

KANSAS CREDIT ATTORNEYS ASSOCIATION

SENATE BILL NO. 425

SENATE COMMITTEE ON JUDICIARY

February 16, 2012

Chairman Owens and Members of the Senate Committee on Judiciary:

I appreciate this opportunity to submit remarks to you on behalf of the Kansas Credit Attorney Association.

Senate Bill No. 425 would permit the implementation of e-filing in Kansas. Obviously our organization favors e-filing and the aim at efficiency and reduction in the burden placed upon the clerks through automation.

However under the current language of Senate Bill No. 425, the court would be permitted to "impose an additional charge to fund the cost of establishing, operating and maintaining electronic document filing, storage and management for the Kansas court system." This provides the Court unfettered authority with absolutely no means of public input or oversight. This approach is ill-advised. No branch of government should have unlimited taxing authority without review.

In addition, based upon the inability of the current surcharge to adequately fund the courts, we are hard pressed to believe that any e-filing surcharge will have the ability to adequately fund the e-filing program. Increases in surcharges will only inhibit the implementation of the e-filing program by discouraging volume filers and their clients from incurring additional costs which would further precipitate the decline in the Court's revenue, as indicated by the Court's own revenue numbers since the implementation of the increased surcharge.

We would encourage the committee to support e-filing and electronic document filing as a cost and resource saving measure but strongly oppose the proposed funding scheme.

Thank you for your consideration.

Brandy L. Sutton
Legislative Committee
Kansas Credit Attorneys Association