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Senate Judiciary

HB 2468

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Chairman Owens and members of the committee, thank you for allowing me to provide testimony on behalf of the Attorney General's Office in support of House Bill 2468.

Trial by ambush may be beneficial to one particular party involved in litigation, but it is no friend of justice. HB 2468 ensures all parties, i.e. attorneys, Judges, juries, and witnesses, are effectively prepared for trial. Decisions made by full and considerate contemplation should be encouraged not only by the judicial system, but also the legislature. The current version of K.S.A. 22-3212 requires the state to provide defense counsel with expert reports, names of potential witnesses, and potential exhibits. HB 2468 would require defense counsel to provide expert reports and witness' opinions to the state. By enacting the proposed amendments, the legislature would remove the element of surprise during trial.

Thank you for your consideration and I would be happy to stand for any questions.