

State of the Judiciary

2021 Annual Report of the Chief Justice of the Kansas Supreme Court



Kansas
Judicial Branch



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2021 Annual Report of the Chief Justice
of the Kansas Supreme Court

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Chief Justice

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On the cover

Upper left: The Kansas Supreme Court hears oral arguments by videoconference in September. **Right:** Chief Judge Laura Lewis, 16th Judicial District, in her Ford County courtroom, sanitizing products ready for use. **Lower left:** Chief Justice Marla Luckert speaks to new attorneys before they are sworn in during an outdoor ceremony in September.

Introduction

January 27, 2021

Dear Governor Kelly, Chair Warren, and Chair Patton:

This report is submitted as we close a year that brought tremendous uncertainty and change to many facets of daily life, including core operations of government. In addition to this written report, a video message available on the Kansas judicial branch website highlights the incredible efforts of Kansas judicial branch employees and judges during 2020—a year filled with distinct challenges because of the COVID-19 pandemic.

I am proud to say that Kansas judicial branch employees and judges reacted by harnessing bold ideas, implementing thoughtful solutions, and adopting a spirit of perseverance that moved our judiciary forward. Many innovations provided Kansans with easier means for accessing courts.

The importance of that success cannot be overstated. Courts and courthouses have been described as “the core of civic identity.” Author William Least Heat-Moon uses this phrase in his book “PrairyErth,” an artful study of Chase County. He devotes a chapter to the 148-year-old courthouse that sits in Cottonwood Falls. Describing the importance of the courthouse to community life, he writes: “Under that bell tower, five generations have been probated, adjudicated, arbitrated, had their property evaluated and assessed, been registered and wedded and divorced ... and inside they’ve been locked up and set free.” Least Heat-Moon tells the story of a time when the courthouse tower caught fire, and a local man declared, “I’d almost rather it was my home.”

Just as that fire disrupted court—and life—in Cottonwood Falls, in 2020 the pandemic disrupted courts and lives across Kansas. But the spirit of love for one’s community and the recognition that the court stands at the core of our civic identity



The Kansas Supreme Court convened by videoconference for the first time on April 11 when it heard *Governor Laura Kelly v. Legislative Coordinating Council, Kansas House of Representatives, and Kansas Senate*.

replayed repeatedly in 2020, just as it had when Cottonwood Falls faced the fire. Employees offered to continue coming to the courthouse because they knew firsthand what a day without access to justice could mean for their neighbors and their communities. These employees were reacting to the possibility of the court being unavailable to the people it serves each day—including the domestic violence survivor in need of a protection order, the child in an unsafe living environment, the drug court defendant on a tenuous road to recovery, and the community member in need of a marriage license at a time when Kansans feared unexpectedly losing a prospective spouse.

The judges and employees of the Kansas judicial branch channeled the drive to care for neighbors into virtual court hearings, remote working environments, carefully crafted plans for making court offices and courtrooms safer, and new strategies for safeguarding the health of all who enter Kansas courthouses.

I consider these judges and judicial branch employees among our Kansas heroes. All Kansans owe them a debt of gratitude for their sacrifices as they work to assure access to fair and impartial justice for all. Because of their efforts, essential court operations never stopped in 2020. While courts had to conduct some court proceedings in person, we worked hard to hold the balance of them remotely. Our efforts were aided mightily by the receipt of grant funds discussed later in this report. Please accept our profound gratitude for the role the executive and legislative branches played

in making those grant awards possible. While the judicial branch used this money to immediately solve problems that arose out of the pandemic, we believe the state of Kansas will benefit from those investments for years to come.

I wish I could report that our judicial branch has arrived on the downslope of the pandemic largely unscathed. The truth is, despite promising developments with a vaccine, evolving public health measures, and tremendous strides in technological capacity, this journey is not yet complete. We've taken consistent measures to keep our workforce safe in the workplace and to work remotely when possible, but some employees and judges have experienced COVID-19 infections. In recent months we've struggled to keep some courts open while key staff are quarantined. And like many other Kansans, members of the judicial branch have experienced heartbreaking personal losses.

These realities are coupled with a judiciary that saw revenues decline in the latter half of fiscal year 2020 as case filings slowed. While we diligently continue cost-saving measures as we head into the second half of fiscal year 2021, some of those strategies have led to reduced staffing that burdens efforts to resolve pending cases as quickly and as safely as possible.

We must be forthright about the difficulties facing the Kansas judiciary, but this report will also examine notable progress made during calendar year 2020, as well as portions of fiscal years 2020 and 2021. After reviewing key case filing statistics and changes in membership of the appellate courts, I will provide updates on pandemic-related projects. The report will then address developments related to four overarching strategic goals embraced by the Kansas judicial branch:

- maximizing access to and promoting justice;
- encouraging innovation and harnessing technology;
- attracting and retaining an excellent workforce; and
- stewarding public resources.



During warm weather, Sedgwick County District Court held traffic court outdoors.

Administrative Overview

Kansas Court Statistics for Fiscal Year 2020

More than 346,000¹ cases were filed in Kansas district courts in fiscal year 2020. Those cases included:

- 2,090 adoptions;
- 4,018 real property disputes;
- 5,583 child in need of care cases;
- 9,331 probate cases;
- 10,720 divorce cases;
- 12,477 cases seeking a protection from abuse, stalking, sexual assault, or human trafficking order;
- 11,523 misdemeanor cases;
- 19,970 felony cases; and
- 88,285 contract disputes.

You may notice that case filing numbers decreased compared to fiscal year 2019. The bulk of this downward trend occurred in the latter third of the fiscal year (March-June 2020) when attorneys, their clients, and courts shifted operational practices because of the pandemic.

Appellate Court Changes

The membership of our appellate courts changed markedly in recent years. In my 2019 report, I noted the appointment of Evelyn Wilson, who joined the court in January 2020, and the recent appointment of Keynen “K.J.” Wall to

the Supreme Court. Justice Wilson had served as the chief judge of the 3rd Judicial District in Shawnee County, and Justice Wall was in the private practice of law in Johnson County before joining the court. After that report, Justice Wall was sworn in and filled the vacancy created by former Chief Justice Lawton Nuss’ retirement. Justice Wall’s biography is available at www.kscourts.org/About-the-Courts/Supreme-Court/Supreme-Court-Justices/Supreme-Court-Justices/Keynen-KJ-Wall-Jr.



Justice Keynen “K.J.” Wall

Longtime Supreme Court Justice Carol Beier retired September 18, 2020. Justice Beier served 17 years on the Supreme Court after serving three years on the Court of Appeals. In announcing her impending retirement, she noted, “I will be ever grateful for the opportunities I have been given to spend so much of my legal career in service to my home state and its citizens.”



Justice Carol Beier

¹ These are preliminary numbers that could change slightly once case filing statistics for fiscal year 2020 are finalized. The judicial branch is integrating procedures for obtaining case filing statistics from the three case management systems currently being used across the state as we transition to a new, statewide, centralized case management system. As that integration progresses, these numbers will be cross-checked using a consistent data point.

COVID-19 Impact on Case Filings, FY19 vs. FY20

Case filing numbers decreased in fiscal year 2020 compared to fiscal year 2019. The bulk of this downward trend occurred in the latter third of the fiscal year (March-June 2020) when attorneys, their clients, and courts shifted operational practices because of the pandemic.

