

July 12, 2016

The Honorable John Barker, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2002 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2002 is respectfully submitted to your committee.

HB 2002 would establish a new court of record effective July 1, 2017, which would be known as the Kansas Superior Court. The Superior Court would consist of seven judges appointed by the Governor and approved by the Senate. The Court would have appellate and original jurisdiction as prescribed by current law as well as appellate jurisdiction over all matters which the Kansas Supreme Court has original jurisdiction. In addition, the Superior Court would be the final court of appellate review in cases under its jurisdiction. The Supreme Court's jurisdiction would be limited to the original jurisdiction conferred by the *Kansas Constitution*, but it would retain administrative authority over all courts in the state.

The Superior Court would be allowed to hold court in space provided by the Department of Administration and in other counties. The Chief Judge of the Superior Court would be authorized an annual salary of \$139,310 and the other judges of the Superior Court would be paid \$135,905 annually. Each judge would be allowed to employ a law clerk, secretary or stenographer and other clerical personnel necessary to carry out the court's duties. The Clerk of the Supreme Court, Supreme Court Reporter, and Judicial Administrator would also serve the Superior Court. Statutes that prescribe roles and responsibilities for judges and justices, and criminal and civil statutes, would be amended to incorporate the role of the Superior Court.

Estimated State Fiscal Effect				
	FY 2016 SGF	FY 2016 All Funds	FY 2017 SGF	FY 2017 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$2,114,657	\$2,114,657
FTE Pos.	--	--	--	21.00

The Honorable John Barker, Chairperson

July 12, 2016

Page 2—HB 2002

The Office of Judicial Administration indicates HB 2002 would increase Judicial Branch expenditures in FY 2017 by \$2,114,657 from the State General Fund to employ 21.00 FTE for the Superior Court, including 1.00 Chief Judge, 6.00 Superior Court Judges, 7.00 Law Clerks, and 7.00 Secretary or Stenographer FTE positions in addition to other clerical personnel that may be needed. The Office does not anticipate that HB 2002 would generate additional revenues from docket fees because it would only shift part of the Supreme Court's caseload to the Superior Court.

The Department of Administration and other counties would incur costs to provide a courtroom and other suitable quarters and personnel for the Superior Court and its staff; however, it is unknown whether or not new construction would be required. Any fiscal effect associated with HB 2002 is not reflected in *The FY 2017 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary