



State of Kansas

**Office of Judicial Administration**

Kansas Judicial Center  
301 SW 10<sup>th</sup>  
Topeka, Kansas 66612-1507

(785) 296-2256

March 17, 2017

**SENATE WAYS AND MEANS COMMITTEE**

Stephanie Bunten  
Chief Financial Officer  
Office of Judicial Administration, Kansas Judicial Branch

**WRITTEN TESTIMONY IN SUPPORT OF SB 190**

Good morning, Chairman McGinn and committee members. Thank you for allowing this testimony in support of the Governor's recommendation for the Judicial Branch budget with one exception: I would respectfully ask that you merge the contents of SB 190, the Judicial Branch budget bill into SB 189, the mega bill for consideration with all other state operating budgets. There is no reason to separate the budget of the Judicial Branch from that of the other two branches of government.

Our testimony from recent subcommittee hearings regarding the Judicial Branch is attached. The subcommittee recommendations have been heard and acted upon by this committee, including the intent to merge the Judicial Branch budget into the mega bill.

Thank you for your consideration. I am happy to answer your questions.



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**SENATE WAYS AND MEANS SUBCOMMITTEE**

January 30, 2017

Stephanie Bunten  
Chief Financial Officer  
Office of Judicial Administration, Kansas Judicial Branch

**JUDICIAL BRANCH BUDGET TESTIMONY**

Thank you for the opportunity to testify in support of the Judicial Branch budget. On behalf of all Judicial Branch employees and judges across Kansas, I ask that you support the Judicial Branch budget request, including the market increases for employees and judges, in both fiscal years 18 and 19. This year, the governor's recommendations for fiscal years 18 and 19 include enhancements the Judicial Branch requested. This is a first in recent history for the Governor to recommend the Judicial Branch enhancement package, which serves to underscore the need for market increases for our employees and judges.

Every day, the Judicial Branch is challenged to recruit and retain capable personnel statewide. Recruitment grows more challenging because fewer people will apply for positions that pay so far below comparable positions in the public and private sector. Compensation for our long-term employees has not noticeably increased in the last eight years. Many employees are either retiring or leaving for higher-paying jobs, both of which require us to find and hire new employees who must be trained on the subtle nuances of the complex and critical work within the court system. These employees are extremely valuable to us because of their knowledge and skills -- and their knowledge and skills make them extremely attractive to other employers who can pay them more. We see increasing numbers of our trained, skilled workforce leaving our low paying jobs to earn more money performing similar work for county or city government. Our managers spend increasing amounts of time recruiting and training employees.

**Requested Market Increases for Employees and Judges**

This past year, the Judicial Branch, with a grant from the State Justice Institute, contracted with the National Center for State Courts to conduct an employee classification and compensation study. Employee salaries are clearly below market. However, prior to the study, no data existed to establish by how much. The results of the study are alarming:

- **Federal Poverty Level:** More than one-quarter of our non-judge positions have starting salaries below the federal poverty level for a family of four.
- **Compensation Below Market:** Every single job classification is below market by at least 4.6 percent and as much as 22.2 percent.
- **Working Outside Employment:** Nearly one-third of our employees are working more than one job to make ends meet and many more are looking for additional work outside the Judicial Branch for the same reason. Based on data from the USA Today article, *States Where Most People Work Two Jobs*, Jan. 21, 2014, this exceeds Kansas' average by a stunning 24 percent.

The Judicial Branch requests increases for FY 18 and 19 that would bring all non-judge employees to market level as recommended in the compensation study.

The National Center for State Courts also performed a compensation study for Kansas district magistrate judges. Approximately 26 percent of magistrates who responded to the survey indicated they are seeking employment outside the Judicial Branch and gave compensation as the number one reason. The study shows that a little more than 22 percent is needed to raise district magistrate judge salaries to market when taking into consideration variables like docket type, education and experience, and election and retention status. This amount is incorporated in the Judicial Branch FY 18 and 19 request for market increases.

