

Approved Thomas F. Walker -88
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

9:00 a.m. ~~###~~ on Thursday, February 11, 1988 in room 522-S of the Capitol.

All members were present except:

Representative Schauf
Representative Peterson

Committee staff present:

Avis Swartzman - Revisor
Mary Galligan - Legislative Research Department
Jackie Breymeyer - Committee Secretary

Conferees appearing before the committee:

Representative Ed Bideau
Nick Roach, Director, Division of Purchases, Department of Administration
Thomas D. Norris, State Records Specialist, Department of Archives
Representative R.H. Miller
Gretchen Gleue, Kansas Corporation Commission

Chairman Walker called the meeting to order. He stated the minutes would stand approved at the end of the meeting if there were no corrections or additions.

HB 2751 - State agencies; supplies and equipment

Representative Bideau began on the bill. He distributed several attachments which included a substitute for House Bill 2751. (Attachments 1-4) Representative Bideau told of the cost savings which uniformity of size would bring about. He stated that ELF stands for eliminate legal-size folders. Missouri has gone to regular size paper and that state is realizing a very positive cost savings. In 1983 it was estimated the State of Kansas would realize a cost savings of \$247,000; in 1988 this would be closer to \$300,000. Legislation would be written to say 'on or after July 1, 1990' so by that time agencies would have had time to get ready to convert documents into standard size. Representative Bideau was asked if this could be accomplished administratively or only by legislation. He replied it could be done administratively, but it could be done at once and more effectively by legislation.

Nick Roach, Division of Purchases, gave a brief statement saying there was no problem his department could see with the bill and it would be a big cost savings.

Tom Norris, State Records Specialist, said his department is under a statutory obligation to provide records management assistance to state agencies. (Attachment 5) His department sees it as a logical cost saver. He cited a problem with the bill and directed attention to the balloon attached to his testimony which added language dealing with historical records.

The question was asked of Representative Bideau if he had any objection to the balloon. He replied that he could see no problem with it and had no objection to it.

Representative R.H. Miller appeared before the committee in support of HB 2751. He stated it was his first appearance before the committee since his chairmanship of it in 1974. He cited his interest over the years in making government work better. He would like to see the change made in the bill to put all the figures in the metric system to come into conformity with all the other entities who have done so; this would be a timely place for an amendment of this type.

Gretchen Gleue, Kansas Corporation Commission, spoke in favor of HB 2751. (Attachment 6) She focused on the cabinet space it takes to house legal-size paper. More standard-size paper might be needed but there is much wasted space in legal cabinets because there is not as much legal paper to be filed as the standard-size paper.

A memorandum by the Legislative Research Department was handed out to each committee member. (Attachment 7)

Chairman Walker asked if there were any other questions or comments; hearing none he stated the hearing was closed on HB 2751.

The meeting was adjourned.

SUBSTITUTE FOR HOUSE BILL NO. 2751

Section 1. (a) All state agencies and courts of this state shall permit the filing of documents and pleadings which are required, authorized or permitted by law on forms or paper which are standard size and shall not require the filing of documents and pleadings to be on legal size paper.

(b) On or after July 1, 1990 all documents and pleadings which are required, authorized or permitted by law to be filed with a state agency or court of this state shall be filed on standard size legal paper and legal size paper shall not be used for that purpose.

(c) This section does not prohibit the use or filing of:

(1) Forms larger than standard size, if the forms are to be used to maintain accounting or bookkeeping records, for preparation of architectural or engineering drafts or documents or for preparing maps, graphs, charts or artwork; or

(2) fan-fold paper designed for use in computer peripheral devices and forms, bond paper or legal pads which are perforated or otherwise designed to produce complete documents not larger than standard size.

(3) public records smaller than 8 1/2 by 11 inches, computer generated printouts, output from test measurements and diagnostic equipment, machine generated paper tapes, charts, graphs, tables, maps, diplomas, artwork and public records otherwise required on non-standard size or exempt by law.

(4) preparation of documents required by the federal government to be on non-standard size.

(5) Upon written application of any state agency or court, the Secretary of Administration may approve additional exemptions from this section if based upon such application, the Secretary finds that the cost of producing a particular type of public record to conform to this section is so great as to not be in the best interest of the state.

(d) Each state agency and court shall use its store of paper supplies that exceeds 8 1/2 by 11 inches in size that are on hand on the effective date of this Act until those supplies are exhausted. The Secretary of Administration and the director of printing shall provide assistance in form analysis and design to any state agency on request to assist in complying with the provisions of this act.

(e) As used in this section:

(a) "Standard size" means 8 1/2 x 11 inches.

ATTACHMENT 1

G.O. Comm. 2/11/88

(b) "State agency" means any state office, department, institution, commission, board or authority of the state.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

STATE OF KANSAS

RICHARD W. RYAN,
DIRECTOR
BEN F. BARRETT,
ASSOCIATE DIRECTOR
EDMUND G. AHRENS,
CHIEF FISCAL ANALYST



STAFF---
LEGISLATIVE COORDINATING COUNCIL
INTERIM COMMITTEES
STANDING COMMITTEES
LEGISLATIVE INQUIRIES

THE LEGISLATIVE RESEARCH DEPARTMENT

ROOM 545-N, STATEHOUSE
PHONE: (913) 296-3181
TOPEKA, KANSAS 66612

December 23, 1987

Representative Edwin Bideau
14 South Rutter
Chanute, Kansas 66720

Dear Representative Bideau:

In response to your question regarding states that require the use of letter rather than legal-size paper, I have located the following information.

It appears that the state and federal courts are more likely to address the issue of paper size than are the executive or legislative branches of government. The federal courts made a letter-size paper standard effective in 1983 and several state court systems have either partially or completely adopted such a standard. Because of the involvement of the courts in this issue, I requested information from the National Center for State Courts which provided me with a memo (enclosed) prepared in 1984 that addresses the issue. That memo includes a chart that displays the states that have adopted a letter-size standard and other information about the extent of the application of the rule. According to the Center, Wisconsin and Georgia have also adopted a letter-size standard since the memo was prepared.