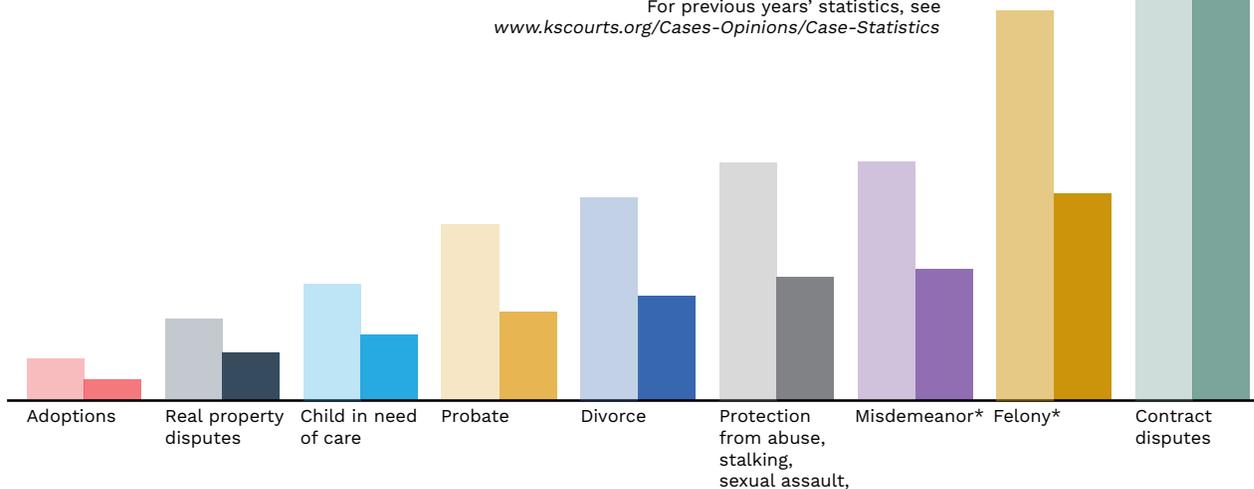
More than 346,000 cases were filed in Kansas district courts in fiscal year 2020, compared to about 403,000 in fiscal year 2019. Those cases included:

Type of case	Number of cases filed FY 2019	Number of cases filed FY 2020
Adoptions	2,342	2,090
Real property disputes	5,230	4,018
Child in need of care	7,230	5,583
Probate	9,705	9,331
Divorce	11,530	10,720
Protection from abuse, stalking, sexual assault, or human trafficking	13,545	12,477
* Misdemeanor	14,398	11,523
* Felony	22,672	19,970
Contract disputes	108,360	88,285

* Numbers include criminal cases as of filing date in some jurisdictions or criminal cases after a first appearance or an entry of appearance in other jurisdictions.

Source: Kansas district court statistics

For previous years' statistics, see www.kscourts.org/Cases-Opinions/Case-Statistics





Justice Keynen “K.J.” Wall is sworn in August 3 at the Kansas Judicial Center.

On November 30, 2020, Governor Kelly appointed Judge Melissa Taylor Standridge of the Court of Appeals to fill Justice Beier’s seat on the court.

Justice Standridge was sworn in during a ceremony conducted by videoconference that took place as the Supreme Court began its December 14, 2020, docket. She began hearing arguments, also by videoconference, immediately after her investiture. Before joining the Supreme Court, Justice Standridge served 12 years on the Court of Appeals. Read her full biography at www.kscourts.org/About-the-Courts/Supreme-Court/Supreme-Court-Justices/Supreme-Court-Justices/Melissa-Taylor-Standridge.

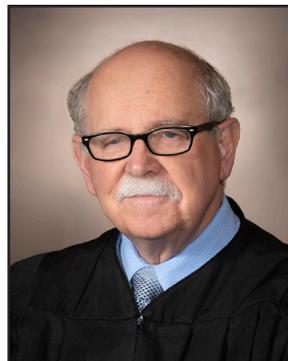


Justice Melissa Taylor Standridge

The Court of Appeals has operated with less than full membership for most of 2020. Judge G. Joseph Pierron retired April 3, 2020. Governor Kelly nominated and the Senate confirmed Wichita attorney Amy Cline to fill his position. In June, Judge Steve Leben left the Court of

Appeals to join the faculty at the University of Missouri-Kansas City School of Law. Justice Standridge’s recent appointment to the Supreme Court means there are two open positions on the Court of Appeals. We look forward to welcoming several new colleagues to the Court of Appeals in 2021.

Vacancies on the Supreme Court led to a banner year for district court judges selected to temporarily sit with the Court to help decide cases. Twenty-one district court judges from all corners of the state joined the Supreme Court to hear oral arguments and participate in the resolution of those cases during calendar year 2020. They represented 18 of the state’s 31 judicial districts.



Judge G. Joseph Pierron



Judge Steve Leben



Justice Melissa Taylor Standridge is sworn in during a virtual ceremony at the beginning of the Kansas Supreme Court's December docket.

Fifteen judges and justices retired from judicial branch service in 2020. Fourteen more judges will retire in January 2021. Combined, this reflects a loss of about 11% of our judicial officers because of retirement in a little over a year. We wish those colleagues the very best but recognize the loss of expertise and institutional knowledge that accompanies their departure.

Operations During the 2020 Pandemic

Administrative Orders

Since March 2020, a series of special administrative orders have provided clarity and direction about how Kansas courts should function during the COVID-19 pandemic response. These orders seek to protect the health and safety of court users, staff, and judicial officers. Court users, including jurors, when summoned to court must appear; a failure to appear can have serious consequences. Kansans should not have to risk their health in order to avoid forfeiting criminal or civil rights. Through these orders, courts balanced health and safety while protecting rights. Broadly speaking, the orders cover five main areas:

- suspending certain deadlines and time standards applicable to legal proceedings;
- authorizing use of audio-visual communication in the court system;
- identifying essential functions of the courts when operations are limited;
- addressing personnel matters in the context of the pandemic; and
- prescribing processes, including remote work and remote hearings, used to safeguard the health of employees, judges, and all others who enter a courthouse.

I issued orders relating to the suspension of deadlines and time standards and use of audio-visual communication for municipal courts as well as appellate and district courts.

The authority to suspend statutory deadlines and time standards and to broadly authorize the use of

audio-visual communication in court proceedings derived from 2020 S.B. 102, as amended by 2020 Spec. Sess. H.B. 2016. Under that legislation, my power as chief justice to suspend statutory deadlines by order can only take place during a statewide disaster declaration made by the governor when such an order is necessary to protect the health and safety of court users. Authorization for courts to use audio-visual communication can occur apart from a statewide disaster declaration but arises only if the order seeks to protect the health and safety of court users. These special statutory provisions expire March 31, 2021, unless extended.

On March 18, 2020, following the declaration of statewide and national disaster declarations, all Kansas district courts were limited to essential functions. Those essential functions broadly included:

- determining probable cause for persons arrested without a warrant;
- first appearances in criminal cases;
- bond hearings;
- warrants for adults and juveniles;
- juvenile detention hearings;
- care and treatment emergency orders;
- protection orders;
- child in need of care hearings and orders;
- commitment of sexually violent predators; and
- isolation and quarantine hearings and orders.

Courts began the process of moving to remote functions and, just two weeks later, the Supreme Court issued a new order allowing courts to resume nonessential functions when local resources and conditions allowed.

The pandemic-related administrative orders balance the need to perform judicial functions with the safety of those who use and are employed by the Kansas judicial system. These orders have been refined and updated many times during the pandemic as conditions changed, public health guidance evolved, and the governor issued new statewide disaster declarations. All judicial branch orders related to the pandemic are available at [www.kscourts.org/About-the-Courts/Court-Administration/OJA/Kansas-Courts-Response-to-Coronavirus-\(COVID-19\)/Administrative-Orders-Related-to-COVID-19](http://www.kscourts.org/About-the-Courts/Court-Administration/OJA/Kansas-Courts-Response-to-Coronavirus-(COVID-19)/Administrative-Orders-Related-to-COVID-19).

Jury Trials and Ad Hoc Jury Task Force

Courts must uphold the constitutional right to a jury trial while providing jurors, witnesses, and the public assurance that courtrooms are safe. While courts have developed several methods for managing court proceedings safely during the pandemic, jury trials have presented challenges from the onset of the pandemic and continue to do so.

To convene a jury, courts must often bring large groups of people together in tight quarters. Trials



A video explains the steps courts are taking to ensure Kansans' safety when they report for jury duty. Watch the video at www.kscourts.org/About-the-Courts/Court-Administration/Court-Initiatives/Ad-Hoc-Jury-Task-Force.

can stretch on for days or weeks, increasing the opportunity for significant virus exposure. Once jurors are selected, they may spend long hours together deliberating in a confined space.

