

SESSION OF 2014

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 287**

As Recommended by Senate Committee on  
Judiciary

**Brief\***

SB 287 would expand the jurisdiction of district magistrate judges by allowing them to conduct felony first appearance hearings and have jurisdiction over uncontested actions for divorce, as well as over any civil action with the consent of the parties. The bill would clarify that district magistrate judges may hear misdemeanor arraignments. Finally, the bill would amend various statutes to establish that appeals from district magistrate judges shall be directly to the Court of Appeals, rather than to a district judge (as under current law). To facilitate the new appeals process, the bill would direct that all actions or proceedings before a district magistrate judge be on the record.

**Background**

The bill was introduced by the Senate Judiciary Committee at the request of Senator King, who explained the bill was derived from recommendations made in the 2012 report by the Kansas Supreme Court's Blue Ribbon Commission. The Blue Ribbon Commission was formed in late 2010 and was charged with reviewing the operations of Kansas courts to determine how to improve their efficiency while maintaining access to justice for all Kansans.

In the Senate Committee, the Chair of the Blue Ribbon Commission, Court of Appeals Judge Patrick McAnany, appeared on behalf of the Commission and the Kansas

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Supreme Court in support of the bill. On behalf of the Supreme Court, Judge McAnany presented a proposed amendment to implement another Blue Ribbon Commission recommendation requiring all newly elected or appointed district magistrate judges to have been admitted to practice law in Kansas. A representative of the Kansas District Magistrate Judge Association also testified in support of the bill. Written testimony supporting the bill was received from another Blue Ribbon Commission member. A representative of the Kansas District Judges' Association testified in opposition to the expansion of magistrate judge jurisdiction.

According to the fiscal note on the bill prepared by the Division of the Budget, the Office of Judicial Administration indicates the bill could increase Judicial Branch expenditures but also could allow district judges to attend more quickly to cases and reduce time spent by district judges on appeals. However, this would increase time spent by appellate court personnel in processing appeals. Revenue from docket fees also could increase. Until the courts can operate with the bill's provisions in place, an accurate estimate of the fiscal effect cannot be provided.