

House Judiciary Committee Meeting  
Tuesday, February 16, 1965

The House Judiciary Committee met Tuesday, February 16, 1965, in Room 523 at 8:40 A.M. with Chairman Jack R. Euler presiding. Seventeen members were present. Members Fatzer, Foster, Hill and Van Cleave were absent.

Chairman Euler called the meeting to order. He introduced Paul Shanahan, Secretary of State, who presented two proposed bills which concern foreign corporations. The first proposed bill amends 17-501 K.S.A. This bill would eliminate the necessity of the foreign corporation filing a copy of its charter. He stated that there is no need or use for this particular document and dispensing with this filing would provide needed space. He went on to explain that they don't make certified copies of this document as they never know if it is up to date. The other information such as the general purpose of the corporation, resident agent, names and addresses of officers, necessary liabilities, consent to be sued and all other things would still be filed. He stated that most states do not require this filing. Chairman Euler asked for any questions or discussion. There was some discussion in regard to this and the possibility of requiring these corporations to include "Inc." in their name. Mr. Rogers asked how the things still required for filing would be shown. Mr. Shanahan said that a form would be used.

Mr. Shanahan then presented a proposed bill amending 6304 of the new Code dealing primarily with the service of foreign corporations which are not registered in Kansas or are withdrawn in Kansas. This bill would permit the Secretary of State's Office to send this by restricted mail to the person named in the purpose or to the registered agent of the corporation in the state of domestication. It would also provide a \$3.00 fee to cover costs. In the past, it cost \$200 to \$300 a year to make these services. Chairman Euler asked if there were any questions or discussion. There were none.

Mr. Wilcox then presented a proposed bill amending 75-417 K.S.A. on which he wanted Mr. Shanahan's and the committee's opinion. This deals with quiet title actions where the State of Kansas is a party and would make this statute consistent

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to the new code and require delivery of a copy of the summons to the Attorney General or the Assistant Attorney General. Chairman Euler asked for any questions or discussion. There were none.

Chairman Euler then asked if there were any further questions of Mr. Shanahan. There were none.

The committee then heard a group from Wyandotte County concerning House Bill No. 544, an act concerning the jurisdiction of certain justices of the peace; amending existing K.S.A. 61-101 and 62-201 and repealing said existing sections.

Representative Roberts introduced Mr. E. W. Alvey, Shawnee Township Clerk, Wyandotte County, Kansas, who in turn introduced six of the justices of the peace of Wyandotte County; Wayne L. Shiffle, Harley Huggins, Leroy Shockey, R. J. Thomas, Joseph E. Bider and Joseph L. Horvat; and Dean J. Smith, Judge of the City Court of Kansas City, Kansas. Mr. Alvey presented the committee with three photostats containing information in regard to the justices of the peace of Wyandotte County and photographs of a typical office of the justices. Copies are attached. He then gave the background concerning the justices of the peace of Wyandotte County, their importance to the people and the actual work which they accomplish. He cited a number of actual cases where the justice of the peace serves the people. One of the justices then presented the committee with an account of a typical weekend of a justice of the peace of Wyandotte County. Mr. Griffith asked how much they derive from the court costs assessed. Approximately one half of the court costs is derived. There is a breakdown of these costs on one of the photostats attached to these minutes.

Judge Smith then related the operation of the city court. Mr. Barnhill asked how many cases the justices handle in one year. He was told approximately 5,000. Judge Smith stated that these would then go to the city court.

Norman B. Sortor, former Judge of the City Court and former justice of the peace, then spoke in favor of House Bill No. 544. He pointed out the possibility of increased fines, etc. with the justice of the peace system. He did commend the appearing justices on their work and their standing in the community, but

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said that the answer to the problem of Wyandotte County is a bill providing for three divisions of the city court with county wide jurisdiction.

Representative F. C. Stuewe, Wabaunsee County, then introduced a group of men from his county who spoke in favor of House Bill No. 544. They have a problem of increased fines because of their justice of the peace system.