Based on data from the National Center for State Courts, Kansas district judge pay ranks a dismal 50<sup>th</sup> in the nation before adjusting for cost of living and 45<sup>th</sup> in the nation after adjusting for cost of living. Kansas judge salaries have been stagnant since 2009, unlike judges in our

neighboring states. Kansas judges have left the bench for jobs in the private sector and in other government entities with pay being cited as the primary reason. The FY 18 and 19 budget request for market increases would make district judge pay equal to an average adjusted district judge salary for surrounding states (Colorado, Iowa, Missouri, Nebraska, and Oklahoma) and would improve district judge salary rank to 27<sup>th</sup> in the nation. The budget request would also increase salaries of appellate court judges and justices by the same percentage as that of district judges.

On behalf of Judicial Branch employees and judges, I ask that you help us by providing funding that would address these issues.

#### **Judicial Branch Base Budget Request**

The Judicial Branch base budget request will ensure continued operations of the courts at the present level. About 95 percent of the Judicial Branch budget is used to fund salaries. Counties fund the operating costs of district courts, including things like rent, utilities, office equipment, and supplies.

With 95 percent of the Judicial Branch base budget paying for salaries, a decrease in our funding will result in fewer staff positions in the courts and freeze technology improvements, both of which will delay the delivery of justice. Every day, approximately 1,600 employees and more than 250 judges across the state perform duties that are critical to public safety, and they make a difference in the lives of their neighbors and fellow Kansans. Courts and court employees are necessary components of our safe and secure communities.

For example, about 35,000 criminal cases were filed in Kansas courts last year. In addition, Judicial Branch employees across Kansas provided the following services:

- Nearly 17,000 criminal defendants on probation were supervised by our 350 court services officers.

- Restraining orders were issued to protect more than 13,000 Kansans, including children, from abuse or from stalking.
- Last year, Kansas courts also issued orders to protect more than 6,000 Kansas children who had been physically, mentally, emotionally abused or neglected, sexually abused, or abandoned.

These cases involving the safety of Kansans are an example of the nearly 400,000 cases Kansas courts handled last year. Our courts granted more than 1,900 child adoptions and also decided:

- about 101,000 civil contract cases,
- more than 9,000 probate cases, and
- more than 6,000 property disputes.

Last year, our court clerks also collected more than \$180 million, which included restitution for crime victims and money for private judgments, bonds, state agencies, and the general funds of counties and the state.

The Judicial Branch of your government did all this and more with an annual budget that constitutes less than 1 percent of the entire state budget. However, the essential services we provide to every Kansas community depend on adequate funding, and that includes funding to attract and retain capable employees who will perform these critical duties.

### **eCourt**

The Supreme Court continues to develop and implement a statewide, centralized electronic court environment (eCourt). The 2014 Legislature established the Electronic Filing and Case Management Fund with deposits dedicated to finalizing the eFiling project and implementing eCourt. The statute directs that each year through fiscal year 2019 the first \$3.1 million in docket fee revenue received be placed in that fund. In fiscal year 2020 and subsequent

years, the first \$1 million in docket fee revenue is to be directed into the fund for eCourt maintenance.

The Judicial Branch finished implementing electronic filing in appellate and district courts statewide in 2016. As of January 2017, 63 counties have mandatory electronic filing. More than 2 million documents have been submitted through the electronic filing system since its implementation.

The next stage for eCourt is to develop and implement centralized case management and document management systems. This fall, the Judicial Branch submitted a request for proposals for this system. Currently, we are reviewing vendor submissions and we anticipate vendor demos will begin in April 2017.

Use of eCourt technology will make access to the courts easier, improve court efficiency, and ensure that judges have complete and timely information with which to make the most effective dispositions. Court operations will be more centralized and standardized, allowing more effective use of personnel. Clerks available in one county will be able to electronically process case documents and court payments in another county. The centralized data available through eCourt technology will allow for timely, accurate, and complete reporting.

The courts are at a critical juncture. We are beginning to realize gains through greater use of technology to handle the nearly 400,000 cases our courts process each year. However, we are losing efficiency due to higher employee turnover because our compensation rates for judges and employees are so far below market. We must strike a balance that ensures Kansas courts have resources for effective, efficient operation to meet the needs of our Kansas communities, including resources to attract and retain capable personnel.

Thank you for the opportunity to testify on the Judicial Branch budget.