As the numerous attachments to the Center's memo indicate, the most prevalent argument in favor of changing to the smaller paper size is reduced cost for paper, file cabinets, archival storage and handling. My inquiry to the National Center for State Courts did not lead me to any post-implementation studies that would shed light on whether or not the anticipated cost savings were achieved.

Locating information regarding the extent to which a letter-size standard has been adopted via rules or legislation for the executive and legislative branches of government proved to be somewhat more problematic. The information that I have gathered indicates that adoption of such standards by non-judicial agencies is not very common at all. I contacted my counterparts in the four surrounding states, and found that none of them have a rule or law that establishes a paper size standard for the executive or legislative agencies. I also contacted the federal General Services Administration (GSA) in Washington, D.C. and was told that the only paper size standard in existence is 41 CFR 201-45.401-2 (attached), which establishes the requirement that letter stationery must be 8.5 x 11 inches, but which does not prohibit the use of legal size paper for other purposes. I was totally unsuccessful locating any

ATTACHMENT 2
G.O. Comm. 2/11/88

study that addresses the real or anticipated cost savings of implementing a letter-size paper standard.

I would note that the "GSA Bulletin FPMR B-120 Archives and Records" (June 2, 1982), which is cited in the National Center for State Courts memo, was not a regulation and did not impose a mandatory standard on federal agencies. According to the persons I spoke to in GSA, bulletins are issued for guidance and information purposes only and have no regulatory impact. (The bulletin was canceled by a 1986 issuance that became the regulation cited above.) I emphasize the status of this particular bulletin because it was mentioned in testimony during hearings on 1983 S.B. 102 before the Senate Judiciary Committee (enclosed). That bill would have required all state agencies to use 8.5 x 11 paper or paper that is perforated or otherwise designed to produce completed documents no larger than standard size. The bulletin, which is attached, does speak to anticipated cost savings attributable to the smaller paper standard, but does not include much detail regarding the basis for the estimates.

Testimony presented at the hearing on 1983 S.B. 102 included some estimates of the cost savings that might be realized by a change to a standard paper size. The testimony is included for your review. I would caution that the estimates are several years old, may not be based on assumptions that would be valid now, and appear to address only the anticipated cost savings for the judicial branch. (The bill was stricken from the Senate Calendar after being recommended for passage by the Judiciary Committee.)

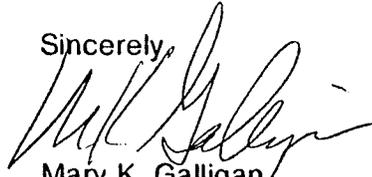
The Association of Records Managers and Administrators (ARMA) has organized an effort called "Eliminate Legal-size Files" (ELF) that has worked for the adoption of 8.5 x 11 inch paper as the universal standard for government work. It appears that much of the information provided to the Judiciary Committee in 1983 came from ELF as did at least some of the information in the National Center for State Courts' memo cited above.

I contacted the International Chairman of ELF who is also Chairman of the Michigan ELF Commission. He was aware of three states, Arizona, Delaware, and Texas, that have adopted statutes that establish 8.5 x 11 inch paper as the standard (enclosed). A draft bill instituting the standard in Michigan has been prepared but not yet introduced to the Legislature. Some of the enclosed material refers to bills that have been introduced in the New York and Florida legislatures in years past, but none have been enacted.

Both the Texas and Delaware laws apply to state agencies only while the Arizona statute applies to state and local governmental entities. In Arizona and Delaware, the state courts had adopted a letter-size standard prior to the adoption of the statute. The Texas law, which has been interpreted to apply only to the executive branch, was passed in the absence of a parallel statewide court rule. None of the states that have adopted statutes mandating the use of letter-size paper have done follow-up cost comparisons to determine whether the anticipated cost savings have been realized. A member of the legislative staff in Delaware informed me that his observation is that there has been little change in the use of legal-size paper since passage of the law. An Arizona legislative staffer said that the transition was quite painless there, in large part because the courts preceded the rest of government with the change.

I hope this information is useful to you. If you have any additional questions, please feel free to call.

Sincerely,



Mary K. Galligan
Principal Analyst

MKG/aem

Enclosures

Lettersize Documents Required By Jan. 1, 1982 Under New Rule 10

Illinois joins ten other states in banning the filing of legal size documents with the state courts. Documents filed after January 1, 1982 must be 8½ x 11 in size except as otherwise provided in the new Supreme Court rule. This article gives some hints on how to comply with the new rule.

By Linscott R. Hanson

By order entered January 5, 1981, the Illinois Supreme Court adopted new Supreme Court Rule 10:

"NEW RULE 10. SIZE OF PAPERS FILED IN THE ILLINOIS COURTS.

Except as otherwise provided in these rules,¹ all papers filed in all courts of this state shall be 8½ inches by 11 inches. This rule will become effective January 1, 1982."

By adoption of this rule, Illinois joins the states of Alaska, California, Connecticut, Kentucky, Massachusetts, New Jersey, Oregon, Washington, Colorado, and New Hampshire. Wisconsin has adopted a similar rule for its appellate courts, and Pennsylvania, Oklahoma, and Missouri are presently considering adoption of such a rule.²

This rule change was seriously proposed for Illinois as early as 1967, but was not implemented at that time due to the existence of large stocks of "legal size" pre-printed forms in the offices of the Clerk of the Circuit Court of Cook County. Although there appears to be some opposition to the new rule among some Illinois lawyers at present, it also appears that reasons for adoption of the rule, one of which would be the potential for substantial savings in the long range, will prevent a reconsideration by the supreme court.

There are logical reasons for adoption of a rule requiring the use of standard size forms on paper which is the accepted norm for the business community. Perhaps it would be well, however, to look back at the origin of "legal" size paper, and its reason for

existence. So far as I have been able to determine, "legal" size paper became the accepted norm in our profession in the 1800's, when there was a filing system in general use, requiring folding of legal size paper in quarters, and filing the same standing on end, in deep narrow shelves. This same system appears to have given rise to captioning forms with the caption running the "long" dimension of the paper, on the back

The author cites logical reasons for adoption of a rule requiring the use of standard size forms . . .

side, as is still the case with many forms filed with the Illinois Secretary of State. Obviously, adoption of the flat filing system, which today is almost universal, has eliminated one of the main reasons for continuing the use of "legal" size paper.

