

Approved: Wpw Date 9/5

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY.

The meeting was called to order by Chairperson Senator Wint Winter Jr. at 10:05 a.m. on March 24, 1992 in room 514-S of the Capitol.

All members were present except:
Senator Kerr who was excused.

Committee staff present:
Mike Heim, Legislative Research Department
Gordon Self, Office of Revisor of Statutes
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:
Representative Sheila Hochhauser
Colonel David Runnells, U. S. Army Garrison Commander for Fort Riley
Stu Entz, Kansas Chamber of Commerce and Industry
Merrill Werts, Civilian Aide for Kansas to the Secretary of the Army
Randy Martin, Manhattan Chamber of Commerce
Joe Knopp, Manhattan Chamber of Commerce

Chairman Winter brought the meeting to order by opening the hearing for HB 3017.
HB 3017 - prohibiting discrimination against military personnel.

Representative Sheila Hochhauser testified in support of HB 3017. (ATTACHMENT 1) She responded to questions by stating that current statutes do not address military status, only sex, religion and disability. She added that the reason the legislation was not assigned to the Human Rights Commission was due to the preexisting work load of that entity.

Colonel David Runnells, U.S. Army Garrison Commander for Fort Riley, presented testimony on behalf of the Commanding General, Major General William Hartzog, in support of HB 3017. (ATTACHMENT 2)

Stu Entz, Chairman of the Military Affairs Committee of the Kansas Chamber of Commerce and Industry, testified in support of HB 3017. (ATTACHMENT 3)

Merrill Werts, Civilian Aide for Kansas to the Secretary of the Army, presented testimony in support of HB 3017. (ATTACHMENT 4)

Randy Martin, Manhattan Chamber of Commerce Chairman, addressed HB 3017 by stating that their community has a very low tolerance for discrimination of any kind. Manhattan is proud to have the military personnel involved in its community life, in churches, schools, etc. He concluded by stating that protection of the principles of equality and opportunity is the primary reason for the military's existence and the Chamber is proud to have Ft. Riley as part of its community.

Joe Knopp, Manhattan Chamber of Commerce, reiterated the Chamber's concern with good relationships with the military. He addressed the examples of discrimination presented in previous testimony by pointing out that Manhattan is also home to an institution of higher education. Therefore, some examples used to illustrate discrimination were not actually discrimination against military personnel but rather examples of discounts for students. He further expressed concern with, and opposition to, passage of HB 3017 in its current form and how it would affect ability to screen applicants' financial status, since anything on an application form could be construed as discriminatory. He suggested amending HB 3017 by including a non-discriminatory statement. (ATTACHMENT 5)

Written testimony in support of HB 3017 and suggested amendments were received from Sherry Sisk (ATTACHMENT 6) and Pam Nondorf. (ATTACHMENT 7) A number of committee members expressed concern with the bill and indicated it may cause more problems than solutions for members of the military.

This concluded the hearing for HB 3017.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,
room 514-S, Statehouse, at 10:05 a.m. on March 24, 1992.

The Committee turned its attention to actions taken on a previous date.

SB 773 - Kansas equine professional liability exemption act.

Senator Bond, having voted on the prevailing side, moved to reconsider the Committee's action to report SB 773 adversely. Senator Morris, also having voted on the prevailing side, seconded the motion. The motion carried.

It was explained that this action was taken due to the scheduled hearings of SB 773 by the Senate Agriculture Committee. If the bill was reported adversely, hearings technically could not be held.

Senator Bond moved to approve the minutes of February 7, 1992. Senator Oleen seconded the motion. The motion carried and the minutes were approved as written.

The meeting was adjourned at 11:00 a.m.