## Senate Ways and Means Subcommittee

Committee Member	Judicial District(s)	Chief Judge	Court Administrator or Chief Clerk	Chief Court Services Officer
John Skubal	10	Hon. Kevin Moriarty <a href="mailto:kevin.moriarty@jocogov.org">kevin.moriarty@jocogov.org</a>	Katherine Stocks, Ct. Administrator <a href="mailto:katherine.stocks@jocogov.org">katherine.stocks@jocogov.org</a>	Laura Brewer <a href="mailto:laura.brewer@jocogov.org">laura.brewer@jocogov.org</a>
Anthony Hensley	02	Hon. Gary Nafziger <a href="mailto:cmilner@embarqmail.com">cmilner@embarqmail.com</a>	Connie Valenta, Chief Clerk <a href="mailto:cmilner@jfdistcourt.com">cmilner@jfdistcourt.com</a>	James Cyphers <a href="mailto:jamescyphers@hotmail.com">jamescyphers@hotmail.com</a>
	03	Hon. Evelyn Wilson <a href="mailto:ewilson@shawneecourt.org">ewilson@shawneecourt.org</a>	Charles Hydovitz, Ct. Administrator <a href="mailto:chydovitz@shawneecourt.org">chydovitz@shawneecourt.org</a>	Sarah Mays <a href="mailto:smays@shawneecourt.org">smays@shawneecourt.org</a>
	04	Hon. Phillip Fromme <a href="mailto:judgefromme4thjudicial@gmail.com">judgefromme4thjudicial@gmail.com</a>	John Steelman, Ct. Administrator <a href="mailto:jsteelman@franklincoks.org">jsteelman@franklincoks.org</a>	Kelly Johnson <a href="mailto:kjohnson@franklincoks.org">kjohnson@franklincoks.org</a>
	07	Hon. Peggy Carr Kittel <a href="mailto:pkittel@douglas-county.com">pkittel@douglas-county.com</a>	Linda Koester-Vogelsang, Ct. Admin. <a href="mailto:lkv@douglas-county.com">lkv@douglas-county.com</a>	Michelle Roberts <a href="mailto:mroberts@douglas-county.com">mroberts@douglas-county.com</a>
Larry Alley	16	Hon. Van Hampton <a href="mailto:vhampton@16thdistrict.net">vhampton@16thdistrict.net</a>	Rhonda Whitney, Chief Clerk <a href="mailto:rwhitney@16thdistrict.net">rwhitney@16thdistrict.net</a>	Dan Pfannenstiel <a href="mailto:danp@16thdistrict.net">danp@16thdistrict.net</a>
	18	Hon. James Fleetwood <a href="mailto:jfleetwo@dc18.org">jfleetwo@dc18.org</a>	Ellen House, Ct. Administrator <a href="mailto:ehouse@dc18.org">ehouse@dc18.org</a>	Melinda Wilson <a href="mailto:mwilson@dc18.org">mwilson@dc18.org</a>
	19	Hon. Nicholas St. Peter <a href="mailto:nstpeter@cowleycourt.com">nstpeter@cowleycourt.com</a>	Marilyn Leith, Chief Clerk <a href="mailto:mleith@cowleycourt.com">mleith@cowleycourt.com</a>	Dan Smith <a href="mailto:dansmith@cowleycourt.com">dansmith@cowleycourt.com</a>
	30	Hon. Larry T. Solomon <a href="mailto:lts@kmdistrictcourt.kscoxmail.com">lts@kmdistrictcourt.kscoxmail.com</a>	Ann McNett, Chief Clerk <a href="mailto:amcnett@barber.ks.gov">amcnett@barber.ks.gov</a>	Candace Giefer <a href="mailto:cgiefer@co.sumner.ks.us">cgiefer@co.sumner.ks.us</a>
John Doll	25	Hon. Wendel Wurst <a href="mailto:wwurst@ks25jd.org">wwurst@ks25jd.org</a>	Kurtis Jacobs, Ct. Administrator <a href="mailto:kjacobs@ks25jd.org">kjacobs@ks25jd.org</a>	Craig Aronson <a href="mailto:caronson@ks25jd.org">caronson@ks25jd.org</a>
	26	Hon. Bradley Ambrosier <a href="mailto:ks26jd@gmail.com">ks26jd@gmail.com</a>	Bonnie Parks, Chief Clerk <a href="mailto:stcourt@pld.com">stcourt@pld.com</a>	Robert Arheart <a href="mailto:rarheart@sewardcountyks.org">rarheart@sewardcountyks.org</a>