Because of these issues, the Supreme Court temporarily canceled new jury trials beginning in mid-March of 2020. By May 27, the Supreme Court allowed jury trials to resume when needed to protect a person's constitutional right to speedy trial. A later order allowed courts to proceed with jury trials in any case as long as the court has consulted with the local public health department, is operating in accordance with an approved jury plan to help ensure the safety of all participants, and is adhering to all health guidelines in relevant administrative orders.

The work of the Ad Hoc Jury Task Force guided the safe resumption of jury trials. The Supreme Court created the task force to analyze the issues courts would face when jury operations resumed in district courts across the state. The Court asked the task force to study and recommend ways to conduct jury trials while protecting the safety of participants.

The task force developed best practices that judges could use to establish jury plans in their districts. The task force's report "Resuming Trials Amid COVID-19" includes recommendations on these key topics:

- establishing safeguards to protect jurors;
- communicating with jurors pretrial and during orientation about safety precautions;
- securing adequate jury pools;
- using pretrial measures to minimize the length of jury service;
- conducting a fair trial while protecting juror and court participant safety; and
- best practices for virtual trials.

District Judge Amy Hanley of the 7th Judicial District (Douglas County) chaired the task force. She was joined by four Kansas judges, six judicial branch employees, and seven private attorneys.



Plexiglass shields in a Sedgwick County courtroom protect court participants.

More information about the committee’s work, including its full final report, is available at www.kscourts.org/About-the-Courts/Court-Administration/Court-Initiatives/Ad-Hoc-Jury-Task-Force.

Many courts have resumed jury trials. Current community health conditions and recommendations from local public health officials have slowed the resumption in some courts. Scheduled trials often had to be continued because a critical witness or an attorney was ill or another virus-related obstacle arose. And juror fears of contracting the virus along with the limited availability of spaces large enough to safely convene a mass gathering for jury selection hampers efforts to schedule jury trials at the same rate as before the pandemic.

Ad Hoc Virtual Court Proceedings Committee

The Supreme Court established an Ad Hoc Virtual Court Proceedings Committee to study and recommend best practices for using videoconferencing in Kansas courts. In doing so, the Court acknowledged that videoconferencing allows courts to provide access to justice while protecting the health and safety of court users, staff, and judicial officers. The committee was established to evaluate the use of videoconferencing for hearings and its future role in the court system. The Court charged the committee with studying:

- current abilities to conduct court proceedings virtually;
- the tools needed to expand virtual court proceedings;
- ways to maximize efficiencies by conducting court proceedings virtually;
- means of effectively communicating with court users about virtual court proceedings;
- statutory or rule-based impediments to implementation of committee recommendations; and
- other topics benefitting the courts in planning and implementing virtual court proceedings.

The Ad Hoc Virtual Court Proceedings Committee delivered recommended standards and guidelines to the Supreme Court. District courts are encouraged to consider those standards when holding remote proceedings. The recommended standards and guidelines are at www.kscourts.org/KSCourts/media/KsCourts/court%20administration/Virtual_Court/KSTrialCourtsVirtualCourtroomStandardsGuidelines.pdf.

The work of the Ad Hoc Virtual Court Proceedings Committee is ongoing. Chief Judge Nick St. Peter of the 19th Judicial District (Cowley County) chairs the committee. He is joined by five judges and nine judicial branch employees from throughout the state.

Our district courts have conducted tens of thousands of remote hearings. To provide two examples from the 31 judicial districts: In the 10th Judicial District—Johnson County—the 19 district court and four magistrate judges have conducted about 67,000 remote hearings since March. And in the 23rd Judicial District—a mid-size district that includes Ellis, Rooks, Trego, and Gove counties—the two district court and three magistrate judges and have conducted nearly 4,700 remote hearings during that same time. This technology has allowed Kansas courts to resolve all types of cases even when COVID-19 cases numbers have been high.



The Kansas Court of Appeals moved its oral arguments to videoconferencing, but it was not a new technology for the court. The Court of Appeals conducted its first virtual proceedings in 2016.

Appellate Court Dockets

Like district courts, our appellate courts shifted proceedings to a videoconference format in 2020. This was to enable the appellate courts to continue to hear cases despite the challenge to maintain required physical distancing in the Supreme Court and Court of Appeals courtrooms. The Supreme Court had livestreamed its oral arguments for more than a decade but the attorneys and members of the public were also present in the courtroom.

Since April, the Supreme Court has conducted its hearings with all participants, including the justices and attorneys, appearing remotely by videoconference. The Supreme Court's April docket garnered national attention when an image of the court meeting remotely to hear the *Kelly v. Legislative Coordinating Council* case was featured on CNN and other media outlets. At one point during that hearing, the livestream noted more than 4,000 viewers and the recording has since accumulated over 19,000 views.

The Court of Appeals also transitioned its oral argument dockets to videoconference format in 2020, though the use of this technology was not new to that court. The Court of Appeals began hearing oral arguments by videoconference on May 17, 2016, when a three-judge panel convened in a conference room in the Judicial Center to hear attorneys who appeared from the cities of Liberal and Johnson. Years of experience with the technology made for a smooth transition to remote proceedings during the pandemic.

Remote Oaths

Following successful passage of the bar exam, new attorneys must take an oath before becoming full-fledged members of the Kansas bar. The Supreme Court presides over admission ceremonies, during which new admittees are sworn in before family, friends, and peers in the Supreme Court courtroom. With large gatherings curtailed in 2020, this tradition was adjusted to provide for a safe celebration of this milestone in the lives of new Kansas attorneys.

Typically, the bar exam is given twice a year. In 2020, a third exam was given. Following each exam, Supreme Court justices swore in successful applicants by individual videoconference, offering those new attorneys the opportunity to share the ceremony with friends and family from across the country. In September, new admittees were also allowed to attend one of several live, socially distanced, outdoor swearing-in ceremonies conducted by Justice Eric Rosen and me. In full, 144 individuals were eligible to be sworn in to the Kansas bar in 2020.

Attorney Registration and Continuing Education

Each year attorneys pay a licensing fee to continue active membership in the bar. Because the pandemic had an immediate and unexpected impact on the livelihoods of many attorneys, the Supreme Court extended the annual deadline for attorney registration for the 2020-2021 licensing period by several months. It also extended the deadline for completing required continuing education because the pandemic disrupted traditional methods for obtaining those hours. Finally, the court waived a limit on continuing education hours delivered by prerecorded programs because of the limited availability of live, in-person trainings.

Administrative orders governing these changes to attorney registration and continuing education requirements are available at [www.kscourts.org/About-the-Courts/Court-Administration/OJA/Kansas-Courts-Response-to-Coronavirus-\(COVID-19\)/Administrative-Orders-Related-to-COVID-19](http://www.kscourts.org/About-the-Courts/Court-Administration/OJA/Kansas-Courts-Response-to-Coronavirus-(COVID-19)/Administrative-Orders-Related-to-COVID-19).



Supreme Court Justice Eric Rosen administers the oath to new attorneys during one of several outdoor sessions in September in front of the Kansas Judicial Center. Other new attorneys were sworn in virtually in September as well as in April and November.

Self-Represented Litigant Case Filing

With physical access to courthouses restricted beginning in mid-March, the Supreme Court acted quickly to develop avenues for self-represented litigants to file documents with the district and appellate courts. Because these litigants are not yet able to use the efilings system, it was necessary to expand other methods for delivering case filings. First, the Supreme Court amended the rules governing the process for filing documents by fax. The rule changes eliminated a 10-page limit on documents fax filed with courts, along with associated limits on filing summonses and service copies.

The Supreme Court later adopted a temporary rule to help self-represented litigants by generally allowing them to file all documents by mail, fax, or secure drop box. If a courthouse is currently open for walk-in service, self-represented litigants may continue to file in person as well. Under the rule, every district court must have a drop box available for self-represented litigants within an established timeframe.

I am happy to report that pandemic-related grant funds were used to purchase and install secure drop boxes in 93 counties that previously lacked a drop box accessible when the courthouse was closed.

