

## HOUSE COMMITTEE ON JUDICIARY

Hon. Fred Patton, Chairman  
Hon. Bradley Ralph, Vice Chairman  
Hon. John Carmichael, Ranking Minority Member

March 7, 2019  
3:30 p.m.

Chief Judge Merlin G. Wheeler  
Fifth Judicial District  
430 Commercial  
Emporia, KS 66801  
[d3@5thjd.org](mailto:d3@5thjd.org)  
620-341-3296

### WRITTEN TESTIMONY IN SUPPORT OF SB 20

Thank you for the opportunity to present testimony in support of SB 20. I am Merlin G. Wheeler, Chief Judge of the Fifth Judicial District (Lyon and Chase Counties) and a member of the Executive Committee of the Kansas District Judges Association (KDJA). I also serve as one of three Legislative Co-Chairs of the association along with Chief Judge Thomas Kelly Ryan of the 10<sup>th</sup> Judicial District and Chief Judge Glenn R. Braun of the 23<sup>rd</sup> Judicial District.

KDJA wishes to take this opportunity to express our unqualified support for passage of SB 20 relating to the Judicial Branch Surcharge Fee. As you know, this fee sunsets periodically and SB 20 is the legislation which extends authorization to continue to assess the docket fee surcharge.

For many years, docket fees along with the surcharge revenue have been utilized by the Legislature to fund judicial branch operations. Revenue generated by the surcharge has become a substantial portion of the Judicial Branch's operating budget. Although KDJA maintains that full funding from the State General Fund and not fee funds is necessary and essential for the long term stability of the Judicial Branch budget, the reality is that the docket and surcharge fees are being utilized to help fund the Judiciary and remain essential to its operation. Therefore, we consider passage of SB 20 to also be necessary.

On behalf of KDJA we urge favorable consideration of this legislation. Thank you for consideration of this testimony.

Respectfully submitted,

Merlin G. Wheeler, Chief Judge  
Glenn R. Braun, Chief Judge  
Thomas Kelly Ryan, Chief Judge