

MINUTES OF THE HOUSE JUDICIARY COMMITTEE.

The meeting was called to order by Chairman Michael R. O'Neal at 3:30 p.m. on January 16, 2003 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Jerry Ann Donaldson, Legislative Research Department

Jill Wolters, Revisor of Statutes

Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Chief Justice Kay McFarland, Supreme Court of Kansas

Jerry Sloan, Budget & Fiscal Officer, Kansas Judicial Branch

Chief Justice McFarland reminded the committee that in 1977 the Judicial Branch went through unification. There was to be two phases: mandating one judge in every county and having the state pay all salaries and expenses of the trial courts. The second part of the phase never has happened. The judicial budget is made up of 97% salaries. By statute, judges can't be cut so salaries have to be.

There are many programs that the state has enacted or mandated by the Federal Government that require the Judiciary to help or establish programs, like the Safe Family Act and the Child Support Payment Center, of which no funds were received for training or for time spent on the startup of these programs.

There have been many reports with regards to funding of the Judiciary and each and every time the report confirms that the Judiciary Branch is underfunded.

In 2000 the Judiciary budget had an ending balance of \$106.00; 2001 the budget was cut by \$1 million, 2002 the budget was cut by \$2 million, and 2003 it was cut by \$3.5 million. Therefore, the courts introduced a surcharge on docket fees to make the payroll. The surcharge expires in June.

Jerry Sloan, Budget & Fiscal Officer, provided the committee with a budget overview of the Judiciary ([Attachment 1](#)).

- The Legislature & Judiciary receive only 2% of State General Fund (SGF) money
- 98% of Judicial SGF budget is used for salary & wages
 - Of the 98%, 33% is used for Judges salaries and 67% for nonjudicial salaries
- The surcharge is used to pay non-judicial salaries

The committee requested information on court costs and what is generated by docket fees and how it is allocated. They also requested a breakdown by caseload per district and fees per district.

CONTINUATION SHEET

MINUTES OF THE HOUSE JUDICIARY COMMITTEE at 3:30 p.m. on January 16, 2003 in Room 313-S of the Capitol.

Representative Rehorn requested three bills:

- Allow those who are not citizens of the U.S. but are in the process of becoming one to attend a police academy for training.
- Amendments to the abandoned housing act
- Clarify the sovereign immunity used by state employees

Representative Rehorn made the motion to have the requests introduced as committee bills. Representative Swenson seconded the motion. The motion carried.

The committee meeting adjourned at 5:00 p.m. The next meeting was scheduled for 3:30 p.m. on January 23, 2003.