Read the temporary rule and related information about pro se filing during the pandemic at www.kscourts.org.

kscourts.org/Public/Find-a-Form/Judicial-Branch-Court-Forms/File-using-a-drop-box.

Marriage Licenses

The process to issue marriage licenses presented a challenge from the beginning of the pandemic. Before the pandemic, parties appeared in person to sign necessary documents and to take an oath. The clerk would then issue a license after a prescribed waiting period. The process entailed multiple steps that occurred over a few days and was not designed for a socially distant world. Strong demand for marriage licenses continued, however, even as the pandemic took hold.

The Office of Judicial Administration worked with district courts to successfully establish a remote process that allowed some courts to resume issuing marriage licenses while courts remained closed to in-person contact because of COVID-19. The process allowed a couple to obtain a marriage license without in-person contact with court staff, consistent with efforts to protect the health of employees, judges, and court patrons.

This process used the phone, encrypted email, and U.S. mail to replace what was previously done in person at a court clerk office. At the start, 10 district courts served the entire state using the new licensing process. Eight more courts later joined their ranks to distribute the work more equitably and to reduce processing time. While the temporary

process created a stopgap solution, it proved labor intensive for clerks and other staff.

We are happy to report the process has now been replaced by an online marriage license application, a project funded by a Coronavirus Relief Fund grant and developed in partnership with the Information Network of Kansas and Kansas.gov. This new online marriage license application allows couples to apply for a license at any time from any location, even using their smartphones. They can use digital signatures, exchange information, and pay the marriage license fee—all remotely.

The online application went live December 18, 2020. Learn more about it at www.kscourts.org/Public/Apply-for-Marriage-License.

Protection Order Portal

In fiscal year 2020, petitioners filed more than 12,000 cases in district courts seeking an order of protection from abuse, stalking, sexual assault, or human trafficking. The individuals who file these cases often proceed without the aid of an attorney,

and they typically visit the courthouse to pick up the forms needed to initiate a largely paper-based, in-person process. With access to courthouses restricted, litigants faced new challenges navigating this process during the pandemic.

Thanks to a Federal Coronavirus Emergency Supplemental Funding Program grant, the Office of Judicial Administration contracted with the University of Missouri-Kansas City to develop a web-based portal for filing protection orders. This scalable, accessible, and mobile-friendly web portal guides litigants through an online interview. The answers are then used to populate forms a judge reviews before determining whether to issue an order. People who need these orders will no longer have to visit the courthouse in person to file the required paperwork—a process that may place some vulnerable individuals at risk or be hard to accomplish because of transportation or other problems.

The protection order portal launched December 1, 2020, in Harvey, Johnson, and Riley counties. Plans for rolling out the portal to the remaining counties are ongoing. Visit the new protection order portal at www.kspop.org.

KS POP
PROTECTION ORDER PORTAL

Home What to Know Resources **Get Started** Safely Exit

Simplifying the protection order process

Filing a petition for protection can be confusing and overwhelming, especially when COVID-19 makes going to court difficult.

This portal offers helpful information, resources, and a clear path. You can complete the forms from anywhere and on any device. It is also free.

When you click submit, your forms are officially filed.

WHO WE ARE

Kansas Judicial Branch
Kansas state courts—including district courts, the Court of Appeals, and the Supreme Court—provide people a venue to resolve disputes through a fair and impartial legal process by upholding and applying the Constitution and law of Kansas and the United States.

Kansas Protection Order Portal
A free and secure way to file a petition for protection online.



The judicial branch now offers a web-based portal for filing protection orders.

Maximizing Access to and Promoting Justice

Assessment of Self-Represented Litigant Services

In 2019, the Kansas judicial branch secured a grant from the State Justice Institute to fund a performance audit of litigant access needs and self-help services in various Kansas courts. Consultants from the National Center for State Courts completed the report in January 2020. That report provided several recommendations to expand the reach and impact of self-help services in Kansas. Many of those goals were considered cost-neutral, aside from staff time necessary to carry them out.

Read the report at www.kscourts.org/KSCourts/media/KsCourts/court%20administration/Assessment_Self-Represented_Litigant_Services.pdf.

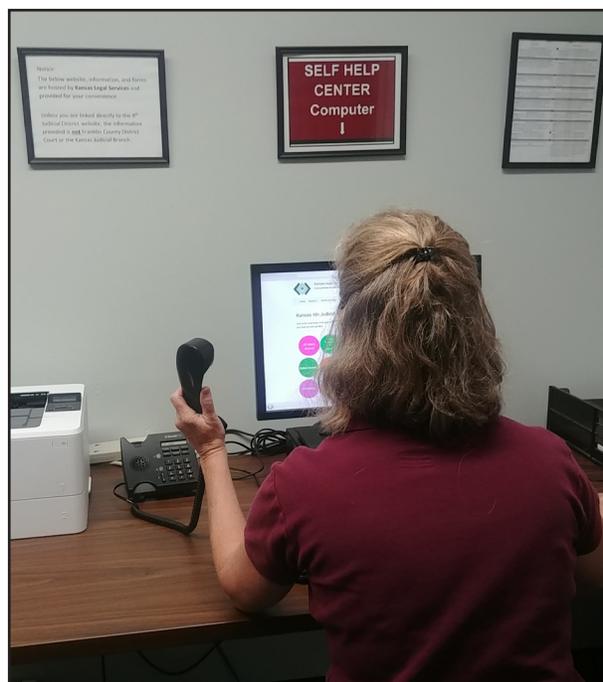
Rule 1403: Access to Justice Liaisons

The Supreme Court adopted a new rule in 2020 that will aid in removing barriers and promoting equal access to justice throughout the state. Rule 1403 directs chief judges of the Court of Appeals and the state's 31 judicial districts to designate two liaisons—one judge and one court employee—to work with the Supreme Court's Access to Justice Committee. These liaisons will be a conduit for sharing information, seeking feedback, and providing a network for discussing access to justice issues all courts face. The concept of appointing access to justice liaisons in the court system arose from a recommendation made by the National Center for State Courts in its Assessment of Self-Represented Litigant Services in Kansas.

Helping Self-Represented Litigants

The Supreme Court's Access to Justice Committee continues to explore how to best help our district courts by:

- supporting the development of new help centers and expanding existing help centers through a physical and virtual presence based on each county's needs and resources;
- developing methods for clerk offices across the state to share resources created locally to help self-represented litigants; and



A public computer and other resources are available for self-represented litigants at the Franklin County Courthouse (4th Judicial District) in Ottawa.

- standardizing forms and processes to promote consistency in help given to self-represented litigants.

In 2020, this committee worked to implement recommendations made in the National Center for State Court’s Assessment of Self-Represented Litigant Services mentioned above. The committee trained clerks throughout the state on the distinction between providing information about how courts operate and providing legal advice that clerks cannot give. The convenience and low cost of webinars allowed other training opportunities about working with self-represented litigants, including best practices for judges.

Rule 1705: Language Access

In 2020, the Supreme Court adopted new Supreme Court Rule 1705, which requires foreign language court interpreters to complete the Kansas Judicial Branch Court Interpreter Orientation before providing interpretation or translation services in a district court.

The orientation is a free, web-based overview of the Kansas court system, interpretation skills, best practices, and ethics. Interpreters will watch 12 short informational videos and take quizzes after most of the videos. Johnson County Community College hosts the orientation on its continuing education online learning platform. Registration information is provided on the Kansas judicial branch website.

Interpreters currently providing services to courts have until July 1, 2021, to complete the program

Read Rule 1705 at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-126.pdf.

Rule 712B: Pro Bono Legal Services

Supreme Court Rule 712B establishes an avenue for retired, inactive, or single-employer attorneys to provide pro bono or low-cost legal services. It establishes a process through which nonprofit legal service providers and law school clinics can be approved to use those attorneys to provide

eligible services. The Supreme Court amended this rule in 2020 to add another category of entities that may seek approval to operate under the rule and to clarify the type of legal services that may be provided. The changes allow not-for-profit programs to operate under the rule in the same fashion as accredited law school clinics and not-for-profit providers of direct legal services.

