

SENATE BILL No. 423

By Committee on Judiciary

2-10

1 AN ACT concerning the judicial branch of government; relating to judges;
2 authority of supreme court; amending K.S.A. 4-202, 4-203, 4-204, 4-
3 205, 4-206, 4-207, 4-208, 4-209, 4-210, 4-211, 4-212, 4-213, 4-214, 4-
4 215, 4-216, 4-217, 4-218, 4-219, 4-220, 4-221, 4-222, 4-223a, 4-224, 4-
5 225, 4-226, 4-227, 4-228, 4-229, 4-230, 4-231 and 4-232 and repealing
6 the existing sections; also repealing K.S.A. 20-301b and 20-338.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. (a) The supreme court of the state of Kansas shall
10 allocate all judicial resources as the court determines necessary and
11 appropriate. ***Except as provided by subsection (b)***, this allocation shall
12 include assignment of district judges and district magistrate judges to
13 judicial districts and to the county or counties in which each shall serve
14 and in which each shall maintain an office.

15 ***(b) If a judicial district has been assigned a total number of district***
16 ***judges plus district magistrate judges that is equal to or greater than the***
17 ***number of counties in such judicial district, then at least one district***
18 ***judge or district magistrate judge shall be a resident of each county in***
19 ***such judicial district.***

20 Sec. 2. K.S.A. 4-202 is hereby amended to read as follows: 4-202.
21 The counties of Atchison and Leavenworth shall constitute the ~~first~~ **1st**
22 judicial district. ~~Subject to the provisions of K.S.A. 20-354a and~~
23 ~~amendments thereto, there shall be four district judges in such district.~~

24 Sec. 3. K.S.A. 4-203 is hereby amended to read as follows: 4-203.
25 The counties of Pottawatomie, Wabaunsee, Jackson and Jefferson shall
26 constitute the ~~second~~ **2nd** judicial district. ~~There shall be two district~~
27 ~~judges in such district.~~

28 Sec. 4. K.S.A. 4-204 is hereby amended to read as follows: 4-204.
29 The county of Shawnee shall constitute the ~~third~~ **3rd** judicial district.
30 ~~There shall be 13 district judges in such district.~~

31 Sec. 5. K.S.A. 4-205 is hereby amended to read as follows: 4-205.
32 The counties of Franklin, Anderson, Coffey and Osage shall constitute the
33 ~~fourth~~ **4th** judicial district. ~~There shall be three district judges in such~~
34 ~~district.~~

35 Sec. 6. K.S.A. 4-206 is hereby amended to read as follows: 4-206.
36 The counties of Chase and Lyon shall constitute the ~~fifth~~ **5th** judicial

1 district. ~~There shall be two district judges in such district.~~

2 Sec. 7. K.S.A. 4-207 is hereby amended to read as follows: 4-207.
3 The counties of Miami, Linn and Bourbon shall constitute the ~~sixth~~ **6th**
4 judicial district. ~~There shall be three district judges in such district. At~~
5 ~~least one district judge position shall be in Bourbon county.~~

6 Sec. 8. K.S.A. 4-208 is hereby amended to read as follows: 4-208.
7 The county of Douglas shall constitute the ~~seventh~~ **7th** judicial district.
8 ~~There shall be four district judges in such district.~~

9 Sec. 9. K.S.A. 4-209 is hereby amended to read as follows: 4-209.
10 The counties of Geary, Dickinson, Marion and Morris shall constitute the
11 ~~eighth~~ **8th** judicial district. ~~There shall be four district judges in such~~
12 ~~district. The judge holding one of the district judge positions shall be a~~
13 ~~resident of Dickinson, Marion or Morris county and the judge holding~~
14 ~~another such position shall be a resident of Geary county. The position of~~
15 ~~the third district judge shall be in Marion county and the position of the~~
16 ~~fourth district judge shall be in Geary county.~~

17 Sec. 10. K.S.A. 4-210 is hereby amended to read as follows: 4-210.
18 The counties of McPherson and Harvey shall constitute the ~~ninth~~ **9th**
19 judicial district. ~~There shall be three district judges in such district. At~~
20 ~~least one district judge position shall be in McPherson county and at least~~
21 ~~one shall be in Harvey county.~~

22 Sec. 11. K.S.A. 4-211 is hereby amended to read as follows: 4-211.
23 The county of Johnson shall constitute the 10th judicial district. ~~There~~
24 ~~shall be 16 district judges in such district.~~

25 Sec. 12. K.S.A. 4-212 is hereby amended to read as follows: 4-212.
26 The counties of Crawford, Cherokee and Labette shall constitute the 11th
27 judicial district. ~~There shall be six district judges in such district.~~

