

Substitute for SENATE BILL No. 64

By Committee on Judiciary

3-11

9 AN ACT establishing a family dispute resolution fund; providing for
10 grants; concerning docket fees; amending K.S.A. 20-367 and K.S.A.
11 2007 Supp. 60-1621 and repealing the existing sections.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 New Section 1. (a) There is hereby created in the state treasury the
15 family dispute resolution fund. Money credited to the fund pursuant to
16 K.S.A. 20-362, and amendments thereto, shall be used for the purpose
17 of making grants for programs providing services to persons and families
18 in domestic high conflict cases to assist them with the most appropriate
19 method of resolving their family-oriented dispute. The programs may
20 include high conflict education courses, high conflict parenting plans, case
21 management, child custody evaluations, neutral exchange sites and other
22 programs determined by the Kansas supreme court.

23 (b) All expenditures from the family dispute resolution fund shall be
24 made in accordance with appropriations acts upon warrants of the direc-
25 tor of accounts and reports issued pursuant to vouchers approved by the
26 chief justice of the Kansas supreme court or by a person or persons des-
27 ignated by the chief justice.

28 (c) The chief justice may apply for, receive and accept money from
29 any source for the purposes for which money in the family dispute res-
30 olution fund may be expended. Upon receipt of each such remittance,
31 the chief justice shall remit the entire amount to the state treasurer in
32 accordance with the provisions of K.S.A. 75-4215, and amendments
33 thereto. Upon receipt of each such remittance, the state treasurer shall
34 deposit the entire amount in the state treasury to the credit of the family
35 dispute resolution fund.

36 (d) Grants made to programs pursuant to this section shall be based
37 on the number of persons to be served and such other requirements as
38 may be established by the Kansas supreme court in guidelines established
39 and promulgated to regulate grants made under authority of this section.
40 The guidelines may include requirements for grant applications, organi-
41 zational characteristics, reporting and auditing criteria and such other
42 standards for eligibility and accountability as are deemed advisable by the
43 supreme court.

1 Sec. 2. K.S.A. 20-367 is hereby amended to read as follows: 20-367.
2 (a) On and after July 1, 2006 through June 30, 2010, of the remittance of
3 the balance of docket fees received by the state treasurer from clerks of
4 the district court pursuant to subsection (f) of K.S.A. 20-362, and amend-
5 ments thereto, the state treasurer shall deposit and credit ~~to the judicial~~
6 ~~performance fund, a sum equal to 3.54% of the remittances of docket~~
7 ~~fees; to the access to justice fund, a sum equal to 4.92% of the remittances~~
8 ~~of docket fees; to the juvenile detention facilities fund, a sum equal to~~
9 ~~2.73% of the remittances of docket fees; to the judicial branch education~~
10 ~~fund, the state treasurer shall deposit and credit a sum equal to 2.10% of~~
11 ~~the remittances of docket fees; to the crime victims assistance fund, the~~
12 ~~state treasurer shall deposit and credit a sum equal to .56% of the remit-~~
13 ~~tances of the docket fees; to the protection from abuse fund, the state~~
14 ~~treasurer shall deposit and credit a sum equal to 2.68% of the remittances~~
15 ~~of the docket fees; to the judiciary technology fund, the state treasurer~~
16 ~~shall deposit and credit a sum equal to 4.25% of the remittances of docket~~
17 ~~fees; to the dispute resolution fund, the state treasurer shall deposit and~~
18 ~~credit a sum equal to .34% of the remittances of docket fees; to the Kansas~~
19 ~~juvenile delinquency prevention trust fund, the state treasurer shall de-~~
20 ~~posit and credit a sum equal to 1.24% of the remittances of docket fees;~~
21 ~~to the permanent families account in the family and children investment~~
22 ~~fund, the state treasurer shall deposit and credit a sum equal to .21% of~~
23 ~~the remittances of docket fees; to the trauma fund, a sum equal to 1.48%~~
24 ~~of the remittance of docket fees; to the judicial council fund, a sum equal~~
25 ~~to 1.11% of the remittance of docket fees; to the child exchange and~~
26 ~~visitation centers fund, a sum equal to .67% of the remittance of docket~~
27 ~~fees; and to the judicial branch nonjudicial salary initiative fund, the state~~
28 ~~treasurer shall deposit and credit a sum equal to 17.85% of the remittance~~
29 ~~of docket fees. The balance remaining of the remittances of docket fees~~
30 ~~shall be deposited and credited to the state general fund:~~
31 (1) 3.49% to the judicial performance fund;
32 (2) 4.85% to the access to justice fund;
33 (3) 2.69% to the juvenile detention facilities fund;
34 (4) 2.07% to the judicial branch education fund;
35 (5) 0.55% to the crime victims assistance fund;
36 (6) 2.64% to the protection from abuse fund;
37 (7) 4.19% to the judiciary technology fund;
38 (8) 0.33% to the dispute resolution fund;
39 (9) 1.22% to the Kansas juvenile delinquency prevention trust fund;
40 (10) 0.21% to the permanent families account in the family and chil-
41 ~~dren investment fund;~~
42 (11) 1.46% to the trauma fund;
43 (12) 1.09% to the judicial council fund;

