

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2307

As Amended by House Committee of the Whole

Brief*

HB 2307 concerns judges and would do away with the current rule of one judge in each county. Under provisions of the bill the Supreme Court will be able to eliminate or reassign district magistrate judge (DMJ) positions when the yearly average caseload of the DMJ is less than 600 cases. Methods to abolish or reassign a DMJ position are outlined in the bill. Counties from which a DMJ position has been eliminated will remain responsible for expenses incurred as that county's share of operations of the district court within the judicial district.

The Chief Judge will assign district court cases to any county within the judicial district. Likewise, venue will be proper in any assigned county.

The House Committee of the Whole amended the bill to provide the following:

- ! Changed the 1,200 yearly case threshold, in the original bill, to 600 cases;
- ! In counties where a DMJ position is abolished or reassigned, the county can elect to retain the position and pay the salary of the current DMJ;
- ! Traffic infractions are not included in the yearly average caseload;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/kldr>

- ! The bill sets up the mechanism whereby the Supreme Court would have the authority to eliminate a district court judge position and replace the position with one or more DMJ positions.

Background

The sponsor of the bill expressed support for the bill. A conferee representing the Kansas District Judges' Association spoke in favor of the original bill, with recommendations. Opposition to the bill, as drafted, was voiced by a District Magistrate Judge from Smith Center and the District Judge from Concordia who represented the District Judges' Association. Comments and concerns were expressed on behalf of the Office of Judicial Administration.

The fiscal note on the original bill indicates very little fiscal effect.