

SESSION OF 2005

SUPPLEMENTAL NOTE ON SENATE BILL NO. 36

As Amended by House Committee on
Judiciary

Brief*

SB 36 would authorize the Kansas Supreme Court to require applicants for admission to practice law in Kansas to be fingerprinted and to submit to a national criminal history record check.

The bill also would authorize the Kansas Supreme Court to allow persons who have been granted a juris doctorate degree or bachelor of law degree from a Wichita law school, now defunct, to seek admission to the bar of this state. These applicants must satisfy all other qualifications and examinations established by Supreme Court rule.

Background

The bill, as introduced, was supported by the Office of Disciplinary Administrator. The conferee noted that the State Board of Law Examiners, appointed by the Supreme Court, already conducts a general background check on bar applicants. Public Law 92-544 and 28 C.F.R. 20.33 require a state law to authorize background checks before federal criminal history information may be obtained. Currently, information can be collected for persons with a Kansas arrest record through the Kansas Bureau of Investigation, but information cannot be obtained for out-of-state applicants.

The Senate Committee added the Wichita law school amendment and made technical amendments.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The House Committee deleted section two of the bill which dealt the President's School of Law in Wichita to allow qualified graduates of the school to apply for admission to the Bar of Kansas.