Judicial District	Number of Employees	Number of Judges
02	23.5	6
03	150.0	15
04	30.0	5
07	37.0	6
10	146.5	23
16	29.5	8

Judicial District	Number of Employees	Number of Judges
18	224.0	28
19	17.0	3
25	37.0	11
26	28.5	8
30	34.5	7

**SENATE WAYS AND MEANS JUDICIAL SUBCOMMITTEE**

Hon. John Skubal, Chair  
Hon. Anthony Hensley, Ranking Minority Member

January 30, 2017  
Noon  
Room 548-S

Chief Judge Wendel W. Wurst  
25<sup>th</sup> Judicial District  
[wwurst@ks25jd.org](mailto:wwurst@ks25jd.org)

**TESTIMONY IN SUPPORT OF JUDICIAL BRANCH BUDGET**

Thank you, Mr. Chair and this honorable committee for this opportunity to present testimony in support of the Judicial Branch budget for FY 2018 and FY 2019. I am the Chief Judge of the 25th Judicial District which includes Finney, Greeley, Hamilton, Kearny, Scott and Wichita counties, and I am a member of the Kansas District Judges Association.

The Kansas Judiciary is the branch of government responsible for the timely delivery of justice for residents and businesses across Kansas. You are all undoubtedly aware that on average, every year, the Kansas court system addresses the needs of 6,852 children in need of care, the Kansas courts protect 13,715 people through issuance of restraining orders, the courts deal with over 34,000 criminal cases and the system supervises nearly 17,000 convicted criminals on probation. The courts provide the forum for resolution of about 155,000 civil cases addressing family and domestic matters as well as the preservation of a reliable commercial environment by adjudicating the legal rights and obligations of individuals and the business community.

Adequate funding is essential to provide these services in a timely and professional manner. For Kansas, this cost constitutes less than one percent of the total State budget. Salaries



and employee benefits constitute 95% of that judicial budget. This means that there is little to no room for cuts or deferred spending.

We are proud of the work we do for the State of Kansas and I am particularly proud of the people in our district who make the system work. I am disheartened by what is, honestly, the inadequate compensation we provide these folks for their hard work and dedication.

You are aware of the 2016 National Center for State Courts study which showed that every employee of the Kansas judicial branch is paid below market value. Compensation for an entry level court clerk (a Trial Court Clerk II @\$11.52 per hour) is below federal poverty level for a family of four. Since 2010, limitations and cuts in the judicial budget have created a difficult working environment for all judicial employees. The 2008 legislature passed a 15.75% increase in judicial staff salaries to be implemented in 5.25% increments over three years. Only the first increment of that raise, designed to bring employee salaries in line with the market, occurred. Our clerks have received only a 2% raise since then, in 2014. With increased health insurance costs and KPERs contributions, yearly take home pay for a Trial Court Clerk II has significantly eroded between 2010 and 2017.

These are real people who we employ and work with, who serve our communities, and who represent the state of Kansas. I hope to convey today the reality of the financial hardships these public servants suffer and to put a human face on the people who are affected by this budget process.

In Finney County, we have 14 positions in our court clerk's office. Currently 3 of those are vacant because the hard working, well trained people who held those positions have left for higher paying jobs. Five of the 11 folks working in the clerk's office have worked second jobs in the recent past and 3 currently work an extra 10 to 30 hours per week in second jobs to make

ends meet. Three of our clerks are single mothers. In the past six months, another three clerks and their families have lived with family members or friends due to economic hardship. Last week, one of our well trained and experienced court services officer resigned to take a higher paying job. We have a total of 49 clerk, court services, and judge positions in the 25<sup>th</sup> judicial district. Since 2011, due to turnover, we have hired 55 different people to fill those 49 positions.

The reality is that the present compensation levels do not allow the 25<sup>th</sup> Judicial District to compete for the same quality employees available even five years ago. Last fall we advertised to fill two vacant clerk positions. We had only three applicants, two of whom did not meet the minimum advertised qualifications.