Additional information was distributed to the Committee from:

Judge G. Joseph Pierron, Kansas Court of Appeals, regarding SB 758, grandparent visitation rights precluded when child is adopted by a third party; (ATTACHMENT 8)

Randy Hearrell, Kansas Judicial Council, regarding HB 2769, telefacsimile communications; (ATTACHMENT 9) and

Paul Shelby, Office of Judicial Administration, regarding HB 2832, creating a judicial branch education fund to educate judicial branch officers and employees. (ATTACHMENT 10)

SHEILA HOCHHAUSER
REPRESENTATIVE, 66TH DISTRICT
1636 LEAVENWORTH
MANHATTAN, KANSAS 66502
(913) 539-6177 HOME
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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: APPROPRIATIONS
JUDICIARY
LEGISLATIVE EDUCATIONAL
PLANNING COMMITTEE
RULES AND JOURNAL

March 24, 1992

TESTIMONY ON HB 3017
SENATE JUDICIARY COMMITTEE

Thank you for the opportunity to testify before you in support of HB 3017. I introduced HB 3017 after receiving a request to do so from the commander of Ft. Riley, Major General Hartzog. There was broad bipartisan support for the bill as the presence of 30 co-sponsors indicates.

Testimony before the House Judiciary Committee indicated that discrimination against military personnel occurs in Kansas in housing, employment, and entertainment. Conferees appearing today will reaffirm this. HB 3017 prohibits discrimination in all these arenas. It subjects the one who discriminates to civil penalties and allows the victim of discrimination to recover his or her attorney fees in bringing a civil suit action. The bill protects active duty and reserve personnel, as well as those in the National Guard, from discrimination.

The military has a significant positive impact on the Kansas economy. Military personnel and their families enhance our communities. The least the state of Kansas can do is to ensure that they are treated fairly and equitably. HB 3017 would do that. I urge you to pass it favorable.

Senate Judiciary Committee
March 24, 1992
Attachment 1

LEGISLATIVE TESTIMONY
House Bill No. 3017
Senate Judiciary Committee
March 24, 1992

Major General William W. Hartzog, the Commanding General of Fort Riley, regrets that he could not be here today to testify in person on behalf of this legislation. I am Colonel David L. Runnells, the Garrison Commander for Fort Riley. Many of you may have known my predecessor, Colonel Gary LaGrange. I am responsible for most of the day-to-day operations of Fort Riley, and report directly to the Commanding General. I am here to represent Fort Riley at General Hartzog's request.

We at Fort Riley consider this bill to be a worthy piece of legislation. We have received several complaints regarding disparate treatment of military personnel in our local area. Disparate treatment hurts the morale of the men and women who have selected the United States military service as a career, and who are doing their patriotic best for their country, often at great personal sacrifice. Also, we want to see Fort Riley remain an active Army installation, just as I'm sure you do. Beyond dispute, at least one of the factors in the determination of which military installations to retain and which to close will be the level of support demonstrated by the local community and state for the installation and for the military in general.

Senate Judiciary Committee
March 24, 1992
Attachment 2

We are not here to point a finger at any one company or individual, but I'm sure you would like some examples of the types of problems that have been brought to our attention. Probably the area that concerns our soldiers the most is housing. There seems to be a definite concern in this regard. For example, some local apartment complexes have imposed quotas and will only rent a certain percentage of apartments to military personnel. Also, some real estate agencies managing rental units won't rent to military personnel at all, and some apartment complexes will only rent to officers and not to enlisted personnel, regardless of income level. We have recently experienced an increase of soldiers at Fort Riley, primarily due to troop reductions in Europe, and were over strength by up to 2,000 troops. This created a very tight housing market, and some of our soldiers have had to find housing many miles away from the fort and/or in very poor living conditions. Many have to virtually live out of suitcases for a month or more while waiting for housing to become available. All we are seeking is that our soldiers have the same access to available housing as any other person in the area.

