

February 18, 2014

The Honorable Lance Kinzer, Chairperson
House Committee on Judiciary
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Kinzer:

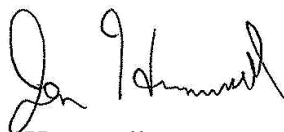
SUBJECT: Fiscal Note for HB 2612 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2612 is respectfully submitted to your committee.

HB 2612 would require the Chief Justice of the Kansas Supreme Court to notify the district judicial nominating commission when a vacancy arises for any district judge or district magistrate judge in a judicial district that has adopted the nonpartisan selection of judges process, no later than 120 days after the date of the vacancy. The bill would increase the amount of time in which the Governor is given to appoint a district judge once the commission submits nominations for the vacancy from 30 to 60 days. When a vacancy occurs in a judicial district that elects its district judges, the Clerk of the Supreme Court must notify the Governor no later than 120 days following the date of the vacancy. In these cases, the bill would increase the amount of time the Governor has to make an appointment from 60 to 90 days.

The Office of Judicial Administration (OJA) indicates that HB 2612 could reduce Judicial Branch expenditures by allowing a longer period of time to fill judicial vacancies than is allowed under current law. The OJA indicates that certain presumptions were made by the Court Budget Advisory Council that considered this proposal as a cost-saving measure, but asserts that judicial vacancies are sporadic, and an average vacancy rate is not indicative of actual vacancies that might occur in any given year. The OJA indicates that counties may incur additional expenses for temporary judges if cases are delayed or cannot be heard by other judges.

Sincerely,



Jon Hummell,
Interim Director of the Budget

cc: Mary Rinehart, Judiciary