Many reasons seem to support the adoption of 8½ by 11 size forms today, some of which pertain primarily to the courts, which are faced with far larger filing and records management problems than any individual law office, and some of which are uniquely significant for the attorney. The most frequently voiced reason for retaining "legal" size forms is the obvious ability to get more words on a single sheet of paper, coupled with the existence, in almost all law offices, of stocks of legal size paper, and legal size filing cabinets.

"Legal" size filing, however, is a waster of space, because, in the typical law office, 50% or more of all papers filed in a "legal" size file are "letter" size. Thus the additional 2½ inches of the file are wasted on these sheets. With the far larger problem of filing faced by court clerks, microfilming is becoming an attractive alternative to original document storage. Adoption of *any* uniform size of paper contributes materially to reduced cost and improved quality of microfilmed records.³

More significant for the practicing attorney—and some lawyers may not be aware of it—are the demonstrable cost savings in an office-wide use of "letter" size supplies. Our research indicates that the costs of legal size paper, on a cost-per-square-inch basis, are no higher than the cost of letter size. It should be noted, however, that the usable space on legal size paper does not increase proportionately to the increased size of the sheet, due to margins.

More significantly, available alternatives in legal size materials are limited, because of the limited demand for them. Some examples, gained from

1. "Except as otherwise provided" refers to certain instances in which documents less than 8½ x 11 may be filed. Examples are traffic ticket citations and similar documents.

2. National Center for State Courts, 27 Newport Avenue, Williamsburg, Virginia 23153. Memorandum R15 51 063, March 26, 1981.

3. "Microfilm and the Courts, Guide for Court Managers" National Center for State Courts, Publication No. R0026, July, 1976.

our local supplier, should serve to illustrate this point: Notebook binders for forms, such as those which might be used in assembling a trial notebook, or an office procedure manual, were priced comparably for legal or letter size in the qualities available. "Legal" size was available only in a very high quality notebook, costing \$18.20 each, while an available alternative in "letter" size was priced at \$2.30. Dividers for these notebooks were available, in either size if the tabs were leather, with the "legal" size selling for \$6.40, and the "letter" size for \$3.05. Again, an alternative lower quality set of dividers was available, in "letter" size for only \$1.23.

Uniformity in "legal" size is another problem. There is more than one "legal" size. While width is standard at 8½ inches, length can vary from 13 to 14 inches, which creates difficulties for legal secretaries.

Whether some lawyers agree with the new rule or not, it would appear that all law offices will have to begin complying with it by January 1, 1982. Fortunately, this gives lawyers a considerable amount of lead time to minimize its impact on their offices. We can begin now to cut down our existing supplies of "legal" size paper. It is further suggested that purchases of additional file cabinets or filing systems be deferred until the effect of the new rule is fully evaluated in each of-

"Courts . . . are faced with far larger filing and records management problems than any individual law office . . ."

office. If the office determines to totally abandon the ongoing use of "legal" size paper, "letter" size file cabinets will be proportionately less expensive to purchase, and will occupy approximately 30% less floor space. All lateral files are 18" deep, so lateral files will equally accommodate either size forms and files.

Use Your Suite Number!

In connection with the printing of new letterheads, envelopes, address labels, etc., lawyers and law office managers are urged to use suite numbers, if applicable, with addresses. The ISBA receives frequent complaints of undelivered mail, particularly in Chicago, and we also receive return letters that were not delivered because the suite number was missing. Help make your mail delivery more efficient and help the post office speed up delivery.

If 1982 should find your office still supplied with large quantities of "legal" size paper, this paper can be cut down to "letter" size at a reasonable

"If 1982 should find your office still supplied with large quantities of 'legal' size paper, this paper can be cut down to 'letter' size at a reasonable cost."

cost. Our local supplier has quoted us the following prices for such a "cut-down" process:

| # of sheets | Price |
|-------------|--------|
| 500 | \$3.50 |
| 1,000 | 4.20 |
| 5,000 | 10.65 |
| 10,000 | 18.55 |

If you use "legal" size paper with your firm name or other information printed thereon, the trimming process can be applied to the non-printed end.

Backing sheets probably will not be trimmable, so particular care should be used in controlling stocks of these supplies.

"Could your testators just 'make' their wills, instead of 'make, publish and declare' them?"

If purchase of a new duplicating machine is contemplated, savings can be made by purchasing a machine that handles only "letter" size paper. This will expand your alternatives in selection of such equipment, and permit selection of lower priced equipment, particularly in the smaller models. This writer recently purchased a "letter only" dry process photo-copier for under \$100.

Obviously, there are both inconveniences and benefits for each of us in the new rule. The challenge now is to plan ahead to minimize the former and maximize the latter.

For the attorney who is concerned about antiquated language and redundancies in his or her "form" documents, the new rule provides a unique opportunity to do the extra work necessary to modernize those forms. John Phipps, Chairman of the Management and Economics of the Practice of Law Section of the Illinois State Bar Association, informed this writer that he once sent out letters that stated: "Dear _____"

(cont. on p. 709)



ABOUT THE AUTHOR

Lin R. "Lin" Hanson is a member of the firm of Fred B. Hanson (Associated), Wilmette. He is the past Chairman of the Law Office Management and Technology Committee of the ISBA. He received both his B.A. and LL.B. degrees from the University of Michigan, and was admitted to practice in Illinois in 1961. With his legal assistant Barbara H. Marzan, he co-authored *The Illinois Corporation System* published by IICLE.

adjusts the contribution based on the payments made toward the mortgage indebtedness. So, in determining the surviving joint tenant's contribution it doesn't matter whether the surviving joint tenant is ultimately liable on all of the remaining indebtedness.