Several local civilian attorneys have reported that in some instances military personnel have been treated with greater severity by law enforcement agencies in criminal cases than local civilians have been treated for similar offenses. We have had difficulty on occasion booking reservations at local motels for

military guests such as court martial witnesses. Spouses of military personnel are sometimes denied employment, even if best qualified, because employers think they are too transient; this adversely impacts on the household income of military families and detrimentally affects them. Reserve soldiers are sometimes denied employment because employers know these soldiers have training requirements that will take them away from their civilian employment periodically; the Veterans' Reemployment Rights Act protects soldiers from discharge once they are hired, but does not prevent discrimination at the time of hiring. Some colleges did not give reservists who had been called to active duty for Operation Desert Storm permission to enroll in needed classes because they were not present for pre-enrollment. Some local businesses require a local address to cash checks, but do not consider a Fort Riley address to be "local." Some local business establishments refuse or limit admittance to persons who "look" military by requiring them to have a Kansas drivers' license or a local student identification card in order to gain admittance, or charge them a cover charge or a higher cover charge than non-military appearing persons. These are some of the concerns we have, which this bill appears to address. This concludes my formal testimony; I will be happy to take any questions which you may have. I have with me today to assist me in answering your questions Colonel Marshall M. Kaplan, our Staff Judge Advocate or

chief legal counsel, and Mrs. M. Elizabeth Cathey, a Legal Assistance attorney in Colonel Kaplan's office.

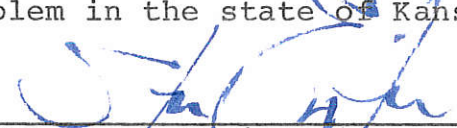
HB 3017

On behalf of the Military Affairs Committee of the Kansas Chamber of Commerce and Industry and the Chamber itself, I would like to urge passage of HB 3017.

The three active military installations in Kansas together with the many local Guard units contribute significantly to the Kansas economy. In 1991, a study conducted by Employment Research Associates, an independent economic consulting group based in Lansing, Michigan, concluded that, statewide, military expenditures in Kansas including payroll for civilian and active duty personnel and support contracts, totaled \$1.9 billion in 1990. Conservative economist would estimate the overall economic impact of the military's presence in Kansas to be \$5 to \$8 billion annually in Kansas.

The military is one of the largest employers in the State. Unlike in times of worldwide conflict, these are not highly transit citizens. Incidents where a vacant apartment is not made available to a young sergeant and his wife because they "don't have stability" or the spouse of a military member is being denied employment because they just might move on short notice once she is trained are but two examples of on-going overt discrimination presently being experienced. Military members and their families are an asset to their communities. Their contributions are numerous and often immeasurable. They are scout leaders, den mothers, little league coaches, youth ministers, stars on high school sports teams; they collect for muscular dystrophy, contribute heavily to local charities, volunteer to provide the muscle and labor at community events, march in parades, clean up after civic events, serve as volunteer firefighters and as emergency medical technicians. The list of their contributions is an endless one. Yet, in some of these same communities where they contribute so much in so short a time, they can't find a decent place to live or find a part-time job to defray the cost of living on the civilian economy when base or post housing is not available.

Discrimination in any form is ugly. Our government has taken steps to stamp it out wherever it exists to assure equity for all of its citizens. It is ironic, when those who have volunteered their freedom to protect that equity and the rights of all citizens are, themselves, discriminated against. Your support for House Bill 3017 will send the signal that such acts will not be tolerated; and House Bill 3017, if passed, will go a long way in alleviating this problem in the state of Kansas.



Stu Entz, Chairman
Military Affairs Committee
Kansas Chamber of Commerce and
Industry

Senate Judiciary Committee

March 24, 1992

Attachment 3



CIVILIAN AIDE
TO
THE SECRETARY OF THE ARMY
1228 Miller Drive
Junction City, Kansas 66441
913-238-1072



To: Members of the Judiciary Committee
Kansas Senate
From: Merrill Werts, Civilian Aide for Kansas
Subject: HB 3017
Date: March 24, 1992

During recent months, it has become increasingly common to hear from those who would drastically cut our military forces. This comes from several sources among which would be a liberal sector of the media and from those special interest groups which want a "peace dividend" to end up in their pockets. The size of our military establishment is being reduced and in an orderly manner. The first Base Realignment and Closure Commission (BRACC) did its work in 1991, and subsequent BRACCs are to be established and make their recommendations to Congress and the President in 1993 and 1995.

