

SENATE BILL No. 270

By Committee on Federal and State Affairs

2-12

9 AN ACT concerning criminal procedure; relating to the consolidation of
10 community corrections and court services in certain judicial districts;
11 expenses of such office; amending K.S.A. 20-345 and 20-346a and re-
12 pealing the existing sections.
13

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

15 New Section 1. (a) On and after January 1, 2010, a consolidated of-
16 fice of community correctional services and court services may be estab-
17 lished in a judicial district in the following manner.

18 (b) Each county commission in a judicial district may pass a resolution
19 creating the consolidated office of community correctional services and
20 court services in such judicial district. Such resolution shall include adult
21 and juvenile community correctional services in such judicial district. If
22 all county commissions in each of the counties in the judicial district pass
23 such a resolution prior to January 31, the office shall be created on the
24 January 1 following the adoption of the resolutions.

25 (c) If all counties in the judicial district do not pass a resolution to
26 consolidate the offices, the court service offices and community correc-
27 tional services in such judicial district shall continue.

28 (d) Upon completion of the final county commission passing such
29 resolution, the chief judge of such judicial district shall notify the secretary
30 of corrections and the chief justice of the supreme court.

31 (e) If the consolidated office of community correctional services and
32 court services is established pursuant to this section, the duration of the
33 office shall be perpetual in such judicial district.

34 (f) The provisions of article 3 of chapter 20 of the Kansas Statutes
35 Annotated, and amendments thereto, concerning court service officers;
36 the provisions of the community corrections act, K.S.A. 75-5290 et seq.,
37 and amendments thereto, concerning community correctional services
38 officers; and the provisions of K.S.A. 75-7038 et seq., and amendments
39 thereto, concerning juvenile community corrections officers shall be ap-
40 plicable to the consolidated office of community correctional services and
41 court services established pursuant to this section.

42 Sec. 2. K.S.A. 20-345 is hereby amended to read as follows: 20-345.
43 Within staffing limits prescribed by the supreme court and appropriations

1 therefor, the chief judge of each judicial district shall appoint such bailiffs,
2 court reporters, secretaries, court services officers, *community correc-*
3 *tions officers, if applicable*, and other clerical and nonjudicial personnel
4 as necessary to perform the judicial and administrative functions of the
5 district court. Persons appointed pursuant to this section shall have qual-
6 ifications prescribed by law or rule of the supreme court. Except as oth-
7 erwise provided by law, such persons shall receive compensation pre-
8 scribed by the judicial personnel classification system. Such persons shall
9 perform the duties and functions prescribed by law, designated in the
10 personnel classification system or assigned by the chief judge, subject to
11 rule of the supreme court. Personnel whose salary is payable by counties
12 shall receive compensation in the amounts provided in the district court
13 budget approved by the board of county commissioners. Whenever any
14 person is employed or assigned to work under direct supervision of any
15 judge or in a division of court in which a judge presides, the employment
16 or assignment of the person shall be subject to the approval of that judge.

17 Sec. 3. K.S.A. 20-346a is hereby amended to read as follows: 20-
18 346a. (a) The department of corrections shall have the functions and
19 duties provided by law with regard to providing parole officers for felons
20 placed on parole by the Kansas ~~adult authority~~ *parole board* but shall not
21 provide parole officers for the supervision of misdemeanants placed on
22 parole by the district courts of this state. The department of corrections
23 shall provide the visitation, supervision and other services regarding pro-
24 bationers and parolees which are required under the uniform act for out-
25 of-state parolee supervision.

26 (b) All court services officers supervising adults and juveniles placed
27 on probation by the district courts of this state and all court services
28 officers supervising misdemeanants placed on parole by the district courts
29 of this state shall be appointed by the district courts as provided by law.
30 The supreme court shall prescribe the qualifications required of persons
31 appointed as court services officers of the district courts. The compen-
32 sation of court services officers of the district courts shall be paid by the
33 state either in accordance with a compensation plan adopted by the su-
34 preme court or as may be otherwise specifically provided by law.

35 (c) Any probation and parole officers of the department of corrections
36 who were terminated from service as officers and employees of that de-
37 partment because of the transfer of functions and duties from that de-
38 partment to the district courts under this section and who were appointed
39 as court services officers of the district courts pursuant to this subsection
40 as it existed prior to amendment by this act shall retain all retirement
41 benefits and, to the extent feasible and compatible with the provisions of
42 the judicial personnel system relating to nonjudicial employees of the
43 district courts, these appointments shall be deemed to be transfers with

1 all rights of civil service which had accrued to those officers and employ-
2 ees prior to July 1, 1979, and the service of each officer and employee so
3 appointed and transferred shall be deemed to have been continuous.

4 *(d) If the county commissions of the counties in a judicial district pass*
5 *a resolution to consolidate court services and community corrections in*
6 *such judicial district, all community correctional services officers super-*
7 *vising adults and juveniles placed on community corrections in such ju-*
8 *dicial district shall be appointed by the district courts as provided by law.*
9 *The supreme court shall prescribe the qualifications required of persons*
10 *appointed as community correctional services officers in such judicial dis-*
11 *tricts. The compensation of such community correctional services officers*
12 *shall be paid by the state either in accordance with a compensation plan*
13 *adopted by the supreme court or as may be otherwise specifically provided*
14 *by law.*

15 *(e) Any community correctional services officers in a judicial district*
16 *in which the county commissions passed a resolution to consolidate court*
17 *services and community correctional services in such judicial district who*
18 *were terminated from service as county employees because of the consol-*
19 *idation of functions and duties from that office to the district courts pur-*
20 *suant to section 1, and amendments thereto, and who were appointed as*
21 *community correctional services officers of the district courts shall retain*
22 *all retirement benefits and, to the extent feasible and compatible with the*
23 *provisions of the judicial personnel system relating to nonjudicial em-*
24 *ployees of the district courts, these appointments shall be deemed to be*
25 *transfers with all rights of civil service which had accrued to those officers*
26 *and employees prior to the January 1 of the year the consolidation oc-*
27 *curred, and the service of each officer so appointed and transferred shall*
28 *be deemed to have been continuous.*

29 Sec. 4. K.S.A. 20-345 and 20-346a are hereby repealed.

30 Sec. 5. This act shall take effect and be in force from and after its
31 publication in the statute book.