28 ~~The district judges of the 11th judicial district shall hold court in the~~
29 ~~cities of Pittsburg and Girard in Crawford county, the city of Columbus in~~
30 ~~Cherokee county and the cities of Parsons and Oswego in Labette county.~~

31 ***The district judges of the 11th judicial district shall hold court in the***
32 ***cities of Pittsburg and Girard in Crawford county, the city of Columbus***
33 ***in Cherokee county and the cities of Parsons and Oswego in Labette***
34 ***county.***

35 Sec. 13. K.S.A. 4-213 is hereby amended to read as follows: 4-213.
36 The counties of Jewell, Mitchell, Lincoln, Republic, Cloud, and
37 Washington shall constitute the ~~twelfth~~ **12th** judicial district. ~~There shall~~
38 ~~be one district judge in such district.~~

39 Sec. 14. K.S.A. 4-214 is hereby amended to read as follows: 4-214.
40 The counties of Butler, Greenwood and Elk shall constitute the 13th
41 judicial district. ~~There shall be three district judges in such district. The~~
42 ~~judge holding one of the district judge positions shall be a resident of~~
43 ~~Greenwood or Elk county and the judge holding another such position~~

1 shall be a resident of Butler county. The position of the third district judge
2 shall be in Butler county.

3 Sec. 15. K.S.A. 4-215 is hereby amended to read as follows: 4-215.
4 The counties of Montgomery and Chautauqua shall constitute the 14th
5 judicial district. ~~There shall be three district judges in such district. At~~
6 ~~least two district judge positions shall be in Montgomery county.~~

7 ~~The district judges of the 14th judicial district shall hold court in the~~
8 ~~cities of Coffeyville and Independence in Montgomery county and the city~~
9 ~~of Sedan in Chautauqua county.~~

10 ***The district judges of the 14th judicial district shall hold court in the***
11 ***cities of Coffeyville and Independence in Montgomery county and the***
12 ***city of Sedan in Chautauqua county.***

13 Sec. 16. K.S.A. 4-216 is hereby amended to read as follows: 4-216.
14 The counties of Sherman, Thomas, Sheridan, Cheyenne, Rawlins, Wallace
15 and Logan shall constitute the 15th judicial district. ~~There shall be two~~
16 ~~district judges in such district.~~

17 Sec. 17. K.S.A. 4-217 is hereby amended to read as follows: 4-217.
18 The counties of Gray, Ford, Kiowa, Meade, Clark and Comanche shall
19 constitute the 16th judicial district. ~~There shall be two district judges in~~
20 ~~such district.~~

21 Sec. 18. K.S.A. 4-218 is hereby amended to read as follows: 4-218.
22 The counties of Decatur, Norton, Phillips, Smith, Graham and Osborne
23 shall constitute the 17th judicial district. ~~There shall be one district judge~~
24 ~~of the district court of the district. The district magistrate judge holding~~
25 ~~office in position one in Graham county in the 15th judicial district, as the~~
26 ~~district was constituted on the day before the effective date of this act,~~
27 ~~shall continue to hold office for the term for which elected and shall serve~~
28 ~~as district magistrate judge of the 17th judicial district for that term and~~
29 ~~until a successor is appointed or elected and qualified.~~

30 Sec. 19. K.S.A. 4-219 is hereby amended to read as follows: 4-219.
31 The county of Sedgwick shall constitute the 18th judicial district. ~~There~~
32 ~~shall be 24 district judges in such district.~~

33 Sec. 20. K.S.A. 4-220 is hereby amended to read as follows: 4-220.
34 The county of Cowley shall constitute the 19th judicial district. ~~There~~
35 ~~shall be three district judges in such district.~~

36 Sec. 21. K.S.A. 4-221 is hereby amended to read as follows: 4-221.
37 The counties of Stafford, Barton, Russell, Ellsworth and Rice shall
38 constitute the 20th judicial district. ~~There shall be three district judges in~~
39 ~~such district. The judge holding one of the district judge positions shall be~~
40 ~~a resident of Stafford, Russell, Ellsworth or Rice county and the judge~~
41 ~~holding another such position shall be a resident of Barton county. The~~
42 ~~position of the third district judge shall be in Barton county.~~

43 Sec. 22. K.S.A. 4-222 is hereby amended to read as follows: 4-222.

1 The counties of Riley and Clay shall constitute the 21st judicial district.
2 ~~There shall be three district judges in such district. At least one district~~
3 ~~judge position shall be in Riley county.~~

4 Sec. 23. K.S.A. 4-223a is hereby amended to read as follows: 4-223a.
5 The counties of Doniphan, Brown, Nemaha and Marshall shall constitute
6 the 22nd judicial district. ~~There shall be two district judges in such district.~~