Peace does seem to be breaking out all over, yet as we look around the globe, we can see ominous signs here and there. It is during times such as these that we tend to forget one of the principal reasons our republic was founded, that being to provide for the common defense. If we are to fulfill this responsibility, we must have an adequate force of quality soldiers, sailors, airmen and marines. Further, we must remember the lessons learned from the drastic reductions in force which followed World Wars I and II and the terrible losses which some of our units suffered as a consequence.

Army commanders tell me that the quality of our force today is higher than it has ever been. It is important that this high level of quality remain as the drawdown process continues. Herein lies the importance of this bill. Unless troop morale is sustained, the quality of our force will decline. Our military personnel are first class citizens and they deserve to be treated as such. Few things can be more de-meaning than to be discriminated against because of one's occupation and it becomes intolerable if it happens because of service in our armed forces. This is the thrust of HB 3017, and I urge your support of the bill.

As we look at the larger picture of national defense, it is also important that we look at Kansas' involvement. Fort Leavenworth was established in 1827 and Fort Riley in 1853. These historic posts have been part of the Kansas scene since before our state was even a territory. As the total force drawdown continues, it follows that these Kansas installations will be at risk. A couple of years ago, the Manhattan and Junction City Chambers of Commerce commissioned a study of the economic impact of Fort Riley on the area surrounding the post. A summary of that study is attached. You will note that this one post, after applying a multiplier, has an annual impact of over one billion dollars. The quality of life that the officers and enlisted personnel experience at Forts Riley and Leavenworth could very well spell the difference for the future of these posts as the BRACCs continue with their post and personnel drawdown recommendations. Quality of life for military personnel is what HB 3017 addresses. Again, I urge your support for this bill.

Senate Judiciary Committee
March 24, 1992 - Attachment 4

A SUMMARY REVIEW

The Economic Impact of Fort Riley on the Local Area Economy

C. Clyde Jones

Fort Riley as a military installation belongs to all of Kansas. The economic impact of the post reaches far beyond its immediate environs set at approximately sixty miles radius. How important and impactful is this installation to the State of Kansas and its economy?

Using data from the Department of Resource Management at the post and various estimates of population, earnings and economic reports for Riley and Geary Counties, many estimates of impact have been presented. The results are available in a study entitled, "The Economic Impact of Fort Riley on the Local Area Economy". The full report is available at the Junction City Area Chamber of Commerce. A summary of the major impacts is presented here.

Fort Riley reported 15,720 military personnel as of December 31, 1989. With this number there are 14,224 dependents living in the area. They constitute 29% of the estimated 1989 population of Geary, Pottawatomie and Riley Counties combined. They have more than a minimal impact on other surrounding counties such as Clay, Dickinson, Marshall, Morris, Wabaunsee and Washington.

Specifically, for those living off-post, 1,878 military with 3,027 family members made up 7.6% of the estimated 64,530 population of Riley County. In Geary County the figures are 1,885 military with 2,971 family dependents for a 15.55% of the total population of 31,220

As of September 30, 1989 there were 2,234 civil service workers at the Post and another 1,924 civilian employees. From these two groups, 3,460 workers represent 10% of the Riley and Geary Counties workforce. It is further estimated that the post indirectly accounts for 7,200 additional jobs within a sixty-mile radius due to the multiplier effect of its annual spending in the area.

Fort Riley estimates that \$287.6 million is spent within a sixty-mile radius out of a total annual budget of \$730.1 million. This results in an earning impact of \$388 to \$538 million, depending on the multiplier used. It is estimated that Fort Riley personnel spend \$30.3 million for retail purchases in Geary County. This generates an additional 455 jobs providing an output of \$46.1 million dollars to the economy. The post contracted \$11.7 million for major construction in 1989 to Geary and Riley County construction firms, accounting for an estimated 524 construction jobs. That figure is about 35% of construction jobs in the two counties.

