

HOUSE COMMITTEE ON JUDICIARY

Hon. Lance Kinzer, Chairman
Hon. Rob Bruchman, Vice Chairman
Hon. Janice Pauls, R.M. Member

February 7th, 2013
3:30 p.m.
Room 112-N

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TESTIMONY IN SUPPORT OF HB 2016 AND HB 2113

Mr. Chairman and members of the committee: Thank you for this opportunity to present testimony in support of HB 2016 and HB 2113.

The people of the state of Kansas are entitled to have courts that are adequately funded. Responsible stewardship of public resources requires that sufficient – but not excessive or wasteful – funding be provided to the Kansas judiciary.

When the Supreme Court undertook its review of operations of the judicial branch (project Pegasus) it recognized that an accurate, objective measure of the work required annually of the district courts is necessary to make correct decisions about operations of the courts.

The 2011 Weighted Caseload Study provided a definitive measure of the amount of work the district courts are required to handle each year. The WCLS established that the Kansas District Courts are not overstaffed.

The WCLS established the following information about the workload of the Kansas District Courts:

- 12 of the 31 judicial districts in the state have a need for additional judges to properly handle their work.
- 9 of the 31 judicial districts are adequately staffed.
- 10 of the 31 judicial districts have more judicial positions allocated to them than the workload of that district requires.

Without a reallocation of judicial staffing levels, there is an inescapable need for 22 additional judges in the state of Kansas. The judicial branch budget request for FY 2014 reflects this need. I would respectfully request that the legislature fund these additional judicial positions.

As noted above, the WCLS suggests that there may be an opportunity to address some of the needed additional personnel by reallocating judges from areas where there is less work to areas where there is too much work. The one judge per county statute interferes with the ability to do this.

Sound principles of organizational management support eliminating barriers to the proper allocation of the organization's personnel resources.

The Kansas Supreme Court is vested with administrative responsibility over the courts of this state. The one judge per county rule has repeatedly been cited as an impediment to the proper allocation of the Court's personnel resources. Eliminating the one judge per county

requirement provides the Supreme Court with an important tool to assist it in the proper management of the operation of the district courts of this state.

In closing, I would note that the WCLS also goes to some length to point out that in properly allocating personnel qualitative factors are essential. These include considerations of reasonable access for all Kansans to the courts of this state and a quality of justice in the hearing and disposition of the matters before the courts. A proper balancing of interests in efficiency and quality justice must always be the fundamental consideration.

Thank you for your consideration of this testimony.

Respectfully submitted,

David J. King
Chief Judge, First Judicial District