The 25<sup>th</sup> Judicial District has implemented e-filing and moved to paperless courts which has led to increased efficiency and cost savings, but which has also placed incredible stress and demands on our clerical staff, which they have commendably handled. However, it seems as soon as our clerks receive the training, gain the experience, and are comfortable and competent to handle the demands of their jobs, we see that training, competence, and experience walk out the door because we cannot afford to keep them.

That 2016 National Center for State Courts study showed that, when compared to the District of Columbia and the other 50 states, Kansas trial judges rank as the 50<sup>th</sup> lowest paid judges in the nation. In 2002 and 2009, we filled two district judge vacancies and had over 10 applicants for each position, most of whom were willing to accept less income to serve the public as a district judge. In 2016, only six persons applied for the open district judge position, most of whom (including the three magistrate judge applicants, whose salaries are 22% below market level) were earning less than the district judge position paid.

I realize the budget challenges the legislature faces, but it is critical to our state's judicial system that you allocate sufficient funding to pay our public servants fair compensation. It is the right thing to do and I can assure you we will be dedicated stewards of these funds in providing justice for the citizens of Kansas.

Thank you for this opportunity to testify on behalf of the KDJA and the 25<sup>th</sup> Judicial District.

Respectfully submitted

Wendel W. Wurst  
Chief Judge, 25<sup>th</sup> Judicial District  
KDJA Member



ELLIS COUNTY DISTRICT COURT  
23rd Judicial District of Kansas



BLAKE BITTEL, District Judge  
Office Ph: 628-9418 / Email [bbittel@23rdjudicial.org](mailto:bbittel@23rdjudicial.org)  
P.O. Box 8  
Hays, KS 67601

AMANDA M. TRUAN, Clerk of Court  
Office Ph. 628-9415 / Email [agates@23rdjudicial.org](mailto:agates@23rdjudicial.org)  
P.O. Box 8  
Hays, KS 67601

GLENN BRAUN, Chief Judge  
Office Ph. 628-9422 / Email [gbraun@23rdjudicial.org](mailto:gbraun@23rdjudicial.org)  
P.O. Box 8  
Hays, KS 67601

SENATE WAYS AND MEANS JUDICIAL SUBCOMMITTEE  
Hon. John Skubal, Chairman

January 30, 2017, 12:00 p.m.  
Room 548-S

Amanda Truan, Clerk of the Ellis County District Court, 23rd Judicial District, [agates@23rdjudicial.org](mailto:agates@23rdjudicial.org)

Review FY 2018 and FY 2019 Judicial Branch Budget

Thank you, Chairman Skubal, Ranking Minority Leader Hensley, and all of the committee members for allowing me to present testimony in support of the FY 2018 and FY 2019 Judicial Branch budget request. I am Amanda Truan, Clerk of the Ellis County District Court in the 23<sup>rd</sup> Judicial District. I am here today as a member of the Kansas Association of District Court Clerks and Court Administrators and as one of the approximately 1,600 non-judicial employees for the State of Kansas. I have been a Clerk of the Court for 10 years and a judicial branch employee for 14 years. Throughout my time as a state employee with the judicial branch, I have noticed employee retention and new employee hiring becoming increasingly difficult due to budgetary issues.

Filling open positions has become more and more problematic due to the extremely low pay. Statewide, clerk's offices are getting about one-tenth of the employment applications compared to a few years ago. Some offices have had open positions for months because they have not received any qualified applicants. The starting wages offered to deputy clerks is inadequate to support a family and pay bills in comparison to private sector jobs. This has caused court offices statewide to hire lackluster employees, which in turn leads to employee retention issues. It is difficult to retain a new employee in the first year. Court work is not easy; in fact it is quite cumbersome. It requires in-depth knowledge across many subject areas, it is specialized and requires significant training. This leads to some new hires not making it through the probationary period due to poor job performance. Many employees leave because they are able to find other jobs with better pay and fewer responsibilities in the private sector or other state agencies. For example, entry level positions at Hobby Lobby in Hays have a starting pay of \$15.24 an hour compared to a Trial Court Clerk II position in the State of Kansas at \$11.52. Across the state, pay is the number one reason for turnover for non-judicial employees.

Morale is at an all-time low: from trial court clerks to probation officers to court reporters to administrative assistants and all employees in the judicial branch who are being affected by the low pay. The long term, dedicated employees that work in the 105 district courts across the state will tell you that they pride

themselves on their work and that they truly love their jobs. Unfortunately, we are seeing more delays in court work being processed, more mistakes, and employee burnout is a serious issue.