About 27% of all dwelling units in Junction City are occupied by military families. The military children represent 68.43% of the total school enrollment at USD # 475. Federal impact funds for the district were \$3,814,151.

From these estimates, it can be concluded that Fort Riley makes a substantial impact on the local area economy in terms of population, employment, earnings, retail sales, construction, housing, and schools.

“A person who has established guidelines for business or the rental of property, which guidelines are uniformly applicable to all segments of society, shall not be deemed to discriminate in business practice or in the providing of housing under this act.”

Senate Judiciary Committee
March 24, 1992
Attachment 5

TESTIMONY ON HOUSE BILL #3017

Date: March 23, 1992

Dear Senator Winter and Members of Committee:

I would like to request that the Members of Committee amend House Bill #3017 to include the spouses, children, or dependents of the military member.

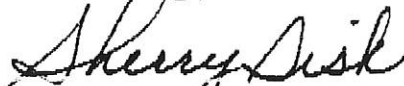
As a military spouse, I have found that in moving to a new area and seeking employment, discrimination is something I often encounter. When we moved to Manhattan, a prospective employer who called me regarding my application, told me that I would not be considered for the position after I told them my spouses' occupation was military. I was told that because I was a military spouse, I would not be considered. I find it necessary to avoid disclosing to any prospective employers the fact I am a military spouse, for fear of not being considered. Although I am currently employed, I feel this is an issue which needs to be addressed.

The military and their families contribute greatly to the livelihood of the businesses which surround the military installations. I have yet to see one business refuse to let us spend our money at their business, but not all are willing to hire us (if qualified) to work in their business, simply because we are military family members or dependents. What's wrong with this picture?

In moving from duty station to duty station, state to state, and even country to country, we the spouses, family members and dependents of the military do our best to adapt to the changes and overcome the obstacles that come our way. It would be nice to know that we had some help in overcoming discrimination by making it unlawful to do so, not only against the military member but also the spouse, child, or dependent of these military members.

I respectfully request that the Members of Committee take into consideration the family members and dependents of the military members with which House Bill #3017 relates to and amend the bill to include these persons.

Sincerely,



Sherry Sisk
2720 Brookhollow Ct.
Manhattan, KS 66502
(913) 776-0874

Senate Judiciary Committee
March 24, 1992
Attachment 6

TESTIMONY ON HOUSE BILL #3017

March 23, 1992

Dear Senator Winter and Members of Committee:

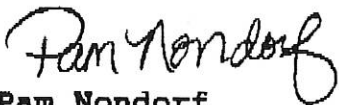
I have read with interest House Bill 3017 which prohibits discrimination against military personnel. I am pleased that this issue is being addressed.

My concern regarding this issue relates to the fact that family members have been omitted from the proposal. Military family members are not contractually affiliated with any branch of the service, however, our lives are most definitely affected by each and every aspect of this way of life.

Being the working spouse of a military member, I find it necessary upon seeking employment following Permanent Change of Station orders to not disclose the fact that my husband is a member of our Armed Forces. I feel most employers would not hire me if that fact was known.

Most military and family members feel as though they are treated as "second class citizens" due to the simple fact that they are a member of the military community. House Bill 3017 addresses this issue. I truly hope the Kansas State Senate will ensure this small but effective means of preserving the dignity of military personnel and their family members. Please consider including the family members of military personnel in House Bill 3017.