7 Sec. 24. K.S.A. 4-224 is hereby amended to read as follows: 4-224.
8 The counties of Gove, Trego, Rooks and Ellis shall constitute the 23rd
9 judicial district. ~~There shall be two district judges in such district.~~

10 Sec. 25. K.S.A. 4-225 is hereby amended to read as follows: 4-225.
11 The counties of Edwards, Pawnee, Rush, Hodgeman, Ness and Lane shall
12 constitute the ~~twenty-fourth~~ **24th** judicial district. ~~There shall be one~~
13 ~~district judge of the district court.~~

14 Sec. 26. K.S.A. 4-226 is hereby amended to read as follows: 4-226.
15 The counties of Scott, Wichita, Greeley, Hamilton, Kearny and Finney
16 shall constitute the 25th judicial district. ~~There shall be three district judges~~
17 ~~in such district. At least two district judge positions shall be in Finney~~
18 ~~county.~~

19 Sec. 27. K.S.A. 4-227 is hereby amended to read as follows: 4-227.
20 The counties of Stanton, Grant, Haskell, Morton, Stevens and Seward shall
21 constitute the 26th judicial district. ~~There shall be two district judges in~~
22 ~~such district.~~

23 Sec. 28. K.S.A. 4-228 is hereby amended to read as follows: 4-228.
24 The county of Reno shall constitute the 27th judicial district. ~~There shall~~
25 ~~be four district judges in such district.~~

26 Sec. 29. K.S.A. 4-229 is hereby amended to read as follows: 4-229.
27 The counties of Saline and Ottawa shall constitute the 28th judicial
28 district. ~~There shall be four district judges in such district. At least two~~
29 ~~district judge positions shall be in Saline county.~~

30 Sec. 30. K.S.A. 4-230 is hereby amended to read as follows: 4-230.
31 The county of Wyandotte shall constitute the 29th judicial district. ~~There~~
32 ~~shall be 15 district judges in such district.~~

33 Sec. 31. K.S.A. 4-231 is hereby amended to read as follows: 4-231.
34 The counties of Sumner, Harper, Kingman, Barber and Pratt shall
35 constitute the 30th judicial district. ~~There shall be four district judges in~~
36 ~~such district. At least one district judge position shall be in Harper,~~
37 ~~Kingman, Barber or Pratt county and at least two such positions shall be in~~
38 ~~Sumner county.~~

39 Sec. 32. K.S.A. 4-232 is hereby amended to read as follows: 4-232.
40 The counties of Allen, Neosho, Wilson and Woodson shall constitute the
41 31st judicial district. ~~There shall be three district judges in such district.~~

42 ~~The district judge holding office in division number two in the fourth~~
43 ~~judicial district, as that district was constituted on June 30, 1983, and the~~

1 ~~district judge holding office in division number four in the 11th judicial~~
2 ~~district, as that district was constituted on June 30, 1983, shall continue to~~
3 ~~hold office for the terms for which appointed and shall serve as district~~
4 ~~judges of the 31st judicial district for those terms and until successors are~~
5 ~~appointed and qualified. The associate district judge holding office in~~
6 ~~position four in the 11th judicial district, as that district was constituted on~~
7 ~~June 30, 1983, shall continue to hold office for the term for which~~
8 ~~appointed and shall serve as district judge of the 31st judicial district for~~
9 ~~that term and until a successor is appointed and qualified. The district~~
10 ~~magistrate judges holding office in positions one and four in the fourth~~
11 ~~judicial district, as that district was constituted on June 30, 1983, shall~~
12 ~~continue to hold office for the terms for which appointed and shall serve as~~
13 ~~district magistrate judges of the 31st judicial district for those terms and~~
14 ~~until successors are appointed and qualified.~~

15 ~~The district court of the 31st judicial district shall hold court in the city~~
16 ~~of Iola in Allen county, the cities of Chanute and Erie in Neosho county,~~
17 ~~the city of Fredonia in Wilson county and the city of Yates Center in~~
18 ~~Woodson county.~~

19 *The district court of the 31st judicial district shall hold court in the*
20 *city of Iola in Allen county, the cities of Chanute and Erie in Neosho*
21 *county, the city of Fredonia in Wilson county and the city of Yates*
22 *Center in Woodson county.*

23 Sec. 33. K.S.A. 4-202, 4-203, 4-204, 4-205, 4-206, 4-207, 4-208, 4-
24 209, 4-210, 4-211, 4-212, 4-213, 4-214, 4-215, 4-216, 4-217, 4-218, 4-219,
25 4-220, 4-221, 4-222, 4-223a, 4-224, 4-225, 4-226, 4-227, 4-228, 4-229, 4-
26 230, 4-231, 4-232, 20-301b and 20-338 are hereby repealed.

27 Sec. 34. This act shall take effect and be in force from and after its
28 publication in the statute book.