Read amended Rule 712B at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-136.pdf.

Rule 110C: Recognizing Tribal Court Judgments

The Kansas Legislature signaled a desire for state courts to recognize and enforce tribal court judgments by adopting legislation in 2019 that is codified at K.S.A. 60-3020. That statute directs the recognition of tribal court judgments “pursuant to rules adopted by the supreme court.” A proposed rule was circulated for public comment and subsequently adopted June 16, 2020. It requires a district court to grant full faith and credit and enforce judgments of a tribal court that extends full faith and credit to judgments of Kansas state courts. The rule prescribes procedural measures for filing tribal judgments and addresses how district courts may communicate with tribal courts about those judgments.

Read Rule 110C at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-063.pdf.

Specialty Courts

Many judicial districts in Kansas operate specialty courts that focus on addressing the reasons for criminogenic behavior while seeking to avoid incarceration. These specialized court dockets include adult and juvenile drug courts, behavioral and mental health courts, truancy courts, and veterans treatment courts. The success of these courts stems from judges and court employees who choose to work on these labor-intensive problem solving court dockets, and from the efforts of social workers, mental health professionals, prosecutors, and defense attorneys

who work as a team to oversee each defendant's case. Defendants involved in a specialty court need to maintain frequent contact as they progress through treatment and complete other requirements.

The pandemic created barriers to this consistent communication and, in some cases, threatened to derail progress made by specialty court participants. For that reason the Office of Judicial Administration requested and received grant funding to allow these courts to purchase smartphones and tablets for ongoing, reliable access to remote meetings between specialty court team members and court participants. Regular contact makes it more likely participants will remain in their treatment programs and communities, meeting two primary objectives of these courts.

The Office of Judicial Administration also secured grant funding from the State Justice Institute in 2020 to support planning for a mental health summit slated to take place in the latter half of 2021. This summit will bring together representatives from fields that include medicine, law enforcement, mental health treatment, executive and legislative branch representatives, and the judiciary. Work done at the summit will aid developing behavioral and mental health courts in Kansas.

Beginning in November 2020, the judicial branch launched a webinar series to provide training for judges, court staff, and other interested stakeholders



Chief Justice Marla Luckert and former Chief Justice Lawton Nuss, lower center, hosted a four-part webinar series on establishing veterans treatment courts between November 2020 and January 2021. With Nuss are retired Army Maj. Gen. Clyde "Butch" Tate, upper left, and U.S. Sen. Jerry Moran, upper right, who spoke during the second webinar.

on how to establish a veterans treatment court. The sessions broadly covered these topics:

- veterans treatment courts in a nutshell;
- practical advice for setting up a veterans treatment court; and
- managing a veterans treatment court.

The webinar series included roundtable discussions with stakeholders, including prosecutors, defense attorneys, judges, supervision officers, and law enforcement.

A large and diverse group of participants from the judicial branch and from many other organizations, including attendees from other states, attended the summit. Former Chief Justice Lawton Nuss spearheaded organizing the event.

Ad Hoc Pretrial Justice Task Force

The Supreme Court formed the Ad Hoc Pretrial Justice Task Force in November 2018 to examine current practices of Kansas district courts related to the pretrial detention of criminal defendants. The Court also asked the task force to study alternatives to pretrial detention, keeping in mind the goals of protecting public safety and encouraging the accused to appear for court proceedings. Chief Judge Karen Arnold-Burger of the Court of Appeals served as chair of the task force. The task force's 15 members included judges, defense attorneys, prosecutors, and supervision officers.

After two years of rigorous study and collecting input from a wide range of experts and stakeholders, the Ad Hoc Pretrial Justice Task Force delivered its final report to the Supreme Court on November 6, 2020. The report contains 19 recommendations that address all stages of the pretrial criminal justice process, from points before arrest to trial. Each recommendation includes an explanation of the rationale behind it, associated costs and funding, steps required for implementation, and a summary of stakeholder concerns. The report will serve as a foundation for policy discussions as the legislature, executive



Karen Arnold-Burger, chief judge of the Kansas Court of Appeals and chair of the Ad Hoc Pretrial Justice Task Force, discusses a topic with task force members during a working lunch in 2018.

officers, and courts consider the best ways to manage pretrial concerns in Kansas.

Find out more about the work of the Ad Hoc Pretrial Justice Task Force at www.kscourts.org/About-the-Courts/Court-Administration/Court-Initiatives/Pretrial-Justice-Task-Force.

Rule 106A: Child in Need of Care Records

In 2020 the Supreme Court acted to clarify how certain child in need of care (CINC) case records are handled in the district courts. While state statute prescribes rules about the confidentiality level of various CINC records, the statute does not address every instance in which a child's name might appear in the case management system. New rule 106A recognizes that all court records in a CINC case are confidential, including the events index created by the court. This rule change allows the child's complete name to be used throughout the court record without disclosing it to the public.

Read new Rule 106A at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-127.pdf.

Rules Relating to the Discipline of Attorneys

The rules that establish a disciplinary process for attorneys who violate professional ethics requirements received a complete overhaul and

were finalized in 2020. New provisions adopted by the Supreme Court include:

- definitions for greater clarity;
- new deadlines for the disciplinary administrator and the respondent that are aimed at promoting an efficient hearing process;
- a clear process for respondents to get subpoenas to compel witnesses to testify at disciplinary hearings;
- expanded use of depositions in attorney disciplinary cases;
- a procedure for parties, by agreement, to submit a disciplinary case directly to the Supreme Court and forgo a hearing before the Kansas Board for Discipline of Attorneys; and
- a provision that addresses using expert witnesses in disciplinary proceedings.

Read the revisions to the rules at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-134.pdf.

Rules 501 and 502: Relating to Required Continuing Judicial Education

At the close of 2020, the Supreme Court amended two rules that establish the number of continuing education credits that judges are required to complete each year. The court adopted an amendment that permits eligible judges who serve in the Kansas Legislature to receive a reduction in the number of required general continuing judicial education hours for the compliance period in which the judge serves in the Legislature. This change brings these rules into alignment with parallel rules that permit a similar reduction in the number of continuing education hours required for attorneys who serve in the Legislature.

Read the revisions to Rules 501 and 502 at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-138.pdf.

Encouraging Innovation and Harnessing Technology

New Judicial Branch Website

On February 7, 2020, the Supreme Court launched a new judicial branch website at www.kscourts.org. The website reflects modernization efforts underway throughout the state court system.

The new website is a doorway to the digital services that become available statewide through our eCourt project—including public access to court records and centralized online payment of fees and fines. It also offers people the ability to search databases of rules, orders, and opinions.