Sincerely,



Pam Nondorf
6859 Deer Trail Road
Manhattan, KS 66502
(913) 539-6249

*Senate Judiciary Committee
March 24, 1992
Attachment 7*



KANSAS COURT OF APPEALS
301 WEST TENTH
TOPEKA 66612-1507

G. JOSEPH PIERRON
JUDGE

(913) 296-5408

March 13, 1992

Senator Wint Winter, Jr.
State Capitol Building
120 South
Topeka, KS. 66612

In re: S.B. 758

Dear Wint:

S.B. 758 attempts to abolish the ability of courts to order grandparent visitation if both parents have died and a "third party" has adopted the child. I presume this bill was submitted as a result of our decision of In re Adoption of J.M.U., 16 Kan. App. 2d 164, 819 P.2d 1244, review denied (December 17, 1991). I think a quick review of this case will explain the genesis of the bill and why I don't think it's a good idea.

The case arose out of a tragedy. The father of the child killed the mother and then committed suicide. Both sets of grandparents and a maternal aunt had, and continued to have, a close relationship with the child. There was apparently little dispute over the maternal aunt adopting the child, which was accomplished within a few months. However, after the adoption, the paternal grandparents were denied further contact with the child by the new mother.

The district court interpreted the statutory and case law to deny visitation rights to the paternal grandparents. We reversed on a 2-to-1 decision and the Supreme Court denied review.

The law as it stands now is that if grandparents have established a close relationship with the child and it is in the best interest of the child that the grandparents

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Senator Wint Winter, Jr.
March 13, 1992
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continue to have visitation after the adoption, the court can order it.

At first blush, S.B. 758 would apparently be aimed at situations where both parents have died and an unrelated third party adopts the child. In a situation like that, denying grandparent visitation makes more sense. However, even under those circumstances, it may be the best thing for the child to continue to have visitation with the grandparents, especially if the child is older and has a good relationship with them.

All in all, the law as it presently stands gives us the flexibility we need to deal with this very difficult, and often fact sensitive, legal and human situation.

I am told that this bill is presently moribund, but technically could be resurrected. If I can be of any assistance in the consideration of this matter, please let me know and I will be happy to trot across the street.

Sincerely,



G. Joseph Pierron

GJP:mz



KANSAS JUDICIAL COUNCIL
KANSAS JUDICIAL CENTER
301 West Tenth Street, Suite 262
Topeka, Kansas 66612-1507

JUSTICE KAY MCFARLAND, CHAIR,
TOPEKA
JUDGE MARY BECK BRISCOE, TOPEKA
JUDGE NELSON E. TOBUREN, PITTSBURG
JUDGE HERBERT W. WALTON, OLATHE
SENATOR WINT WINTER, JR., LAWRENCE
REPRESENTATIVE JOHN M. SOLBACH III,
LAWRENCE
JACK E. DALTON, DODGE CITY
PHILLIP MELLOR, WICHITA
MARVIN E. THOMPSON, RUSSELL
JAMES D. WAUGH, SECRETARY, TOPEKA

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NELL ANN GAUNT
FISCAL OFFICER &
EXECUTIVE ASSISTANT
JANELLE L. WEIGEL
ADMINISTRATIVE ASSISTANT

March 19, 1992

TESTIMONY ON 1992 HOUSE BILL 2769

BACKGROUND

Within the past year it came to the Judicial Council's attention from a number of sources including legislators, judges and the judicial administrator that fax machines were being used by the courts and it was thought that a statute should be enacted and rules adopted clarifying this usage.

COMMITTEE

Last year the Judicial Council created the Judicial Council Technology Advisory Committee to study not only the use of fax machines by the courts, but the application of other technology to the judicial system. A cross-section of lawyers, judges, legislators, nonjudicial personnel and other persons with knowledge in the field were appointed to the committee.

THE STUDY

The committee considered fax rules from Illinois, Minnesota, Colorado, Idaho, Oregon, Nevada, Washington, Michigan, Florida, California, the National Center for State Courts and the United States District Courts. After consideration of the rules of the other jurisdictions, the committee drafted its statutory work-product which is House Bill 2769. In addition, the committee prepared Supreme Court Rules relating to the use of fax machines by the district courts and relating to use of fax machines by the appellate courts. Those rules will be submitted to the Supreme Court after passage of HB 2769 by the legislature.

