

January 13, 2023

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
300 SW 10th Avenue, Room 582-N  
Topeka, Kansas 66612

Dear Representative Patton:

**SUBJECT:** Fiscal Note for HB 2001 by Representative Fairchild

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2001 is respectfully submitted to your committee.

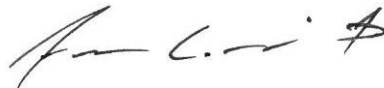
HB 2001 would specify grounds in an impeachment proceeding against a justice of the Supreme Court or in a proceeding for discipline, suspension, or removal for cause against an appointed judge of the district court. The grounds would include, but not be limited to, any one or more of the following:

1. Commission of treason;
2. Commission of bribery;
3. Commission of other indictable criminal offenses;
4. Commission of a breach of the public trust;
5. Commission of a breach of judicial ethics;
6. Failure to perform adequately the duties of the office;
7. Attempting to subvert fundamental laws and introduce arbitrary power;
8. Attempting to usurp the power of the Legislative Branch or Executive Branch of government;

9. Exhibiting discourteous conduct towards litigants, jurors, witnesses, lawyers, or others with whom the justice or judge deals in an official capacity;
10. Exhibiting wanton or reckless judicial conduct;
11. Exhibiting personal misbehavior or misconduct;
12. Failure to properly supervise, administer, or discipline judicial personnel; or
13. Other such action as specified in the bill.

The Office of Judicial Administration indicates enactment of HB 2001 would expand the grounds for which a justice of the Supreme Court could be impeached and for which a district judge could be disciplined, suspended, or removed from their position. During impeachment proceedings against a justice or a disciplinary proceeding against a district judge, the Judicial Branch would need to provide other judges to handle the work of the justice or judge while the impeachment action or disciplinary hearing proceeds. If the action or disciplinary hearing is successful, the Office states the Judicial Branch could have to pay a senior judge to sit with the Supreme Court while a new justice is appointed or pay retired judges to assist with district court caseloads until the judge position is filled. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions. Any fiscal effect associated with HB 2001 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Vicki Jacobsen, Judiciary