Chairman Euler reminded the members of the committee of their dinner tonight at 6:00 P.M. at the Buccaneer Club. He also announced that the committee is invited to lunch Wednesday, February 17, 1965, at 12:00 Noon at the Kansan Hotel in Rooms 918 - 919 - 920 as guests of the Union Labor Legislative Committee.

The meeting adjourned at 9:55 A.M. The committee will meet again Wednesday, February 17, 1965, at 8:30 A.M. in Room 523. At this time, the committee will resume its consideration of the Act for Obtaining "Care or Treatment" for a "Mentally Ill Person".

Respectfully submitted,  
Jack R. Euler  
Chairman

Minutes approved:





Kansas House of Representatives, Committee on Judiciary  
 Jack R. Euler, Chairman  
 February 16, 1965

In accordance with Rule 22 (1)(h) of the Rules of the House, the following information must be recorded: "The name and addresses of all persons appearing before the committee, with the name of person, persons, firm, corporation, or association, and addresses, in whose behalf such appearance is made."

1. Paul R. Shanahan, Sec. of State, State of Kansas
2. Wayne W. Shifflett, Justice of Peace Wy. Co. KS.
3. Harley D. Nuggins - Justice of Peace Wy. Co. KS
4. Leroy Shackey Justice of Peace Wy. Co. KS.
5. R. J. THOMAS JUSTICE OF PEACE WY CO KS
6. JOSEPH E. BIDER JUSTICE OF PEACE WY CO. KS
7. Joseph L. Horvath Justice of The Peace WY. CO. KS.
8. Clyde B. Adams Rep. 9<sup>TH</sup> DIST. WY. CO. KS
9. ~~Robert J. Smith~~ Wabaunsee County
10. Dean J. Smith Judge of City Court of Kansas City, Kansas
11. Norman B. North Former Judge of City Court Kansas City, Kans.
12. E. M. "Ed" Ahrey - Shawnee Township Clerk WY. Co., Kansas
13. Arnold Schmidt Wabaunsee, Kansas
14. H. L. Mueller " "
15. George B. Edgerly " "
16. Ross Troutman " "
17. H. P. Fuld " "
18. M. C. Hendricks " "
19. Howard C. Myers wab Co.
20. W. C. Felt " "
21. Claude O. Edgett " "
22. Walter O. Lombard " "

NAME

REPRESENTING

ADDRESS

Lloyd Alroy  
George Crepslaw  
Newton C. Jennings Jr.

Wyandotte Co.  
Keb. Co.  
"

R. 3. Manhattan  
Rt. 3 Manhattan

# JP Fines for County Rise Nearly \$10,000

By Bob Snair

Wyandotte county received \$64,340.31 in fines from justice of the peace courts during 1964.

This is an increase of nearly \$10,000 over the '63 total, according to records at the county auditor's office. These fines and all other fines collected by the county are channeled into public school funds.

Nearly all court costs are retained by justices of the peace. However, when a constable makes an arrest, as a general practice he shares in the court costs.

The constable's share is generally about \$1 for each traffic conviction, Bider reported. In some cases, two constables might be working traffic in the same car which

could produce an added court cost of \$1 for each, Bider explained.

Largest amount of fines was collected in the court of Roy Cloughley, Wyandotte Twp. justice of the peace — \$19,344.20.

Fines from other courts were:

• Joseph E. Bider, Shawnee Twp., \$16,707.50.

• T. L. Kreiger, Delaware Twp., \$13,516.

• W. R. (Bob) Burns, Quindaro Twp., \$12,133.56.

• Louis Timmerman, Quindaro Twp., \$4,980.05.

• Leroy Shockey, Delaware Twp., \$659.

Kreiger, Cloughley and Burns no longer are in office.

A breakdown of the total number cases handled by

each justice of the peace court and the court costs for each case in 1964 are not available now.

However, figures for 1963 were supplied The Kansan by the county auditor's office and the firm of McDonald, Napshin and Shedd which conducts an outside audit of county books.

Justice of the peace courts handled 5,724 cases, most involving traffic violations, during 1963. Total amount of fines was \$54,457.35, and court costs in all cases totaled \$31,298.

Breaking this down, this means a person found guilty of a misdemeanor offense in a justice of the peace court here paid an average fine of \$9.51 and court costs of \$5.47.

In 1963, the largest amount of court costs, \$12,627.80, was assessed in Bider's court which also handled the largest number of cases, 2,078. Fines in his court totaled \$16,839.50.

However, the largest amount of fines was collected in the court of Kreiger, \$13,361, who handled 1,383 cases.

Bider explained between one-fourth and one-third of all traffic violations in his court were arrests made by constables which normally involve less serious traffic violations and carry smaller fines.

Kreiger said his court handled few if any arrests by constables. His court costs were \$6,740.

While holding the office of justice of the peace may present a rosy picture of an ideal "moonlighting" job, it has its drawbacks.

A justice of the peace is expected to furnish his own courtroom. Generally this is in the basement, garage or a partitioned-off section in the living area at his home. In most cases, justices of the peace strive to make their courts as dignified as possible.

Justices of the peace also are required to purchase nearly all of their office supplies. This involves printing of several different legal forms—warrants, complaints and commitment papers—which can be a sizable expense.

It also involves a great deal of bookkeeping. Bider said a traffic ticket alone requires eight different bookkeeping entries.

Most important, justices of the peace are expected to be available for court duty at all hours of the day or night.

# Two JPs Score in Juvenile Cases

By Lucille Doores

A plan inaugurated by the two Shawnee Twp. justices of the peace in handling cases of youthful traffic law violators is "paying off."

Lloyd G. Alvey and Joseph Bider said they are having fewer and fewer cases of teen-age drivers before them.

"We believe this is because we require presence of a parent or guardian before we dispose of such cases—and the young drivers are subject then to a double penalty for they get one from home, too," the justices said.

Bider said he and Alvey discussed a plan some time ago and finally decided on joint procedure.

"This, of course, applies



LLOYD G. ALVEY  
... double penalty

idents of any consequence," Bider said.

"A serious accident — one involving injuries or extensive property damage—is another thing."

The justices said they had learned that about 90 per cent of the youthful defendants did not tell their parents about their arrests. The justices found the youths did not want their parents to learn what had happened.

"So," said Bider, "Lloyd and I ask: 'Will you tell your parents, or shall I?'"

Thus the parents are informed and appear at the hearing.

The justices impose a max-

mainly to speeding and in

imum fine of \$1 a mile for

every mile over the proper



JOSEPH BIDER  
... fewer cases

attend the traffic school organized by Judge Joe H. Swinehart, of Wyandotte County Probate and Juvenile court, and complete the course, they are discharged on the fine.

"We find we are easier on them than their parents," Bider and Alvey said. "At home, they are 'grounded' for two or three months and often other privileges are taken away.

"As our fellow justice in Quindaro Twp., W. R. Burns, observed, these youngsters are not affected much by fines. They seem to have the money to make payment.

"But when the parents find out, the penalty really is heavy!"

speed limit, plus costs. How-

ever, if violators voluntarily



10 Feb 65

Dear Sir;

Enclosed is a U.S. Postal  
Order in the amount of \$6.50  
as per your instructions.

Your kindness in this matter  
is very much appreciated and I  
will try to see that this  
event does not occur again.

Sincerely

Thomas Reichardt  
Tgt Thomas R. Reichardt

FROM THE DESK OF

Clifford G. Cruden  
Brotherhood State Bank

Thank you for your  
consideration in allowing me to  
mail my check.

You may be proud of the polite  
& considerate way Mr. Robinson  
made the arrest.

CG Cruden

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VICE PRESIDENT

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