

(Court Letterhead)

Date

Departmental Justice
301 S.W. 10th Ave.
Topeka, KS 66612-1507

RE: Case Name
_____ County District Court Case No. _____

Dear Justice _____:

I am writing to you in your capacity as the Departmental Justice for our Judicial District. The _____ County case identified above involves the charges/claims of: (insert brief explanation of charges/claims). The case scheduled for a _____ day jury trial beginning on the _____ day of _____, 20_____.

I have consulted with the attorneys and the Clerk of the County District Court. We all conclude that trying a case of this nature in the current courtroom is not feasible and would bring into serious doubt the ability of the court to assure the parties a fair trial. This is not based upon the typical "change of venue" grounds.

Rather, the impediment to a fair trial which I address in this letter arises from the inadequate court facilities about the safety concerns of the attorneys, witnesses, jurors and court staff during this time of required social distancing for the course of this trial. There is little room in the "well" of the courtroom for the attorneys, the defendant and their support staff. They simply would not have enough room in trial for their books, papers, computers and other equipment and materials.

As stated, no change of venue is requested. The parties wish to try the case to jurors who are citizens of _____ County. Therefore, the only provision in law which the attorneys and I determined to be applicable in this case is K.S.A. 20-347, which states in its entirety:

"The chief judge in each judicial district, with the approval of the supreme court, may provide for holding court in locations within such judicial district, other than in the courthouses of the several counties within such district, whenever suitable facilities are available for such purpose."

I propose to hold the trial in this case at (name of outside venue). The parties and their respective attorneys are requesting and consenting to the relocation of the trial.

The cited statute requires approval of the Supreme Court. I request that the Supreme Court consider the proposed relocation of the trial from the _____ County Courthouse to the (name of outside venue), and if the Court concludes it to be appropriate and proper, consent to the relocation.

If you need any additional information from me, please let me know as your convenience, and I will immediately furnish whatever I can. Thank you very much for your time and attention to this matter.

Sincerely,

Chief Judge
_____ Judicial District

Copies: