judicial council fund;**  
 9     **(13) 0.67% to the child exchange and visitation centers fund;**  
 10    **(14) 1.52% to the family dispute resolution fund;**  
 11    **(15) 17.85% to the judicial branch nonjudicial salary initiative**  
 12 **fund; and**  
 13    **(16) the balance to the state general fund.**

14    (b) On and after July 1, 2010, of the remittance of the balance of  
 15 docket fees received by the state treasurer from clerks of the district court  
 16 pursuant to subsection (f) of K.S.A. 20-362, and amendments thereto, the  
 17 state treasurer shall deposit and credit ~~to the access to justice fund, a sum~~  
 18 ~~equal to 5.10%~~ ~~5.02%~~ ~~of the remittances of docket fees, to the juvenile~~  
 19 ~~detention facilities fund, the state treasurer shall deposit and credit a sum~~  
 20 ~~equal to 2.83%~~ ~~2.78%~~ ~~of the remittances of docket fees, to the judicial~~  
 21 ~~branch education fund, the state treasurer shall deposit and credit a sum~~  
 22 ~~equal to 2.18%~~ ~~2.14%~~ ~~of the remittances of docket fees; to the crime~~  
 23 ~~victims assistance fund, the state treasurer shall deposit and credit a sum~~  
 24 ~~equal to .58%~~ ~~.57%~~ ~~of the remittances of the docket fees; to the protection~~  
 25 ~~from abuse fund, the state treasurer shall deposit and credit a sum equal~~  
 26 ~~to 2.78%~~ ~~2.73%~~ ~~of the remittances of the docket fees, to the judiciary~~  
 27 ~~technology fund, the state treasurer shall deposit and credit a sum equal~~  
 28 ~~to 4.41%~~ ~~4.34%~~ ~~of the remittances of docket fees; to the dispute reso-~~  
 29 ~~lution fund, the state treasurer shall deposit and credit a sum equal to~~  
 30 ~~.35%~~ ~~.34%~~ ~~of the remittances of docket fees; to the Kansas juvenile de-~~  
 31 ~~linquency prevention trust fund, the state treasurer shall deposit and~~  
 32 ~~credit a sum equal to 1.29%~~ ~~1.26%~~ ~~of the remittances of docket fees; to~~  
 33 ~~the permanent families account in the family and children investment~~  
 34 ~~fund, the state treasurer shall deposit and credit a sum equal to .22%~~ ~~of~~  
 35 ~~the remittances of docket fees; to the trauma fund, the state treasurer~~  
 36 ~~shall deposit and credit a sum equal to 1.53%~~ ~~1.51%~~ ~~of the remittance~~  
 37 ~~remittances of docket fees; to the judicial council fund, the state treasurer~~  
 38 ~~shall deposit and credit a sum equal to 1.15%~~ ~~1.13%~~ ~~of the remittance~~  
 39 ~~remittances of docket fees; to the child exchange and visitation centers~~  
 40 ~~fund, the state treasurer shall deposit and credit a sum equal to .69%~~  
 41 ~~.68%~~ ~~of the remittance remittances of docket fees; to the family dispute~~  
 42 ~~resolution fund, the state treasurer shall deposit and credit a sum equal~~  
 43 ~~to 1.55%~~ ~~of the remittances of docket fees, and to the judicial branch~~

1 nonjudicial salary initiative fund, the state treasurer shall deposit and  
 2 credit a sum equal to 18.51% ~~18.20%~~ of the remittance ~~remittances~~ of  
 3 docket fees. The balance remaining of the remittances of docket fees shall  
 4 be deposited and credited to the state general fund:

- 5 (1) **5.10% to the access to justice fund;**
- 6 (2) **2.83% to the juvenile detention facilities fund;**
- 7 (3) **2.18% to the judicial branch education fund;**
- 8 (4) **0.58% to the crime victims assistance fund;**
- 9 (5) **2.78% to the protection from abuse fund;**
- 10 (6) **4.41% to the judiciary technology fund;**
- 11 (7) **0.35 % to the dispute resolution fund;**
- 12 (8) **1.29% to the Kansas juvenile delinquency prevention trust**  
 13 **fund;**
- 14 (9) **0.22% to the the permanent families account in the family**  
 15 **and children investment fund;**
- 16 (10) **1.53% to the trauma fund;**
- 17 (11) **1.15% to the judicial council fund;**
- 18 (12) **0.69% to the child exchange and visitation centers fund;**
- 19 (13) **1.57% to the family dispute resolution fund;**
- 20 (14) **18.51% to the judicial branch nonjudicial salary incentive**  
 21 **fund; and**
- 22 (15) **the balance to the state general fund.**

23 Sec. 3. ~~K.S.A. 2007 Supp. 60-1621 is hereby amended to read as~~  
 24 ~~follows: 60-1621. (a) No post-decree motion petitioning for a modification~~  
 25 ~~or termination of separate maintenance, for a change in legal custody,~~  
 26 ~~residency, visitation rights or parenting time or for a modification of child~~  
 27 ~~support shall be filed or docketed in the district court without payment~~  
 28 ~~of a docket fee in the amount of \$33 \$58 on and after July 1, 2006 through~~  
 29 ~~June 30, 2010, and \$31 \$56 on and after July 1, 2010, to the clerk of the~~  
 30 ~~district court.~~

31 ~~—(b)—A poverty affidavit may be filed in lieu of a docket fee as estab-~~  
 32 ~~lished in K.S.A. 60-2001, and amendments thereto.~~

33 ~~—(c)—The docket fee shall be the only costs assessed in each case for~~  
 34 ~~services of the clerk of the district court and the sheriff. The docket fee~~  
 35 ~~shall be disbursed in accordance with subsection (f) of K.S.A. 20-362, and~~  
 36 ~~amendments thereto.~~

37 ~~—(d)—The docket fee established in this section shall be the only fee~~  
 38 ~~collected or moneys in the nature of a fee collected for the docket fee.~~  
 39 ~~Such fee shall only be established by an act of the legislature and no other~~  
 40 ~~authority is established by law or otherwise to collect a fee.~~

41 Sec. 4 3. K.S.A. 20-367 and K.S.A. 2007 Supp. 60-1621 are **is** hereby  
 42 repealed.

1     Sec. ~~5~~ 4. This act shall take effect and be in force from and after its  
2     publication in the statute book.