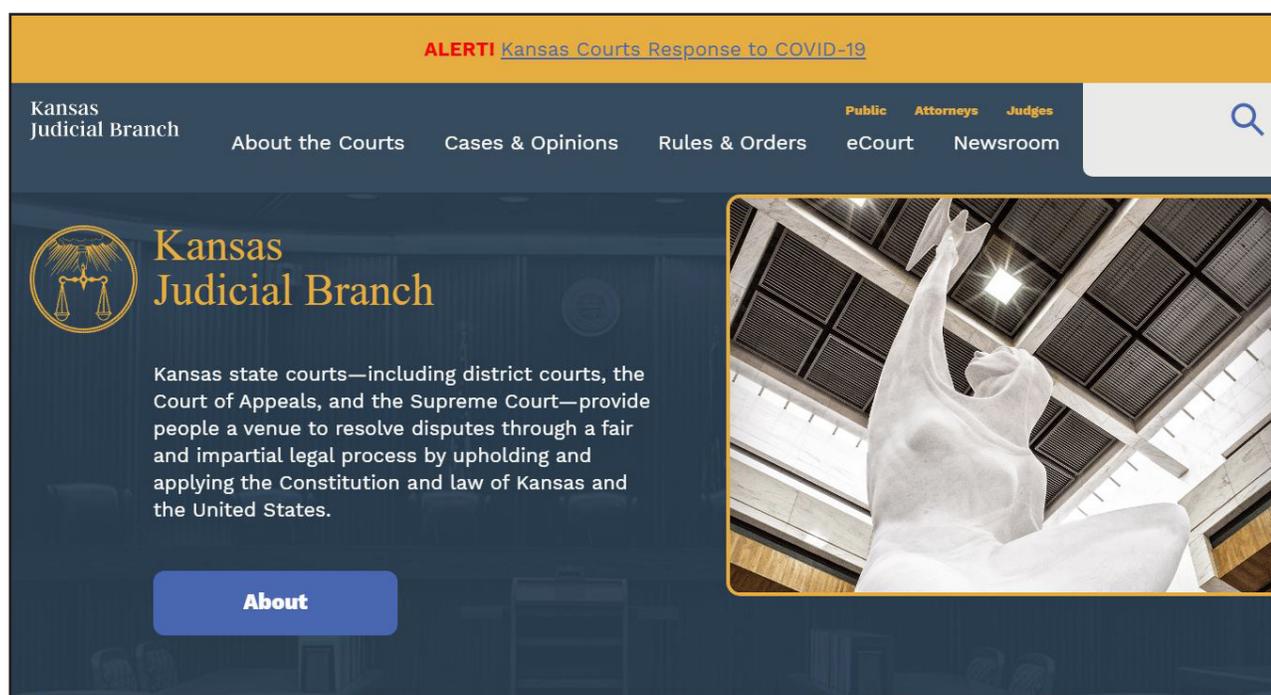
The website is built on a content management system platform that empowers employees who

are experts in certain content areas to actively manage those portions of the website, providing for a more efficient way to make timely updates to information.

Research for the website was funded by a grant from the State Justice Institute and the website was built using docket fee revenue deposited into the Electronic Filing and Management Fund.

This new website is a welcome and much-needed change. It is one of many steps that we are taking to modernize our courts to meet the needs of Kansans and their communities.

A video highlighting features of the new website is available at www.youtube.com/watch?v=HCQWBp1_wSw.



The judicial branch website at www.kscourts.org.

Kansas eCourt: Centralized Case Management System Rollout

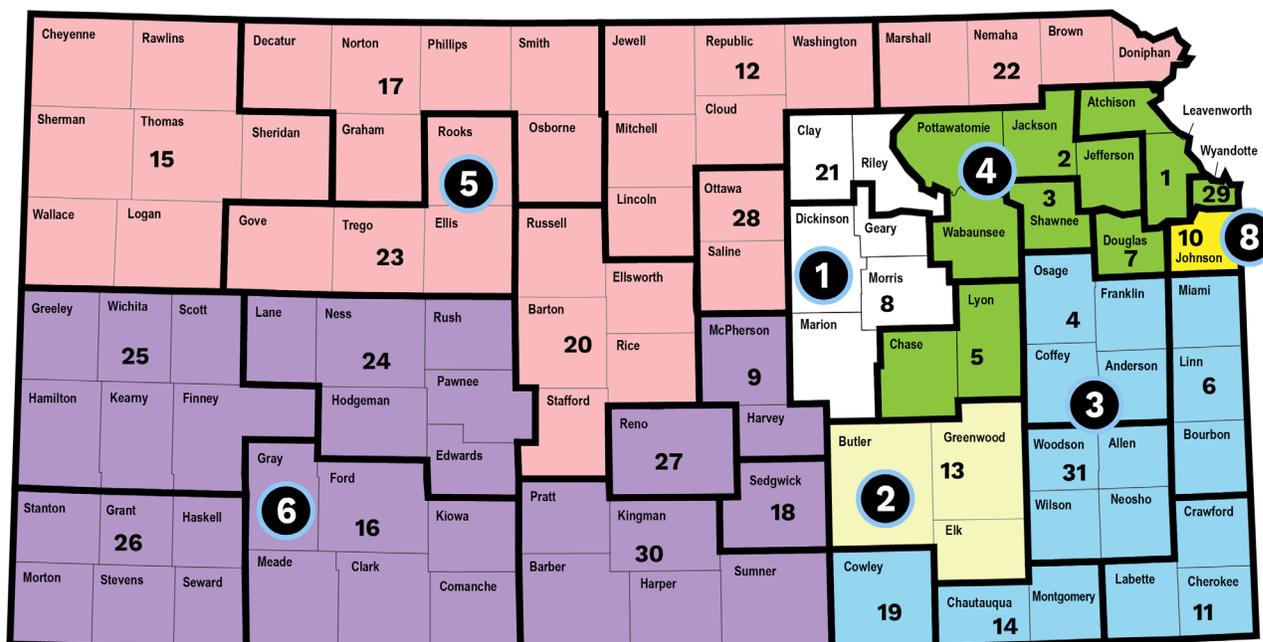
Installation of a centralized case management system is a key component in the Supreme Court’s eCourt plan. It will allow all district and appellate case data to reside on a single web-based platform, transforming the way the state court system serves the people of Kansas.

In January 2018, the judicial branch entered into an \$11.5 million contract with Tyler Technologies of Plano, Texas, to customize and use its Odyssey Case Manager™ system. It is being paid for with docket fees earmarked by the Kansas Legislature for the project. The primary goals of the centralized case management system implementation are to:

- improve case processing in the district and appellate courts;
- enable workshare between district courts, mostly among clerks and court services officers;

- enable web-based sharing of public information;
- increase the efficiency of information delivery to district and appellate court judges and justices;
- increase operational efficiency and effectiveness through automating certain activities and streamlining other operations;
- improve data quality and integrity;
- improve performance measurement, analysis, and reporting through enhanced information collection, storage, retrieval, and analysis;
- enable data sharing between various governmental entities based on information security requirements, contribution to the effective administration of justice, and need; and
- maintain and improve the ability to process electronic payments.

Statewide Rollout Plan



Installation of the centralized case management system will be accomplished in eight tracks. Tracks 1 and 3 are using the new system, and Track 2 will begin using it in February 2021. Track 7 includes the appellate courts. The projected installation schedule can be seen at www.kscourts.org/ECourt/Centralized-Case-Management-System.

Despite challenges posed by the COVID-19 pandemic, courts in six judicial districts in east and southeast Kansas transitioned to the new centralized case management system in late October and early November 2020. The districts are:

- 4th Judicial District (Anderson, Coffey, Franklin, and Osage counties);
- 6th Judicial District (Bourbon, Linn, and Miami counties);
- 11th Judicial District (Cherokee, Crawford, and Labette counties);
- 14th Judicial District (Chautauqua and Montgomery counties);
- 19th Judicial District (Cowley County); and
- 31st Judicial District (Allen, Neosho, Wilson, and Woodson counties).

These courts join the 8th and 21st judicial districts (Clay, Dickinson, Geary, Marion, Morris, and Riley counties) in transitioning to the centralized case management system. Throughout 2020, many more courts across the state began the preliminary work necessary to join the system in 2021.

Public records in courts that have adopted the new case management system are available through the Kansas District Court Public Access Portal. Public records include both case data and case documents filed after the court shifted to the new case management system. Visit the public access portal at <https://search.kscourts.org/prodportal>.

The Supreme Court announced in 2020 that the 10th Judicial District (Johnson County) will join the state's other judicial districts and the appellate courts on the new centralized case management system. This transition will mark the first time district courts in all 105 counties operate on the same system, sharing case data. Moving Johnson County District Court case information from its current system to the centralized case management system will take about 18 months. Part of that timeline includes case data review and training court staff to use the new system.

Amendments to Kansas eCourt Rules

In June 2020, the Supreme Court amended Rules 20 through 24, known collectively as the Kansas eCourt Rules. The amendments apply in district courts that use the new centralized case management system and will apply in other courts as they begin using the system.

The changes address a variety of issues, including:

- clarification of existing definitions;
- the addition of comments to explain when criminal complaints and warrants are accessible to the public;
- changes to rules that determine when a case or document can be sealed; and
- refinements in rules that impose a process for identifying and handling personally identifiable information in court documents.

Read the 2020 amendments to the Kansas eCourt Rules at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-064.pdf.