In conclusion, it should be remembered that before an unmarried couple purchase a residence and has it conveyed to themselves joint tenancy with right of survivorship, they must understand that there may be some estate tax problems that could have a devastating tax effect when one of them dies. First, an unmarried couple must remember that under I.R.C. § 2040(a) the entire value of the jointly held property of a deceased joint tenant will be included in his gross estate and be subject to estate tax, unless it can be proved that part or all of the value of the property was attributable to consideration furnished by the surviving joint tenant.²⁷ Secondly, if the purchase of the jointly held property was financed through a mortgage on which both joint tenants were jointly and severably liable, there will be imputed a contribution by each joint tenant equal to one-half of the mortgage indebtedness. This initial contribution will be increased or reduced depending on who makes the subsequent mortgage payments. Therefore, a joint tenant who makes no subsequent mortgage payments will be considered to have contributed towards the purchase of the property, an amount equal to his initial down payment plus one-half of the remaining outstanding mortgage indebtedness, as determined at the date of the other joint tenant's death.

It should be pointed out that it is possible to avoid some of the estate tax problems associated with unmarried couples holding property in joint tenancy. One way would be for the couple to get married and sever their joint tenancy and then recreate it. After doing this they would file a gift tax return as required by § 2040(b) of the code, treating the creation of the joint tenancy as a gift.

Another way to avoid this problem, if the couple doesn't want to get married, is for the couple to sever the joint tenancy and hold the property as tenants in common. By doing this only one-half of the total value of the property will be included in the estate.²⁸

Finally, if they still decide that they want to hold the property in joint tenancy, then the couple should structure the purchase of the property and the payments of the mortgage indebtedness in a way that both will have contributed equally towards the purchase. To do this each must contribute an equal amount towards the initial down

payment and afterwards, towards the monthly mortgage payments.

It should always be remembered, however, that every payment should be documented, so as to prove the amount of contributions given by each joint tenant. Don't forget, the I.R.S. will require sufficient facts to prove the amount of contributions by the surviving joint tenant,²⁹ so all receipts and documents should be saved. $\Delta\Gamma\Delta$

27. This doesn't apply to a joint tenancy resulting from a gift, bequest, devise or inheritance. Reg. § 20.2040-1.

28. I.R.C. § 2040 does not apply to tenancies in common.

29. Reg. § 20.2040-1.

MEMBERSHIP APPLICATIONS FOR MEMBERSHIP

FIRST DISTRICT (Chicago)

JAMES BURTON BURNS, One First National Plaza, Chicago 60603, 1971

JAMES S. GRAY, One IBM Plaza, Suite 3700, Chicago 60611, 1969

RICHARD DIEHOLD LEE, 2500 Prudential Plaza, Chicago 60601, 1961

FIRST DISTRICT (Outside Chicago)

FRANK J. ZIEGLEIR, Kraft Court, Glenview 60025, 1975

SECOND DISTRICT

KEVIN M. KANE, 1000 Lorlyn Circle, Batavia 60510, 1978

FIFTH DISTRICT

BYRDIE S. BROWNBRIDGE, 4916 Tudor Ave., Centerville 62007, 1978

BOOSTER CLUB

SUPER BOOSTER

MICHEL A. COCCIA

BOOSTER FOR MONTH

MICHEL A. COCCIA

ISBA MEMBERSHIP POLICY

The Association by-laws provide that the names of persons who have applied for membership shall be published in the Illinois Bar Journal. Members are urged to examine the list of names and advise the Committee on Membership and Bar Activities, in a signed letter, as to the fitness or unfitness of any applicant. Correspondence should be forwarded no later than the 10th day following the receipt of the Journal to the Illinois State Bar Association, Illinois Bar Center, Springfield, Illinois 62701. The information shown includes the applicant's address and year admitted to the bar. ISBA by-laws provide that a membership application "may be signed by a member of the Association as sponsor," however, this is not required by the by-laws.

LETTERSIZE DOCUMENTS (cont. from p. 671)

If I had more time, I would write you a shorter letter." Perhaps now is the time to take the time to write the shorter form complaints and other pleadings, and clean up other forms in the office. Could your testators just "make" their wills, instead of "make, publish and declare" them? You may well find that elimination of redundancy will permit use of "letter" size paper for all forms, without an increase in the number of pages required. $\Delta\Gamma\Delta$

Free ISBA Membership Certificate

Attractive certificate suitable for framing and hanging in your office. Size 9 x 12 inches. Printed in blue and black on gray parchment paper. Corporate seal in gold. Signed by the Executive Director of the Illinois State Bar Association. Send requests to Membership Department, Illinois State Bar Association, Illinois Bar Center, Springfield, Ill. 62701.

Booster Club members are ISBA members who have displayed their faith in the work of the Organized Bar and their appreciation of Association services by obtaining a new member or members for the Illinois State Bar Association, thereby furthering its work and services.

In 1977, when the Kutak firm nationalized, a charter was drawn up that embodied the guiding ideals and principles of the organization. "My mind runs toward the simple, and if anything gets too complex you leave me behind," Kutak says. "When we looked at other partnership agreements . . . they seemed to be so complex."

The philosophy of the firm was that "we weren't going to be bound by precedent, and we were not going to carry over any traditional attitudes about the structuring and management of a firm," Kutak says. "We were going to pull together and stay together and were going to not worry about who contributed what or how much."

After 16 years in Omaha, Kutak still lives in the same apartment and drives the same 1965 Oldsmobile F-85. The firm's charter has been changed only twice, including one amendment to eliminate the four-year limit on the presiding partner's term.

Kutak, despite professing a desire to see "new blood" in the presiding partner's chair, acceded to the amendment. He says that he has no plans to step aside in the near future, although he admits harboring an urge to practice law in the ranks.

Kutak, the self-styled "country lawyer" who has become inured to "riding the circuit," easily could have led the quieter life of a contemplative scholar, some say. Instead, Kutak says he chose an active life devoted to people and public service. He regrets that he has been involved in the organized bar at the national level to the exclusion of local and state bar activities.

Yet he is fond of retreating to his book-lined study adjacent to his office. Colleagues borrow from his 5,000-volume library, which is weighted heavily toward biography. Kutak says that he indulges his passion for lighter reading on plane trips back to Omaha.

His other great passion is his art collection, devoted mostly to post-World War II American painters. The 11 floors of the Omaha offices are bursting with his art works, including the walls of the 104 attorneys who work there.

Kutak has not married because he chose instead to live the life of a "lucky

lawyer," he says. Besides, he adds, "I've always been on the run, and to get caught you ought to stand still." Of his 1950s-style crew cut, Kutak says: "I just don't fuss very much with my personal life. Taking the time to comb and groom, I always thought, was a waste."

