



**KANSAS BAR
ASSOCIATION**

TO: The Honorable Jeff King, Chair
And Members of the Senate Judiciary Committee

FROM: Joseph N. Molina
On behalf of the Kansas Bar Association

RE: HB 2111 – Electronic fees and court costs

DATE: March 11, 2015

Good morning Chairman King and Members of the Senate Judiciary Committee. I am Joseph Molina and on behalf of the Kansas Bar Association I provide this written testimony in **SUPPORT** of HB 2111, relating to electronic fees and court costs.

The purpose of HB 2111 is to make clear that the payment transaction fees incurred in making electronic payment of court fees is taxable as a cost under K.S.A. 60-2003.

As electronic filing moves toward mandatory status these transaction fees are no longer optional. As such, knowing their proper status is important for appropriate accounting of lawyer trust accounts. The handling of client funds is an important ethical obligation for all attorneys. Clarifying these new mandatory fees as cost will help to avoid attorney-client misunderstanding.

In addition, HB 2111 will provide certainty to the area of court fees. It has been an informal understanding that these fees are cost but with the increase in types of fees, surcharges, dockets fees, filing fees and now dispositive motion fees the KBA believes it would be best to formalize this understanding in statute.

On behalf of the Kansas Bar Association, I thank you for your time this morning and would be available to respond to questions.

About the Kansas Bar Association:

The Kansas Bar Association (KBA) was founded in 1882 as a voluntary association for dedicated legal professionals and has more than 7,200 members, including lawyers, judges, law students, and paralegals. www.ksbar.org