Text Notification System

During the pandemic, courts have had to reschedule court hearings to manage the number of people in a courthouse at one time. To help solve this issue, the Office of Judicial Administration applied for and received a Coronavirus Relief Fund grant to establish a text notification system statewide.

The text notification system allows courts to quickly communicate changes to court participants who ask for the alerts. Messages can include information about newly scheduled hearings, reminders of hearing dates, and payment notifications.

Similar text notification systems used in other state court systems have reduced failure to appear rates and the need to reschedule missed hearings.



FILTER RESULT

JUDGE ↕	STATUS ↕		COURT ↕
Thomas G Luedke District Court Judge	Online Watch	Docket	Shawnee County District Court
Darian Dernovich District Court Judge	Online Watch	Docket	Shawnee County District Court
Mary E. Christopher District Court Judge	Online Watch	Docket	Shawnee County District Court
Cheryl Rios District Court Judge	Online Watch	Docket	Shawnee County District Court
David B. Debenham District Court Judge	Online Watch	Docket	Shawnee County District Court

The Virtual Court Directory provides links to live court proceedings and dockets for participating district courts in the state.

Virtual Court Directory

With the greatly expanded use of remote hearings during the pandemic, the Office of Judicial Administration recognized a need to make hearing information readily available online. A Coronavirus Relief Fund grant was secured to create an online virtual court directory to provide a central location to access a virtual court proceeding that is open to the public. The portal lists participating judges by judicial district and provides links to livestreamed court proceedings and dockets.

Visit the virtual court directory: <https://kansas.courtroomdirectory.com>.

Rule 124: Contact Information

The Supreme Court adopted a rule related to collecting contact information for jurors and witnesses. New Rule 124 provides for the voluntary disclosure of certain contact information to facilitate case processing, scheduling, or participation in a hearing or trial. The rule also

provides guidance about who can access the contact information, how it should be retained, and when it can be destroyed.

Though the concept behind Rule 124 is fairly simple, this rule will aid the use of new technologies in the court system—including the use of text notifications to provide timely information to jurors about relevant case developments.

Read Rule 124 at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-104.pdf.

Attracting and Retaining an Excellent Workforce

Racial Justice Education Team

The Kansas judicial branch established a Racial Justice Education Advisory Team in 2020. The team includes leaders from judicial districts of varying sizes who are working to recommend a scalable, ongoing racial justice education program for the entire branch.

In its initiatory year, the team completed an extensive review of relevant materials on the topic of racial justice and compiled a library of related webinars. The team promoted implicit bias training for all judges and court leaders in November. That training remains available on-demand for all staff to watch when schedules allow. Employees and judges in four of the state's largest judicial districts also received a three-part diversity, inclusion, and sensitivity training. This resource will be shared with the remaining judicial districts as time and funding allow.

The team has identified a local provider for cultural competence workshops that can be delivered either in person or by webinar. They are currently seeking grant funding to offer these workshops branch-wide.

Weighted Caseload and Workload Studies

The Kansas judicial branch is committed to structuring its workforce in a way that appropriately addresses the actual needs that exist in different parts of the state. The use of professionally administered weighted caseload and

workload studies provides key information about the volume and type of case filings in the district courts, as well as the activities performed by employees in each county. With that information, the judicial branch can determine how best to share work, use resources, and request new positions, when needed.

Judicial branch workload studies typically look at a few different sources of data:

- actual work-time data recorded by staff statewide;
- surveys of staff requesting their input about whether they have adequate time to perform their duties timely and well; and
- qualitative feedback from focus group sessions at various locations around the state.

In caseload studies, the method used to weight cases accounts for their varying complexity and need for supervisory attention.

You may recall that in my 2019 report I referenced the weighted workload study conducted for more than 300 judicial branch court services officers beginning in fiscal year 2018, as well as the weighted caseload study for district court clerks in fiscal year 2019. The results of the CSO workload study, along with a subsequent analysis of CSO tasks, produced a threshold conclusion that the judicial branch does not have enough CSOs to adequately perform all statutorily mandated CSO duties. To meet just that need—without accounting for the number of CSOs that would be needed to provide other services to reduce recidivism and

improve community safety—the judicial branch must hire 70 additional CSOs. Accordingly, the judicial branch fiscal year 2022 budget request contains \$4.3 million for that expenditure.

The results of the district court clerk caseload study have now been released as well. No new clerk positions have been requested as a result of that study. Instead, the judicial branch continues to explore new avenues for sharing work among clerks from one county to the next.

The National Center for State Courts is finalizing weighted caseload studies of all judges of the district court, administrative assistants, and court reporters. The data from these studies will complement data from the other studies mentioned above and continue to provide a firm foundation for informed decisions about court staffing.

Judicial Branch Salary Initiatives

Under its constitutional authority and Kansas statutes, the Supreme Court—through the chief justice—has the duty to determine the financial needs of the judicial branch and submit those needs to the Legislature for funding. Despite the economic uncertainty that hangs over Kansas

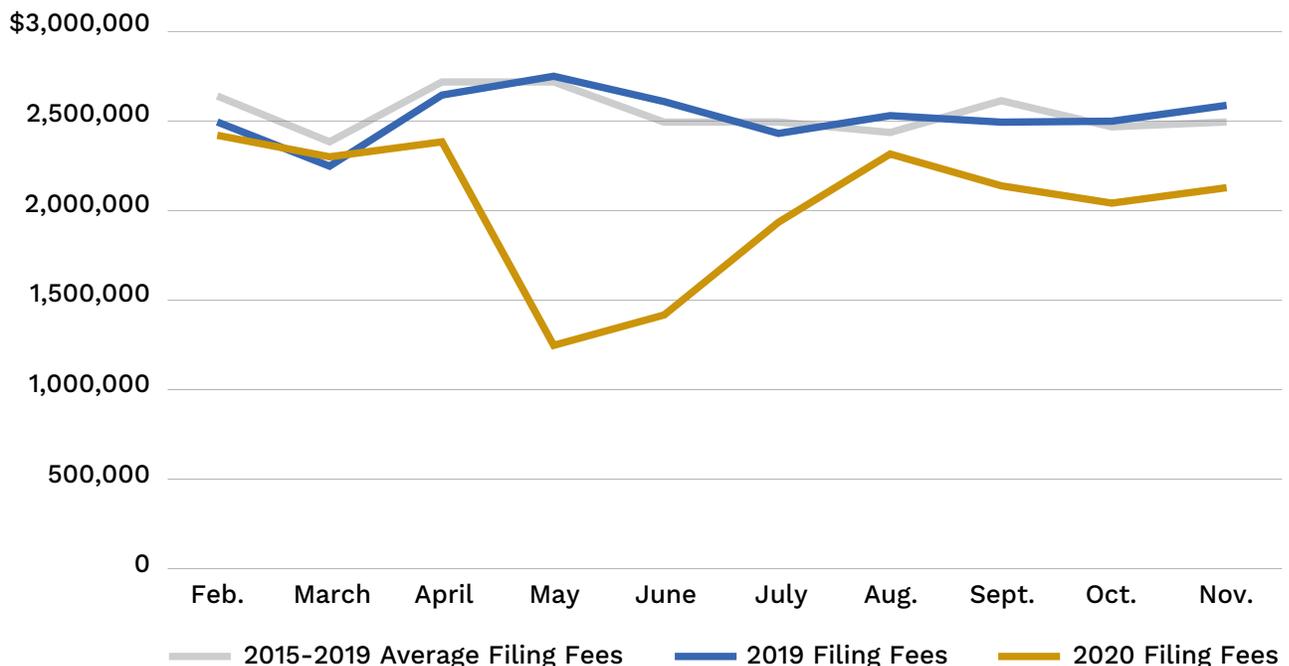
budget prospects in 2021 and beyond, this duty compels the Supreme Court to inform you of the actual budget needs of the Kansas judicial branch.