The district court clerk's office is the first face the public sees as part of the court system. The court remaining open and fully functioning with qualified staff ensures the public has timely access to the multitude of services we offer. Not only does the court remaining open benefit attorneys and various litigants access to justice, it allows a bride and groom to get their marriage license, a battered woman to get a protection from abuse order, a local abstractor to complete title work to ensure a loan is processed on a new home purchase, a landlord to evict a tenant, and oil companies to search for land titles. These are just a few examples of the people served by the court. It is imperative that our office is staffed with knowledgeable, professional employees to meet the needs of the public.

Thank you for allowing me to speak to you today, I request you fully fund the FY 2018 and FY 2019 Judicial Branch budget request, including the salary adjustment provision. I am happy to answer questions.

I am happy to answer questions.



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## KANSAS ASSOCIATION OF COURT SERVICES OFFICERS

SENATE WAYS AND MEANS JUDICIAL SUBCOMMITTEE  
Sen. John Skubal, Chairman

January 30, 2017, 12:00 p.m.  
Room 548-S

Stephanie Springer, Chief Court Services Officer, Twenty-seventh Judicial District,  
stephanie.springer@renogov.org

### TESTIMONY IN SUPPORT OF FY 2018 AND 2019 JUDICIAL BRANCH BUDGET

Thank you, Mr. Chairman and this honorable committee for extending the opportunity to present testimony in support of the FY 2018 and FY 2019 Judicial Branch budget. I am Stephanie Springer and I am the Chief Court Services officer (CCSO) in the 27<sup>th</sup> Judicial District in Reno County. I am here today as a Court Services Officer (CSO) and as a member of the Kansas Association of Court Services Officers (KACSO), which currently represents over 350 Court Services Officers across Kansas. I have been a Court Services Officer for 18 years and over those years, I've noticed the following issues that affect our ability to recruit and retain good probation officers.

Court Services Officers serve as the front line for court ordered supervision in the majority of adult and juvenile offender cases. Our caseloads are more complex than they were ten years ago. Only a few years ago, supervision consisted of asking the probationer a handful of questions to make sure that we knew where they lived, if they were working and if they had any law enforcement contact. Today, supervision is based on risk level. Our officers spend more time and resources working with moderate and high risk offenders. Not only do we ensure that probationers follow court orders, we engage them in appropriate evidence-based programming to facilitate permanent change in the offender. Finding the right officers to supervise sex offenders and other high risk offenders in the community presents a special challenge because the compensation provided has not kept pace with the skills and experience needed to supervise these very special populations.

The risk assessment tool, which is a primary component to determine supervision level, is much different than it was ten years ago. Officers are trained and certified to accurately assess the level and type of risk an offender presents, so that appropriate supervision plans can be made. Careful analysis and people skills are necessary to determine the right level of supervision. Continuing education bolsters those skills and meets requirements to maintain certification. Motivational interviewing techniques are

*The mission of the Kansas Association of Court Services Officers is to challenge, educate, support and advocate for the membership by promoting fellowship and professionalism, providing relevant training opportunities and maintaining communication with all members. The organization will further this mission by encouraging collaboration with our Court Services Officers and professional organizations and by recognizing member excellence.*

**An American Probation and Parole Association Affiliate**



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## KANSAS ASSOCIATION OF COURT SERVICES OFFICERS

used to engage the probationer, determine changes that need to be made and to set realistic goals with the probationer to make those changes. Unfortunately, the pay has not kept pace with the level of expertise required of the job. Valuable trained officers take jobs with the county community corrections, law enforcement or the private sector that offer better pay. This situation leaves Court Services lacking experienced officers needed to carry out the supervision function.

Recruitment and retention has become a huge problem for us over the last several years. Here are a few examples of recruitment issues:

- A recent opening in Sherman County recently garnered ten applicants. Only two were qualified and one of those withdrew because she found a better paying job in the area.
- Leavenworth County had difficulty filling a position because the applicants were not qualified. In the first process, the offeree turned the position down because they accepted an offer for a similar position elsewhere that paid more.
- The last open position I had in Reno County resulted in 9 applicants that met minimum qualifications. Ten years ago we would have 20-30 qualified applicants for that same position.