Kutak has admitted that he is a product of the Protestant work ethic. "I seem always to have found enough to do, and I've never understood it when people have said they're bored with what they're doing," he says. "I've discovered there's more to do than you can possibly get done . . . if you don't think you know it all and you're willing to be open and inquiring."

The sum of the Kutak style, he says, can be found inscribed on the ashtray on his desk: "Laborare Est Baudere" ("Work Is Joy").
—Bill Winter

ELF Fights to Cut Legal Paper Down to Size

Although it sounds a bit impish, ELF is a highly serious committee of the Association of Records Managers and Administrators (ARMA) that intends to Eliminate Legal-size Files — hence the acronym, ELF. Its goal is to eliminate the use of legal-size paper everywhere, including in the federal courts.

The project began in October, when Alan Negus of Sarasota, Florida, took over as ARMA president, pledging to make the elimination of legal-size paper one of his major campaigns. He and the committee have taken their campaign to the federal government, armed with facts

Chipping Away at Mountains of Paperwork

ELF, in its mission to trim legal-size paper down to size (see accompanying story), might find some allies in Congress. After all, it is Capitol Hill that's chipping away at Paperwork Mountain. Their tool is the "Paperwork Reduction Act of 1980."

The act's laudable intent is to reduce paperwork and enhance the economy and efficiency of the government and the private sector by improving federal information policy-making. It was signed into law by President Carter in December.

By 1983, federal agencies are expected to have reduced by 25 percent what's technically called "the burden of federal collections of information." The act will guide the flow of information necessary to comply with federal reporting requirements.

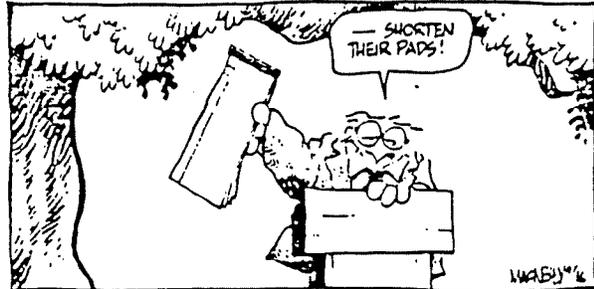
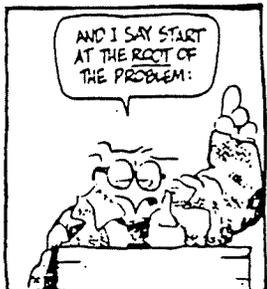
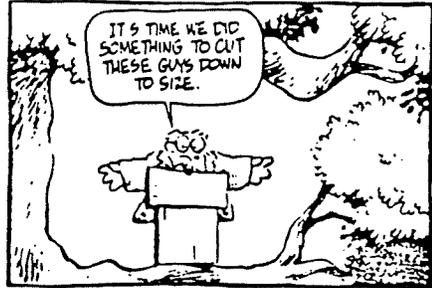
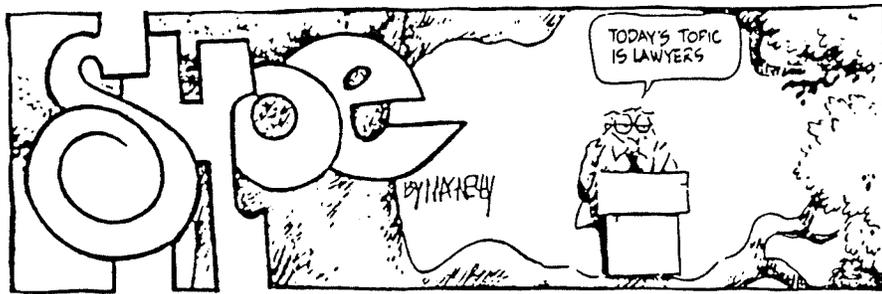
For example, the act should tell records managers "what are realistic and understandable requirements for the retention of records" by companies and state and local governments, said Alan Negus, president of ARMA. Nearly 1,200 requirements now published annually in the *Federal Register*, he said, are "very vague."

The act, which is sunset legislation, requires federal agencies to justify information collection requests, said Francis Fuller, chairman of ARMA's legislative and regulatory affairs committee. It also requires agencies to share the same information submitted to them, rather than require duplicates.

The Commission on Federal Paperwork was the catalyst for the act, which grew out of a "congressional feeling that no one's in charge" of the vast amount of information required by federal agencies, said Jack Landers of the General Services Administration National Archives and Records Service. "Nobody in federal agencies," he said, "is paying much attention to information management."

The act established a director to head an Office of Information and Regulatory Affairs within the Office of Management and Budget. By July 1, each federal agency head was to have appointed an information manager to report to that office.

"We're taking a 'wait and see' approach to the act's effectiveness," Fuller said.
—M.M.



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and figures on the costliness and inefficiency of legal-size paper and files.

One government supporter of ELF is Robert Warner, archivist of the United States, who sent letters to Chief Justice Warren Burger, the Administrative Office of the United States Courts and the Federal Judicial Center, urging them to consider the problem.

How extensive is the problem? "It's a waste, it really is," said Ira Penn of the General Services Administration National Archives and Records Service,

Penn, an ARMA member, favors the elimination of legal-size paper. He pointed out that the Federal Supply Service alone spends almost \$5 million a year on the paper, which costs 25 percent more than the more common 8½ by 11-inch paper.

That, Penn said, is a "drop in the bucket" compared with the "billions" of dollars that could be saved in the manufacturing and maintenance costs of machines that eventually do such things as copy or microfilm the paper—machines

that must accommodate the odd sizes.

There also are storage problems. Penn said. Legal files take up 20 percent more room and have put federal recordkeeping in a "critical situation."

ELF has made inroads. This summer, the Administrative Office of the U.S. Courts is studying the problem. It may recommend the elimination of legal-size paper at its Judicial Conference in September.

To date, 13 federal courts have, by local rule, adopted policies against the use of legal-size paper. Six others may use either 8½ × 11" or legal-size paper, said Rick McBride, chief of the management services branch of the administrative office, which conducted a survey of court clerks in December.

State courts, too, have considered the issue and 14 now have banned legal-size paper from their courtrooms.