Senate Judiciary Committee
March 24, 1992
Attachment 9

HOUSE BILL 2769

House Bill 2769 authorizes use of fax machines to send or transmit copies of court documents in accordance with Supreme Court Rules setting forth procedure for doing so. The bill provides for the Judicial Administrator to contract with credit card companies thus permitting use of credit cards to collect docket fees and other court costs. The bill also establishes a Judiciary Technology Fund and increases various docket fees \$1.50 to raise revenue for the fund. The bill creates a new crime, harassment by telefacsimile communication which makes it a crime to send or to transmit telefacsimile communication to or from a court in Kansas for other than court business.

On a section-by-section basis, the bill states the following:

Section 1 - courts shall accept filings by telefacsimile communication and signatures on such filings shall be valid.

Section 2 - creates the crime of harassment by telefacsimile communication.

Section 3 - directs the Judicial Administrator to contract with credit card companies to provide for use of credit cards for payments to the courts.

Section 4 - creates a Judiciary Technology Fund and originally set forth the amount of \$1.50 per case, but that has been amended to an equivalent percentage which makes the administration of the fund simpler.

Sections 5 through 11, 14, 15 and 16 - implement the \$1.50 increase in fees under the various codes.

Section 12 - amends K.S.A. 60-203, indicates petitions may be filed by fax under chapter 60.

Section 13 - states service upon an attorney may be made by fax and that such service is complete upon receipt of a confirmation generated by the transmitting machine.

Sections 17 and 18 - amended into the bill on the floor of the House and are the contents of House Bill 3060, which was requested by the County and District Attorneys Association. Sections speak to fax use in search warrants.

SUPREME COURT RULES

The committee has prepared Supreme Court rules both for the district court level and the appellate court level to implement the fax statutes. The rules will not be submitted to the Supreme Court until passage of the bill, so any questions that arise may be considered.

On behalf of the Judicial Council Technology Advisory Committee and the Kansas Judicial Council, I urge passage of HB 2769.

Randy M. Hearrell
Research Director

JUDICIAL BRANCH EDUCATION FUND

The education fund would be used for the ongoing education and training of judges and nonjudicial personnel. Listed below are the educational activities we would propose to fund from the newly created Judicial Branch Education Fund. The Supreme Court Office of Judicial Administration is the primary provider of training for both judges and nonjudicial employees. Regional training, productivity reviews, and orientations may not be conducted on an annual basis but when needed.

Annual Training Seminars:

The major training offerings are annual conferences for the different components of the court system. These seminars provide a forum for exchanging ideas or learning about new ideas or practices.

Two annual training conferences would be offered to district judges, district magistrate judges, appellate judges, and retired judges (one conference is statutorily mandated). One annual session would be offered to nonjudicial employees.

One annual conference would be held for municipal judges, and one annual training session would be offered to municipal court staff.

Annual Judicial Conference	\$80,000
Spring Judicial Conference	80,000
District Court Clerks and Administrators Annual Conference	30,500
Court Services Officers Annual Conference	65,000
Court Reporters Annual Conference	20,000
Court Trustees Annual Conference	5,590
Municipal Judges' Annual Conference	55,000
Municipal Court Staff Annual Conference	<u>50,000</u>

Subtotal \$386,090

Senate Judiciary Committee

March 24, 1992

Attachment 10

Orientations:

Every two years a 2 1/2 day orientation seminar is held for newly appointed or elected judges. Topics covered at the orientation include case delay and court management, jury management, felony sentencing, juvenile proceedings, evidence, and judicial ethics and discretion.

The Supreme Court also recognizes the duty of the court system to orient not only judges, but nonjudicial employees, and offers orientation programs for clerks of the court, court administrators, court services officers, and court reporters.

New Judge Orientation	\$6,750
New Clerks Orientation	4,000
New Court Administrator Orientation	265
New Court Services Officers Orientation	7,500
New Court Reporters Orientation	6,640
Subtotal	<u>\$25,155</u>

Administrative Judges Workshop:

A one-day workshop is held for administrative judges each year. These workshops include discussions on technology, legislation, and administrative matters.