Recruitment is not an issue only in the rural areas of the state. In both rural and urban areas, CSO positions were reopened due to not receiving qualified applicants.

Retention has also been an issue in CSO offices throughout the state. Here are a few examples:

- Sumner County lost three CSOs to United States Probation and one left to become a magistrate Judge.
- Sedgwick County lost several CSOs to law enforcement and private sector positions over the last few years.
- In my jurisdiction two CSOs are retirement eligible. Both have indicated to me that if the right employment opportunity comes along, they will take it because their compensation has not kept up with the skills and certifications they must maintain.

Morale is at an all-time low for Court Services employees. For staff that topped out on the pay scale in 2008, their take home pay is less. The two percent increase that we received in 2014 was eroded by increased employee contributions to KPERS. Insurance rates, deductibles, and co-pays have increased, as has the cost of living. There are no incentives for Court Services Officers to stay employed with us when they can get paid better elsewhere.

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## KANSAS ASSOCIATION OF COURT SERVICES OFFICERS

Court Services Officers ensure that probationers follow the orders of the court and successfully complete probation. There has been an increase in the number of probationers that have mental health diagnoses as well as an increase in drug offenders and sex offenders throughout the state. There are times when situations can become highly volatile. CSOs have the skills necessary to diffuse those situations. Potential CSOs must pass an FBI background check to be hired and pass a yearly background check to remain employed. It has become increasingly difficult to find and retain people that have the skills, experience and basic requirements to fill Court Services Officer positions.

We ask that you consider the Judicial Branch budget favorably, including the market increase provision. I am happy to answer questions.

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SENATE WAYS AND MEANS JUDICIAL SUBCOMMITTEE

Honorable John Skubal, Chairman  
Honorable Anthony Hensley, Ranking Minority Member  
Honorable Larry Alley  
Honorable John Doll

January 30, 2017

Written Testimony on Behalf of the  
Kansas District Magistrate Judges Association

In Support of the Judicial Branch Budget Request

Thank you Mr. Chairman and Committee Members for extending the Kansas District Magistrate Judges Association the opportunity to submit written testimony. My name is Kenton Gleason and I am President of the Association. I serve the citizens of the Twenty-fourth Judicial District, including my home county of Hodgeman.

The Association represents seventy-eight district magistrate judges across the state. While many of us serve in rural counties, there are magistrates who serve population centers in places like Johnson, Riley, and Finney counties. We routinely hear cases in twenty-five of the thirty-one judicial districts in the state.

The judicial branch budget requests market increases for both judges and non-judicial staff. This includes the court services officers and district court clerk employees who assist the judges and serve the public in every county. Please let our organization speak to this need. The judicial branch continues to lose these staff members to entry level jobs. For example, tellers at banks often have a better pay package than what the judicial branch can offer a deputy clerk. As long as this exists, we will struggle to fill and retain capable individuals in these roles.

In addition to market increases for non-judicial staff, the judicial branch budget request includes increased judicial compensation. While we preside over courts of limited jurisdiction (jurisdiction increased in 2014), salaries have not kept pace with the work that we do nor with the market. Compensation has stayed the same since 2008. We continue to make less than \$62,000 per year. Our salary from 2006 carries the buying power in 2017 of about \$53,000.00. Because of that, some members of our organization have sought other employment. In recent years, members resigned to pursue higher paying legal careers outside of our district court system. According to a recent survey, approximately 25% of magistrates indicated they are seeking employment elsewhere. When asked why the magistrates were seeking employment elsewhere, the lack of compensation was the number one reason for approximately 2 out of 3 of those respondents. We believe, absent a salary adjustment, there will be more magistrate judges considering similar moves.

We ask the committee consider paying all judges in the state – appellate judges, district judges, and district magistrate judges – a wage commensurate with their respective duties. We stand with our friends in the District Judges Association in asking the committee to support the budget request, as it moves towards paying the magistrate judges a fair wage for the work we do.

Mr. Chairman and committee members we are thankful for the kindness this committee showed in allowing our testimony. We appreciate the funding the legislature provided in years past. And, on behalf of our association, we urge the committee to adopt the judicial branch budget as requested.

Submitted with Respect,

Kenton Gleason

President, KDMJA