—Martha Middleton

====LAW PRACTICE====

Male Clients Can Be a Trial for Women Lawyers

It was a good idea gone sour. That's how a woman lawyer on the West Coast characterizes her recent efforts to help a Cuban refugee adjust to life in the United States. Her efforts spawned an episode of sexual harassment that taught her some hard lessons about the attorney-client relationship, she said.

She was representing the refugee in immigration hearings. "I wanted to give him a hand" in his resettlement, she said. She hired him to do chores at her law firm and helped him obtain another job at a restaurant, enroll in English classes and rent an apartment.

Problems arose, she said, when "I came down to the office one day and there were these impassioned love letters" on her desk. When she rejected his overtures, the letters began to contain threats. The man began lurking around her residence. When one of her tires was flattened by a nail in a board left under it, she said, "It frightened me very much. This all led to a great deal of paranoia."

Although the lawyer's experience may

ARMA's Project ELF Eliminates Costly Filing of Legal-size Records



Ira A. Penn

ELFing has been an interesting experience. Since the start of ARMA's (American Association of Records Managers and Administrators) Project ELF (Eliminate Legal-size Files) 17 months ago, I have spent many hours working on this worthwhile and enlightening endeavor.

When ARMA President Alan Negus launched Project ELF at the 1980 ARMA conference in Boston, the idea was not greeted with universal acclaim. There were some who were very receptive to it, and, to be quite candid, there were many who rejected it. Some understood that there were millions of dollars in potential savings to be real-

ized, and that a nationwide campaign of this nature could bring much needed attention to the profession of records management. Others misunderstood the rationale for the effort (someone actually asked me where all the legal-size papers would go if there were no more legal-size files), or were just resisting something that was new and different (several people have said to me, "But we've always had legal-size.").

For records management professionals to be oblivious to the benefits that might be derived from eliminating legal-size files is somewhat sad. For those same persons to be resistant to the idea of eliminating legal-size files because

the idea was radical and untried is outrageous. Mark Twain probably summed it up best when he said, "A man with a new idea is a crank - until the idea succeeds."

Project ELF is succeeding! Less than one year from the date of the project's inception, the Judicial Conference of the United States voted to eliminate legal-size files from all Federal courts. When that occurred the whole picture changed. The sun came out, the clouds went away and the elimination of legal-size files was considered, in some quarters, to be the most significant achievement since the elimination of the registry system. Well . . . it probably

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March 1982

Regardless, it's good to know that everyone is now on the same side. Enthusiasm, it seems, is contagious. And perhaps it's because I've sensed so much enthusiasm lately that I felt compelled to write this article and say - the job isn't over yet! Legal-size is still around. The Federal courts were a high hurdle - perhaps the highest. But let's not get carried away by an early accomplishment and forget that there are additional obstacles to overcome. The fact is, there are 32 states and the entire private sector to deal with.

True, there is tremendous momentum going. Eighteen states have eliminated legal-size from their court systems. Four additional states have the matter under serious consideration. The National Archives and Records Service is working closely with the Federal Supply Service to try and eliminate *all* legal-size (as opposed to just *legal* legal-size) from Federal Government offices. Several corporations have already stopped using legal-size in their operations. ARMA has published an ELF brochure containing facts and figures - including the cost of legal vs. lettersize paper, filing equipment, and supplies. (Write to the Association of Records Managers and Administrators, 4200 Somerset, Suite 215, Prairie Village, KS 66208. Membership information also available.) There is now a 24-hour ELF Hotline (904) 224-1034 that you can call for information and assistance. But . . . these things are only happening because people are involved in making them happen.

You are needed for Project ELF! Regardless of the nature of your involvement in records management, you can do something to help eliminate legal-size files. Contact the governor of your state, the mayor of your city, county administrators, judges, and clerks of the court. Contact top managers of corporations, and members of state legislatures. Tell them all, "Eliminating legal-size files is an idea whose time has come!"

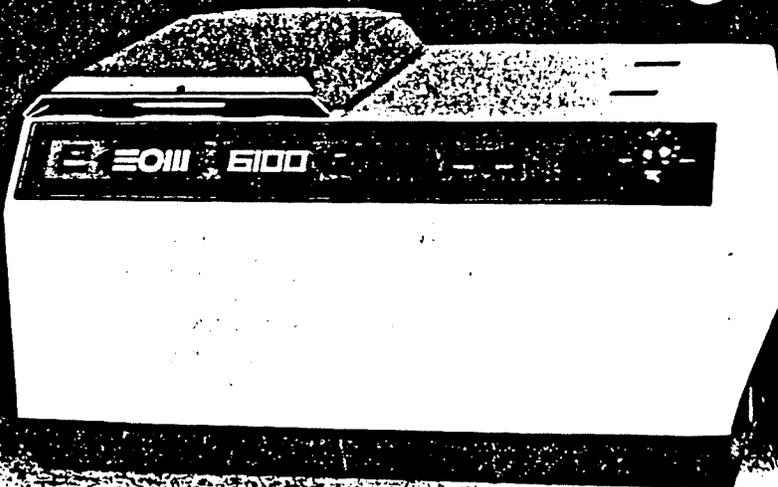
Ira Penn, CRM, Chairperson of the ELF Committee of the National Capital Chapter in Washington, D.C., is a senior management analyst with the Federal government. He is a member of the Association of Records Managers and Administrators (ARMA) and has received the association's Notable Literary Achievement Award in 1976 and again in 1980. Penn was also the recipient of the 1979 ARMA Britt Literary Award for his article, "The Records Management Problem: Living Records - Dead Management."

That, you may be surprised to learn, is the way it was done with the Federal Judiciary. No magic wand was waived. No miracles were performed. A few individuals worked to ensure that the members of the Judicial Conference of the United States had the facts. The rest is history.