Administrative Judges Seminar	<u>\$6,975</u>
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Regional Training:

In order to respond on a timely basis to the ever changing responsibilities of judicial and nonjudicial employees, regional training workshops would be offered. These workshops provide judicial officers and nonjudicial employees the opportunity to receive the education and training needed to effectively administer their duties.

DMJ Regional Training	\$7,980
Regional Training (Clerks and Court Administrators)	20,700
Court Services Officers Regional Training	40,000
Municipal Court Staff Regional Training	<u>40,000</u>
Subtotal	<u>\$108,680</u>

CERTIFICATION AND TESTING:

District magistrate judges and municipal judges who are not licensed to practice law are required to pass an examination administered by the Supreme Court. Training funds would be used for these certification sessions.

Municipal judge certification	\$5,000
DMJ certification	<u>1,260</u>
Subtotal	<u>\$6,260</u>

District Magistrate Judge Training:

A one-day post-legislative workshop would be held each June for district magistrate judges.

DMJ Legislative Workshop	<u>\$8,900</u>
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Out-of-State Training:

Out-of-state travel is used to fund new judge training at the National Judicial College in Reno, Nevada. As soon as practicable when assuming judicial office, new judges would be given the opportunity to attend a three-week general session at the College. It is the Supreme Court's standard that each new judge should attend this comprehensive national judicial education program.

In order to develop in-state expertise and faculty for our in-state training programs and to improve individual skills in specialized subject areas, justices, judges and nonjudicial employees would be reimbursed for attending seminars and conferences at out-of-state locations. Subject matter provided in this manner would range from an intensive review of substantive law to an overview and analysis of court management.

New Judges/General Jurisdiction Course	\$45,000
Other judicial officer out-of-state training	40,000
Nonjudicial out-of-state training	<u>20,000</u>
Subtotal	<u>\$105,000</u>

In-State Travel: \$52,000

The Office of Judicial Administration staff are providing training in the use of the child support enforcement computer system which has been installed in district courts statewide. An estimated \$32,000 is needed for this training project. 66% of these costs are borne by the federal government.

Office of Judicial Administration staff will also provide technical assistance and training on accounting procedures in the district court clerk offices. The estimated cost for this specialized training is \$20,000.

Municipal Judge Support Staff: \$23,430

Support staff assistance is needed to help administer the Supreme Court testing and education program for municipal court judges. This support is used for tasks such as statistical research, conference planning, and the monitoring of the continuing judicial education reporting requirements.

Committees:

The Judicial Branch Education Fund would be used for costs associated with quarterly management meetings and special committees.

Quarterly Management Meetings:	
Chief Clerks	\$11,628
Court Administrators	5,296
Chief Court Services Officers	18,000
Court Trustees	7,436
Clerks' Advisory Committee Meetings	14,000
CSO Advisory Committee Meetings	14,000
Legislative Chairpersons Annual Meeting	900
Court/Education/SRS	1,500
Permanency Planning Task Force	4,500
KDJA Executive Board	13,150
DMJ Education Committee	700
Municipal Judges Testing/Education Com.	3,000
Municipal Court Staff Education Committee	3,000
Subtotal	<u>\$97,110</u>

Productivity Reviews:

Productivity reviews are conducted of district court operations. A committee formed of experienced court administrators, court clerks, court services officers and chaired by a professional staff member of the Office of Judicial Administration review district court operations in a wide range of areas, with a view to enhancing the management and operations of the court.

Productivity Reviews \$5,000

Printing/Postage:

Funds would be used for reproducing training materials and for printing and updating training and operation manuals (i.e., Accounting Manual, Judges' Manual). The judicial branch education fund would also be used for postage costs associated with all training meetings.

Duplicating/Postage \$15,000

TOTAL TRAINING AND EDUCATION \$839,600