

SESSION OF 2006

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE
FOR SENATE BILL NO. 337**

As Recommended by House Committee on
Judiciary

Brief*

House Sub. for SB 337 would contain provisions for the creation of the Commission on Judicial Performance within the Judicial Council and the bill would allow an additional increase in docket fees to finance the Commission. The moneys would be credited to the newly established Judicial Performance Fund. This provision would sunset June 30, 2010. Procedural measures and duties of the Commission are contained in the bill.

The bill would establish a \$100 docket fee for filing a petition for expungement. Other infractions would see an increase of docket fees by \$6; for certain court costs by \$2 and for small claims and limited actions by \$4. These provisions would expire on June 30, 2010.

The bill would allow for an increase in docket fees to provide salary increases for District Court Judges, Chief Judges, and District Magistrate Judges.

Background

The bill, as introduced, was recommended by the 2005 Special Committee on Judiciary as a means to fund a \$9,000 salary increase for district judges and district magistrate judges.

The Senate Committee struck the pay raise provisions and inserted instead the provisions dealing with free statewide electronic access to court records.

The Senate Committee of the Whole added the amendment allowing counties to provide electronic access to court records and to

*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>

charge reasonable fees. The language was taken from SB 353.

The House Committee amendments would do the following:

- Increase docket fees to provide salary increases for District Court Judges, Chief Judges, and District Magistrate Judges. This provision is from 2005 SB 296;
- Provide for judicial evaluations by creating the Commission on Judicial Performance;
- Establish the Judicial Performance Fund; and
- Sunset the funds earmarked for the Judicial Performance Fund and the increased docket fees on June 30, 2010.

These last three provisions are from HB 2612.

The fiscal note on the original bill estimates the docket fee increase would generate approximately \$3.2 million annually.