



**KANSAS BAR
ASSOCIATION**

TO: The Honorable Kellie Warren, Chair
And Members of the Senate Judiciary Committee

FROM: Joseph Molina
On behalf of the Kansas Bar Association

RE: KBA Support for HB 2227 - Allowing the chief justice to suspend certain time limitations during a state of local disaster emergency, allowing suspension of verification requirements, allowing use of electronic audio-visual communication to expeditiously resolve cases, and extending the chief justice's authority to suspend time limitations until June 1, 2022.

DATE: March 16, 2021

Chairman Warren and members of the Senate Judiciary Committee, my name is Joseph Molina and I provide this written testimony on behalf of the Kansas Bar Association in **SUPPORT** of HB 2227, allowing the chief justice to suspend certain time limitations during a state of local disaster emergency, allowing suspension of verification requirements, allowing use of electronic audio-visual communication to expeditiously resolve cases, and extending the chief justice's authority to suspend time limitations until June 1, 2022.

The COVID pandemic has touched every aspect of life in Kansas. The court system was not immune. Quick action by the Kansas Legislature, followed by extraordinary efforts from the Judicial Branch allowed core judicial services to continue. In areas where "normal" processes were interrupted the Court stepped in to delay/suspend certain deadlines to ensure the health of court employees, jurors, plaintiffs, and defendants, as well as the general public.

The court also instituted the use of audio-visual technology to continue core services and where appropriate, expand these uses to other legal programs.

It is this foresight that has kept courts open to the public, providing critical services during this critical time. Which is why the KBA SUPPORTS extending the Chief Justice's authority regarding these matters.

The Court was able to act with such immediacy and flexibility due to the Kansas Legislature passing SB 102 in 2020. The Legislature gave the chief justice these powers to combat the virus while protecting court services. It is only natural that the court be granted the ability to continue its work of administering justice during the pandemic.

It is important to note that HB 2227 only extends these legislatively approved powers, and these powers must be tied to an emergency declaration in order for the court to proceed. The court cannot use these extended powers without action by the executive branch. This oversight limits when the court can take advantage of the powers outlined in HB 2227.

The COVID pandemic is not yet over. Vaccines are being distributed, hope is now visible, but a safe return to pre-COVID days remain on the horizon. To ensure the court system can continue its work administering justice in the most efficient, safe manner, HB 2227 should be passed. It is for these reasons that the Kansas Bar Association urges this committee to recommend HB 2227 favorably.

Thank you for your time and attention. I am happy to stand for questions when appropriate.

About the Kansas Bar Association:

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