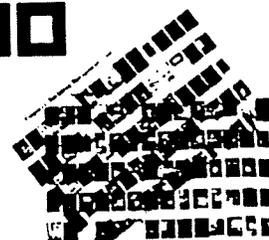
Your involvement could have the same result in a company, a town, or an entire state. You could be the person who makes the difference. Don't think about it. Don't talk about it. Do it! Join project ELF. □

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Edward B. McConnell
Executive Director

January 20, 1984

MEMORANDUM

REF. NO.: RIS 84.006
BY: Martha M. Parrish
SUBJECT: Use of Letter Size Paper by Court Systems

The Research and Information Service was asked to provide current information on how many of the state court systems have adopted the letter size paper standard (8 1/2" x 11"), as opposed to the legal size (8 1/2" x 14"). This review also contains a discussion of the reasons for changing from legal size to letter size. Information on how to manage the transition also is provided.

The attached chart, which includes information from RIS files, court rules, and a handbook published in 1983 by the ELF (Eliminate Legal Files) Committee of the Association of Records Managers and Administrators (copy enclosed), indicates that 32 state court systems and the United States federal courts have adopted the letter size standard, either wholly or partially. This compilation may be incomplete, as it is not the result of an exhaustive rules and statutory review. Readers are invited to provide additional information to the Research and Information Service, concerning the status of their state's adoption of the letter size standard. Note that the degree of acceptance of the standard ranges from total application in all of the courts in the state for all papers filed, (as in Arizona, Hawaii, Idaho, Illinois, Kentucky, Massachusetts, Minnesota, New Jersey, North Dakota, Pennsylvania, South Carolina, South Dakota, Utah and Virginia) to a very limited application, such as in Wyoming, where the only requirement is for letter size jury instructions. Clearly, the national trend has moved quickly toward the replacement of legal size paper and files with a letter size standard.

The justification for this change has been advocated by a variety of governmental, research, and professional organizations for the last several years. In Microfilm and the Courts: Guide for Court Managers (NCSC, 1976), National Center project staff developed record standards for court microfilm programs (see enclosed copies of pages 22-25 and in particular, chart 6.1) that recommend the adoption of a uniform document size of 8 1/2" x 11" for both case file documents and instrument filings. Noting that "courts have traditionally accepted almost any document submitted to them," the authors point out that standards are now necessary to facilitate the benefits of the microfilm process.

Records management experts on the National Center's Court Improvement Through Applied Technology Project also recommend the use of letter-size

ATTACHMENT 3

G.O. Comm. 2/11/88

paper for its cost and space benefits (see the enclosed excerpt from Records Management Recommendations for the Municipal Court of Lincoln, Nebraska). They note that legal size paper, filing equipment, and supplies cost 10% to 30% more than letter size and that legal size filing equipment occupies 30% more floor space than letter size filing equipment.

Ernest H. Short and Charles Doolittle, in a monograph entitled Records Management (National Institute of Law Enforcement and Criminal Justice, 1979), also estimate the cost and space savings of letter size paper (see enclosed Table 1, p. 24). Note that these authors, likewise, consider the savings in terms of standard machines, filing cabinets, and office supplies.

The Association for Records Managers and Administrators (ARMA), through its ELF project, has launched perhaps the most aggressive efforts to convince businesses, industry, and the government of the wisdom of switching to the letter size standard. See the enclosed copy of "ELF Fights to Cut Legal Paper Down to Size," ABA Journal, vol. 67, July, 1981 (pp. 834-835). Begun in October, 1980, the project has made considerable progress. Reportedly, ARMA members had a significant role in the adoption of the letter size standard by the Judicial Conference of the United States, which went into full effect on January 1, 1983. In the enclosed article, "ARMA's Project ELF Eliminates Costly Filing of Legal Size Records," Information and Records Management (April, 1982) the author, Ira A. Penn describes the ELF project as successful but not yet complete. Two enclosed articles from The Third Branch (January, 1982 and December, 1982 issues) announce the adoption of the 8 1/2" x 11" standard in federal courts and summarize the expected savings. These include the lower cost of the paper, less office space for filing, and smaller office equipment. No longer will there be a need for double inventory, and mailing costs will be reduced.

A well planned implementation scheme is crucial for both the initial acceptance of the letter size standard and its ultimate success in promoting efficiency and cost savings. The enclosed National Center staff recommendations (see excerpt from Records Management Recommendations for the Municipal Court of Lincoln, Nebraska, p. 6) suggest a transition period of several years to allow courts and attorneys to exhaust supplies of legal size paper and forms, to design and develop new forms, and to obtain new equipment and supplies designed for letter size paper.

According to the enclosed article from the Illinois Bar Journal ("Letter-size Documents Required by Jan. 1, 1982 Under New Rule 10," July 1981) the implementation of the ban on legal size documents in Illinois, first considered in 1967, was delayed because of large stocks of legal size forms. When the rule was adopted in January, 1981, the Illinois Supreme Court allowed one year lead time; it became effective January 1, 1982. In changing from legal to letter size paper, New Jersey provided a two year transitional period during which either size paper could be used (see the enclosed excerpt from Records Management, p. 75).

The General Services Administration of the federal government issued the enclosed announced GSA Bulletin FPMR B-120 Archives and Records (June 2, 1982), which encouraged federal agencies to plan for an orderly transition to letter size by using up old stock, converting information retrieval systems, ceasing to purchase legal size equipment, and revising forms.

The Western Regional Office of the National Center recently has been involved in the transition to the letter size standard in the state courts in Hawaii. Note the discussion in the enclosed report by Fred Miller that outlines a one year phase-in period as the most appropriate implementation plan for Hawaii.

For additional information and assistance concerning the adoption of a letter size standard, readers should contact a National Center for State Courts Regional Office. Additional information and assistance may also be obtained by contacting the Association of Records Managers and Administrators, Inc., 4200 Somerset Drive, Suite 215, Prairie Village, Kansas 66208.

