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Testimony Before the Senate Judiciary Committee In Support of SB 53 Tuesday, January 28, 2025

Chair Warren, Vice Chair Titus, and Ranking Member Corson, and Committee Members:

I support SB 53 because it will improve the formality, efficiency, and effectiveness of the provision and oversight of law libraries in rural counties in Kansas.

In 2023, I was appointed to serve on the Kansas Supreme Court's Rural Justice Initiative. As I recently stated to my hometown newspaper, the Oskaloosa Independent, I was proud to represent Jefferson County and the rural county attorney perspective on this committee. The work the committee accomplished is instrumental in highlighting the challenges and needs of rural communities—even those within 30-45 minutes of urban areas—in finding attorneys to provide constitutionally required services in our local courts. Jefferson County is the place I've chosen to raise my family, and I hope state and local policies can incentivize other professionals to make Jefferson County their home.

Jefferson County has faced new challenges over the past decade given the retirements of longstanding attorneys and firms in our communities, leading to difficulties in finding attorneys to serve on indigent defense, care and treatment, and child-in-need-of-care dockets. We have been fortunate to have public-service minded attorneys from neighboring counties fill those positions as our local bar has dwindled, but the bar is aging at a quicker pace than new attorneys are coming in.

During my 16 years of practice as an attorney in Jefferson County, I have been both a beneficiary and coordinator of services the Jefferson County Law Library has provided to our dwindling resident bar and our citizens. However, given the decentralized state of our resident bar, the current statutory structure for "electing" our law library board of trustees is more of a legal fiction than reality. While I don't doubt that organized attorney bars in other counties have the ability to "elect" trustees to serve alongside the presiding district court judge(s) in overseeing the public revenues and expenditures of the law library, rural counties—even those less than 30 miles to a good sushi restaurant—struggle to find volunteers or district court clerk man hours to organize ballot elections for these positions.

During our discussions on my Rural Justice Initiative subcommittee, our focus turned at times to the "concept" of law libraries in statute versus the reality of underorganized bars in low populated areas. The "concept" of law libraries is very Kansan—in every beautiful courthouse across our state there shall exist a centralized repository for the bar and citizens to access the legal resources they need to navigate the justice system. The "reality" however, at least in Jefferson County, is that the increasing retirements of attorneys, turnover in district court clerks, and maxed out attorney caseloads prevent our bar from organizing in the manner contemplated by the legislature nearly 60 years ago.

I support SB 53 because it would facilitate an easier path to filling law library trustee positions. I appreciate the legislative intent of K.S.A. 20-3127 to provide a law library board made up of attorneys and judges in the county. But the effort and expense required in running an election among bar members (many of whom don't practice in our county courthouse) for these positions has left many counties like my own with a more informal *ad hoc* pool of people to help administer the law library without formally meeting the election requirements of the statute.

By changing the selection method of these trustees to an appointment method, trustee positions are more likely to be filled pursuant to law, which I believe is necessary for those vested with the responsibility of stewarding public funds. I'm grateful for the attorneys that have stepped up in Jefferson County over the years to faithfully manage these funds, and SB 53 would allow these roles to continue to be filled officially without requiring the district court clerk's office to run an election. And I'm grateful to Chief Luckert's Rural Justice Initiative for creating deliberative space to spot and address these issues.

I encourage you to pass SB 53 favorably.