Decreased Docket Fees and Hiring Freeze

Between March and June 30, 2020, the judicial branch received about \$2.7 million less than it had budgeted in its Docket Fee Fund. Over the first five months of fiscal year 2021—that is from July through November 2020—the judicial branch received about \$2 million less in docket fee revenue to the docket fee fund and the electronic filing and management fund than it did over that same period the previous year—an approximate 16% loss for those two funds for that period.

The judicial branch absorbed this decrease because of hard fiscal decisions the Supreme Court made soon after the onset of the pandemic: instituting a hiring freeze and cutting other expenditures. For the last 10 months, many of our positions have remained unfilled. Currently, around 11% of judicial branch employee positions are vacant. This ongoing understaffing of the judicial branch is taking its toll on hardworking Kansans who administer fair and impartial courts.

Impact of Filing Fees During Pandemic



Achieving Market-Level Salaries for Employees

The judicial branch received grant funding to conduct market salary studies for its approximately 1,600 employee positions in 2016. That study was updated in 2018. In the years following those studies, the Office of Judicial Administration updated the information by applying the consumer price index increase for the relevant fiscal year.

The updated data for fiscal year 2020 shows that, depending on job classification, judicial branch employees still need increases from 2.7% to 18.9% to bring their salaries to market level. Receiving this increase would allow the judicial branch to compete with other public and private sector employers. Our position vacancy data reflects how uncompetitive our employee salaries are: the average time to fill a position in the judicial branch in fiscal year 2020 was 54 days. For this reason, the judicial branch requested a \$10.8 million enhancement appropriation to bring employee salaries to market level in fiscal year 2022.

Read salary study data at www.kscourts.org/About-the-Courts/Court-Administration/Budget/Judicial-Branch-Classification-Compensation-Stud.

Salary Increases for Judges and Justices

Kansas judges remain among the lowest paid jurists in the nation. Twice a year, the National Center for State Courts reports actual salaries for judges at the general jurisdiction and appellate levels of courts in all states and United States territories. It also uses a cost-of-living formula to report salaries on an adjusted basis. In releasing its mid-year report dated July 1, 2020, the Center reported that Kansas, Puerto Rico, and West Virginia show up most often in the bottom five of all categories. Kansas district judge pay ranks 48th out of 50 states both in actual pay and when adjusted for cost of living. To encourage well-qualified Kansas attorneys to apply to become judges, Kansas must offer salaries that align with the high level of responsibility the positions require. In short, adequate salaries are necessary to attract and retain the quality of judges

Kansans expect—and deserve. By any measure, Kansas’ current judicial salaries are inadequate.

The judicial branch budget includes \$9.4 million in fiscal year 2022 to bring district judge pay equal to an average salary for district judges in our four neighboring states after making a cost of living adjustment: Colorado, Missouri, Nebraska, and Oklahoma. The request would increase salaries for appellate court jurists and district magistrate judges by the same percentage increase as for district judges. This salary increase would improve Kansas’ district judge pay rank (actual salary) to 25th out of 50 states based on the July 1, 2020, survey by the National Center for State Courts. A competitive salary by market standards would not only help attract new judges, it would also help Kansas courts retain experienced judges, which is critical to fulfilling the judicial branch mission for the people of Kansas.

Visit the National Center for State Courts judicial salary survey at www.ncsc.org/salarytracker.



Stewarding Public Resources

Consolidation of Judicial Branch Services

My 2019 report provided information on efforts to streamline administrative services provided by the Kansas judicial branch to achieve operational and organizational efficiencies. Those efforts continued into 2020 with the Supreme Court transferring responsibility for administering the statewide court reporter program and duties related to the State Board of Examiners of Court Reporters from the Clerk of the Appellate Courts to the Office of Judicial Administration. The changes required amendments to Supreme Court Rules 301-367.

Read the amendments to the rules relating to the State Board of Examiners of Court Reporters at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-065.pdf.

The Supreme Court also transferred administrative duties for the Lawyers' Fund for Client Protection from the Office of the Clerk of the Appellate Courts to the Office of the Disciplinary Administrator. This fund promotes public confidence in the administration of justice and the integrity of the legal profession by reimbursing the client of a Kansas lawyer for losses caused by the lawyer's dishonest conduct.

Read the amendments to the rules relating to the Lawyer's Fund for Client Protection at www.kscourts.org/KSCourts/media/KsCourts/Orders/2020-RL-135.pdf.

Centralized Payments

District courts process millions of dollars each year. That money is distributed to various funds of state and local governments, as well as to litigants and other private parties. In fiscal year

2020, district and appellate courts collected more than \$49.5 million for the benefit of state government.

The centralized payment center established by the Supreme Court in 2019 continued to develop in 2020. This center can accept, account for, and distribute most district court payments. It is now operating in all 23 counties that have transitioned to the centralized case management system. The program will establish centralized payments for other counties as future tracks of the centralized case management system roll out. The centralized payment center oversees many financial processes, some of which are:

- performing monthly reconciliations;
- writing and delivering checks;
- submitting funds to unclaimed property;
- managing chargebacks, overages, and small refunds; and
- processing and reconciling credit card payments.

Centralized payment staff, assisted by staff accountants, complete these functions. The centralized payment center allows for greater efficiencies in time and cost, as well as stronger financial controls, centralized bank account management, and standardized accounting processes and procedures. You can find out more about fine and fee payment in the court system at www.kscourts.org/Ecourt/Pay-a-Fine-or-Fee.

Securing Grant Funds

The past year brought more grant funding to the judicial branch than any year in recent memory.

In July the judicial branch was awarded \$1.6 million from the Federal Coronavirus Emergency Supplemental Funding Program (CESF) to help pay for technology improvements to provide digital access to justice and allow courts to conduct more operations remotely. The grant was used for:

- remote technology equipment and software, including mobile hot spots, cell phones and service plans, laptop and tablet computers, computer accessories, webcams, printers, and software;
- videoconferencing and virtual private network licenses;
- the web-based protection order portal described earlier in this report;
- public access computer terminals to allow self-represented litigants access to virtual court proceedings; and
- a centralized email system to allow the secure transmission of court-related documents, data, and messages.

In September, the judicial branch was awarded a \$3.52 million Coronavirus Relief Fund (CRF) grant to pay for pandemic-related expenses and to help courts shift to more online and remote services. The State Finance Council approved the grant on September 17, following a recommendation from the governor's Strengthening People and Revitalizing Kansas (SPARK) Task Force. While the immediate focus of the funds was health protection, the changes are also yielding increased transparency and more efficient, user-friendly courts.

The CRF money was used to pay for immediate needs, such as personal protective equipment and technology. The money was also used to expand online services, including the marriage licensing portal, virtual court directory, and text notification system discussed in this report.

Much of the grant helped courts comply with public health guidelines during the pandemic by providing funding for:

- plexiglass shields, masks, hand sanitizer, sanitizing wipes, and cleaner to protect court users and staff in court offices and courtrooms;
- more equipment to expand our capacity for virtual court hearings that provide easy public and media access to court proceedings; and
- temporary funding for five information technology employees through December 2020 to help courts with immediate and expanding needs for videoconferencing, internet streaming, and audiovisual equipment.

American University's Justice in Government Project recently recognized the Kansas judicial branch's success in obtaining pandemic-related grant funding. That project published a case study that highlighted the Kansas court system's obtainment of funds from the CRF and CESF programs to support access to justice in the courts. The case study was featured in the National Legal Aid & Defender Association Research December 2020 edition. View the case study at www.american.edu/spa/jpo/toolkit/upload/cares-act-case-study-11-29-20.pdf.

Because of the fiscal constraints faced by the Legislature, the judicial branch is continuing to seek new grant opportunities to sustain and build its programs in 2021 and beyond.

In Closing

I hope this report provides a sound foundation for understanding the challenges and advancements of the Kansas judiciary in 2020. Though the pandemic slowed our progress on certain projects, it has unexpectedly enhanced our growth in some key areas through the integration of new technologies and fresh ideas about ways to deliver services to the public. We look forward to working with our

colleagues in the legislative and executive branches as we journey toward greater access to justice with patience, ingenuity, and goodwill.

Marla Luckert

Chief Justice Marla Luckert
Kansas Supreme Court

