



State of Kansas

Office of Judicial Administration

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Senate Judiciary Committee
Testimony in Support of SB 331

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Chairman Wilborn and committee members, thank you for allowing me to present testimony in support of SB 331. I'm Krisena Silva, District Court Clerk Specialist in the Office of Judicial Administration. We support this bill and ask the committee to favorably consider adopting the attached balloon amendment that would add "employees of the judicial branch" to the list of individuals who can file a request to have identifying information removed from certain public websites that contain home addresses or ownership data.

Judicial branch employees are subject to being contacted at their residences because their names are required on paperwork sent to the litigants or members of the public, including but not limited to signatures, court file stamps, or a court envelope. Our amendment requests the addition of all judicial branch employees as parties that may request their identifying information be removed from applicable public databases.

Examples of judicial branch employees being contacted by members of the public outside of work:

- Criminal defendants have contacted court clerks at their homes to tell their side of the story or to complain about law enforcement, county attorneys, and judges;
- Judicial branch employees have been contacted at home by inmates who are in the custody of the Secretary of Corrections to state why they were wrongfully convicted;
- Prospective jurors have contacted court clerks at their homes to state why they need to be excused from jury duty;
- Parents of juveniles have contacted court personnel at their homes concerning their child's case;

- Employees in the Office of Judicial Administration have been contacted outside of work by the media for positions on judicial matters; and
- Instead of contacting their attorney, a party in a divorce proceeding went to a court clerk's home for an explanation on what the temporary order that was filed in their case actually meant.

These are just a few examples of judicial branch employees being contacted at their homes by individuals who have matters pending in the judicial system. Like other public sector employees identified in the bill and underlying statute, the protection afforded those employees should be extended to judicial branch employees.

We respectfully request that the committee favorably consider and adopt our amendment to SB 331 which would allow judicial branch employees to request removal of their identifying information in the relevant public websites.

Thank you and I am happy to answer any questions you may have.

Attachment

1 the deceased dischargee; when required by a department or agency of the
 2 federal or state government or a political subdivision thereof; when the
 3 form is required to perfect the claim of military service or honorable
 4 discharge or a claim of a dependent of the dischargee; and upon the written
 5 approval of the commissioner of veterans affairs, to a person conducting
 6 research.

7 (47) Information that would reveal the location of a shelter or a
 8 safehouse or similar place where persons are provided protection from
 9 abuse or the name, address, location or other contact information of
 10 alleged victims of stalking, domestic violence or sexual assault.

11 (48) Policy information provided by an insurance carrier in
 12 accordance with K.S.A. 44-532(h)(1), and amendments thereto. This
 13 exemption shall not be construed to preclude access to an individual
 14 employer's record for the purpose of verification of insurance coverage or
 15 to the department of labor for their business purposes.

16 (49) An individual's e-mail address, cell phone number and other
 17 contact information ~~which~~ *that* has been given to the public agency for the
 18 purpose of public agency notifications or communications ~~which~~ *that* are
 19 widely distributed to the public.

20 (50) Information provided by providers to the local collection point
 21 administrator or to the 911 coordinating council pursuant to the Kansas
 22 911 act, ~~and amendments thereto~~, upon request of the party submitting
 23 such records.

24 (51) Records of a public agency on a public website ~~which~~ *that* are
 25 searchable by a keyword search and identify the home address or home
 26 ownership of a law enforcement officer as defined in K.S.A. 2019 Supp.
 27 21-5111, and amendments thereto, parole officer, probation officer, court
 28 services officer ~~or~~, community correctional services officer, *employee of*
 29 *the department of corrections, local correctional officer* ~~or~~ *local detention*
 30 *officer*. Such ~~individual officer~~ *person* shall file with the custodian of such
 31 record a request to have such ~~officer's~~ *person's* identifying information
 32 restricted from public access on such public website. Within 10 business
 33 days of receipt of such requests, the public agency shall restrict such
 34 ~~officer's~~ *person's* identifying information from such public access. Such
 35 restriction shall expire after five years and such ~~officer~~ *person* may file
 36 with the custodian of such record a new request for restriction at any time.

37 (52) Records of a public agency on a public website ~~which~~ *that* are
 38 searchable by a keyword search and identify the home address or home
 39 ownership of a federal judge, a justice of the supreme court, a judge of the
 40 court of appeals, a district judge, a district magistrate judge, a municipal
 41 judge, the United States attorney for the district of Kansas, an assistant
 42 United States attorney, a special assistant United States attorney, the
 43 attorney general, an assistant attorney general, a special assistant attorney

, or
 employee
 of the
 judicial
 branch