- 1 (13) 0.66% to the child exchange and visitation centers fund;
2 (14) 1.50% to the family dispute resolution fund;
3 (15) 17.58% to the judicial branch nonjudicial salary initiative fund;
4 and
5 (16) the balance to the state general fund.
- 6 (b) On and after July 1, 2010, of the remittance of the balance of
7 docket fees received by the state treasurer from clerks of the district court
8 pursuant to subsection (f) of K.S.A. 20-362, and amendments thereto, the
9 state treasurer shall deposit and credit ~~to the access to justice fund, a sum~~
10 ~~equal to 5.10% of the remittances of docket fees, to the juvenile detention~~
11 ~~facilities fund, a sum equal to 2.83% of the remittances of docket fees,~~
12 ~~to the judicial branch education fund, the state treasurer shall deposit~~
13 ~~and credit a sum equal to 2.18% of the remittances of docket fees; to the~~
14 ~~crime victims assistance fund, the state treasurer shall deposit and credit~~
15 ~~a sum equal to .58% of the remittances of the docket fees; to the protec-~~
16 ~~tion from abuse fund, the state treasurer shall deposit and credit a sum~~
17 ~~equal to 2.78% of the remittances of the docket fees; to the judiciary~~
18 ~~technology fund, the state treasurer shall deposit and credit a sum equal~~
19 ~~to 4.41% of the remittances of docket fees; to the dispute resolution fund,~~
20 ~~the state treasurer shall deposit and credit a sum equal to .35% of the~~
21 ~~remittances of docket fees; to the Kansas juvenile delinquency prevention~~
22 ~~trust fund, the state treasurer shall deposit and credit a sum equal to~~
23 ~~1.20% of the remittances of docket fees; to the permanent families ac-~~
24 ~~count in the family and children investment fund, the state treasurer shall~~
25 ~~deposit and credit a sum equal to .22% of the remittances of docket fees;~~
26 ~~to the trauma fund, a sum equal to 1.53% of the remittance of docket~~
27 ~~fees; to the judicial council fund, a sum equal to 1.15% of the remittance~~
28 ~~of docket fees; to the child exchange and visitation centers fund, a sum~~
29 ~~equal to .69% of the remittance of docket fees; and to the judicial branch~~
30 ~~nonjudicial salary initiative fund, the state treasurer shall deposit and~~
31 ~~credit a sum equal to 18.51% of the remittance of docket fees. The bal-~~
32 ~~ance remaining of the remittances of docket fees shall be deposited and~~
33 ~~credited to the state general fund:~~
- 34 (1) 5.02% to the access to justice fund;
35 (2) 2.78% to the juvenile detention facilities fund;
36 (3) 2.14% to the judicial branch education fund;
37 (4) 0.57% to the crime victims assistance fund;
38 (5) 2.73% to the protection from abuse fund;
39 (6) 4.34% to the judiciary technology fund;
40 (7) 0.34% to the dispute resolution fund;
41 (8) 1.26% to the Kansas juvenile delinquency prevention trust fund;
42 (9) 0.22% to the the permanent families account in the family and
43 children investment fund;

- 1 (10) 1.51% to the trauma fund;
- 2 (11) 1.13% to the judicial council fund;
- 3 (12) 0.68% to the child exchange and visitation centers fund;
- 4 (13) 1.55% to the family dispute resolution fund;
- 5 (14) 18.20% to the judicial branch nonjudicial salary incentive fund;
- 6 and
- 7 (15) the balance to the state general fund.

8 Sec. 3. K.S.A. 2007 Supp. 60-1621 is hereby amended to read as
9 follows: 60-1621. (a) No post-decree motion petitioning for a modification
10 or termination of separate maintenance, for a change in legal custody,
11 residency, visitation rights or parenting time or for a modification of child
12 support shall be filed or docketed in the district court without payment
13 of a docket fee in the amount of ~~33~~ \$58 on and after July 1, 2006 through
14 June 30, 2010, and ~~31~~ \$56 on and after July 1, 2010, to the clerk of the
15 district court.

16 (b) A poverty affidavit may be filed in lieu of a docket fee as estab-
17 lished in K.S.A. 60-2001, and amendments thereto.

18 (c) The docket fee shall be the only costs assessed in each case for
19 services of the clerk of the district court and the sheriff. The docket fee
20 shall be disbursed in accordance with subsection (f) of K.S.A. 20-362, and
21 amendments thereto.

22 (d) The docket fee established in this section shall be the only fee
23 collected or moneys in the nature of a fee collected for the docket fee.
24 Such fee shall only be established by an act of the legislature and no other
25 authority is established by law or otherwise to collect a fee.

26 Sec. 4. K.S.A. 20-367 and K.S.A. 2007 Supp. 60-1621 are hereby
27 repealed.

28 Sec. 5. This act shall take effect and be in force from and after its
29 publication in the statute book.