MINUTES OF THE ~~HOUSE~~ COMMITTEE ON JUDICIARY

Held in Room 522, at the Statehouse at 3:30 ~~a.m.~~/p. m., on March 15, 1978.

All members were present except: Representatives Brewster, Baker, Gillmore, Hurley and Lorentz, who were excused.

The next meeting of the Committee will be held at 3:30 ~~a.m.~~/p. m., on March 16, 1978.

These minutes of the meeting held on _____, 19____ were considered, corrected and approved.

Chairman

The conferees appearing before the Committee were:

Senator Hess
Senator Pomeroy

The meeting was called to order by the Vice-Chairman, who introduced Senator Hess to discuss SB 717.

Senator Hess explained he had introduced the bill at the request of three municipal judges in Wichita, and which bill proposes to increase their salaries, as well as that of the Clerk of the Court. Further, he explained they have not had a statutory salary increase since 1973, and the figure was reached by applying the five percent per year formula. He stated when the Senate committee considered the matter, he found the City of Wichita had chartered out under home rule and the judges were being paid an additional amount for other programs, so actually they were being paid a higher figure than that shown on line 25. The Senator explained there had been discussion about whether or not they could charter out in this fashion regarding court matters, and noted the situation is rather unique because these judges are appointed by the District Court judges, work for the city and are paid by the city, but the salary is set by state law. He stated this bill applies only to Wichita.

The Vice-Chairman asked Mr. Griggs to check into this matter.

Senator Pomeroy appeared on SB 595, explaining that the bill had been introduced after receipt of a letter from an attorney suggesting that mailing lists of attorneys in a judicial district to make nominations to a district judicial nominating commission is a waste of money. It was suggested if the nominee is so unknown there would be little likelihood of his nomination. Elimination of this mailing will save postage in the approximate amount of $3,000.00

It was moved by Rep. Stites and seconded by Rep. Ferguson that the bill be reported favorably, and placed on the consent calendar. Motion carried.

The Vice-Chairman asked Mr. Griggs to explain SB 552, and Mr. Griggs pointed out the county pays the courts costs in the case of indigent defendants, and later on if the defendant is able to pay they can collect. The Clerk bills the County for the amount of the docket fee, and upon receipt from the County, subtracts the amount of the deductions. In effect the County pays the court; the statutory deductions are made and then the Clerk pays back to the County. The bill is strictly to stop the circulation of money.

Rep. Frey inquired if there is any indication that every county handles these matters in the same fashion, and Mr. Griggs explained the statute spells out the procedure although some counties have quit the needless motions, although some still go by the letter of the law.

It was moved by Rep. Ferguson and seconded by Rep. Roth that SB 552 be recommended favorably. Motion carried.

The meeting was adjourned.