State Courts Systems that have adopted the Letter Size Standard, Wholly or Partially.

| State | Jurisdictions Affected | Types of Documents | Authority (Rule Citation) | Effective Date | Information Source (copy attached) |
|-------------|---|--------------------------------------|--|---|---|
| Alabama | | All printed forms filed with courts. | | | Project ELF Handbook |
| Arizona | Justice, Magistrate, Superior, and Appellate Courts | All filings | R. S. C. 1(a)(1) R. Civ. P. 10 (d) ARCAP 6(c) SCRAP-Civ. 6(c), 14(a) SCRAP-Crim. 10(b) R. Crim. P. 35.1 | Permitted October 1, 1981 Required July 1, 1982. | Project ELF Handbook Arizona Appellate Handbook (1982 Supp.) |
| California | Superior Court | All papers | R. Ct. 201(b) | Required in Superior Courts Jan. 1, 1977 | Project ELF Handbook R. Ct. 201(b) |
| | Appellate Courts | Briefs | R. Ct. 15(b)(1) | | R. Ct. 15(b)(1) |
| Colorado | | | | | Project ELF Handbook (But see Col. App. Rule 32) |
| Connecticut | | | | | Project ELF Handbook |
| Delaware | | | | | Project ELF Handbook |
| Florida | Appellate Courts | Briefs | R. App. P. 9.210 | | Project ELF Handbook R. App. P. 9.210 |

Courts Systems that have adopted the Letter Size Standard, Wholly or Partially. (continued)

| State | Jurisdictions Affected | Types of Documents | Authority (Rule Citation) | Effective Date | Information Source (copy attached) |
|----------|---|---|--|--|---|
| Georgia | DeKalb County Superior Court | | Practice of reducing to letter size as many records and forms as possible | | Georgia Courts Journal, Jan. 1982 Project ELF Handbook |
| Hawaii | Supreme Court, Intermediate Ct. of Appeals, Circuit, District and Land Courts | All court documents | R. Sup. Ct. 8(3) R. Int. Ct. of App. 8(c) R. C. Ct. 3(a) R. Dt. Ct. 3(a) R. Land Ct. 3 | July 1-December 31, 1983-legal and letter size acceptable Jan. 1-June 30, 1984- <u>Typewritten</u> briefs and documents must be letter size; legal size preprinted court forms will be accepted. July 1, 1984-Letter size required | 'Aha' Ilano, vol. x. No. 5, Aug. 5, 1983 Order amending Rules of Ct. (June 21, 1983) Memo by Fred Miller (NCSC, 1983) |
| Idaho | Supreme Court District Courts | All motions, petitions, or other documents All pleadings, motions, notices, judgments, or other documents filed with the court | App. R. 6 R. Civ. Pro. 10(a)(1) | Until January 1, 1985 permissible to use 8 1/2" x 13" or 14" Until January 1, 1985 permissible to use 8 1/2" x 13" or 14" | The Advocate, May 1982 App. R. 6 R. Civ. P. 10(a)1 |
| Illinois | All courts | All papers filed | S. Ct. R. 10 | January 1, 1982 | Project ELF Handbook S. Ct. R. 10 |

State Courts Systems that have adopted the Letter Size Standard, Wholly or Partially. (continued)

| State | Jurisdictions Affected | Types of Documents | Authority (Rule Citation) | Effective Date | Information Source (copy attached) |
|---------------|------------------------|--|------------------------------------|---|--|
| Iowa | Supreme Court | Briefs and appendix, motions and other papers | R. App. Pro. 16(a)(b) | | Project ELF Handbook R. App. Pro. 16(a)(b) |
| Kentucky | All courts | Pleadings and paper (except exhibits and printed briefs) | R. Civ. Pro. 7.02(4) | After 1978 | R. Civ. Pro. 7.02(4) |
| Massachusetts | All courts | All cases | R. Sup. Jud. Ct., Gen. R. 1:08. | | Project ELF Handbook R. Sup. Jud. Ct., Gen. R. 1:08. |
| Michigan | | | | | Project ELF Handbook |
| Minnesota | All courts | All filings, pleadings, motions, and petitions | Supreme Ct. Order (April 16, 1982) | July 1, 1983 | Bench and Bar Interim (May 28, 1982) Project ELF Handbook |
| Nebraska | | All pleadings and filings. | | After July 1, 1982 letter size allowed; After Jan. 1, 1983- letter size required. | Nebraska Judicial Newsletter, page 7, No. 4, Feb. 1, 1982 Project ELF Handbook |

Courts Systems that have adopted the Letter Size Standard, Wholly or Partially. (continued)

| State | Jurisdictions Affected | Types of Documents | Authority (Rule Citation) | Effective Date | Information Source (copy attached) |
|----------------|------------------------------|---------------------------------------|----------------------------|-------------------|---|
| New Hampshire | Supreme Court | Briefs | Sup. Ct. R. 16 | | Project ELF Handbook Sup. Ct. R. 16 |
| New Jersey | All courts | Pleadings and other papers | R.1: 4-9 R.2: 6-10 | September 1, 1971 | Project ELF Handbook R.1: 4-9 R.2: 6-10 |
| New York | | | | | Project ELF Handbook |
| North Carolina | Superior and District Courts | All papers, except wills and exhibits | Sup. and Dt. Ct. R. 5 | July 1, 1982 | Project ELF Handbook Sup. and Dt. Ct. R. 5 |
| North Dakota | All courts | Pleadings and other papers | R. of Ct. 3.1 | July 1, 1982 | R. of Ct. 3.1 Project ELF Handbook |
| | Supreme Court | Opinions | | | North Dakota <u>Judicial News</u> , Winter, 1981. |
| Ohio | Appellate Courts | Briefs | R. App. Pro. 19 | | Project ELF Handbook R. App. Pro. 19 |
| Ore | Appellate Courts | Transcripts, briefs | R. App. Pro. 6.40, 7.05 | | Project ELF Handbook |

State Courts Systems that have adopted the Letter Size Standard, Wholly or Partially. (continued)

| State | Jurisdictions Affected | Types of Documents | Authority (Rule Citation) | Effective Date | Information Source (copy attached) |
|----------------|------------------------|---|---|---|--|
| Pennsylvania | All courts | All papers, documents, briefs, and reproduced records | R. App. Pro. 124 | March 1, 1980 (See Notes after rule.) | Project ELF Handbook R. App. Pro. 124 |
| South Carolina | All courts | All papers, other than exhibits | Sup. Ct. R. 47 | Until July 1, 1983, both size accepted. Mandatory on July 1, 1983. | Sup. Ct. R. 47 Project ELF Handbook |
| South Dakota | All courts | All documents, except original documents filed as exhibits | | July 1, 1983 | South Dakota <u>Unified Judicial System</u> (bulletin), Jan/Mar, 1982 |
| Utah | All courts | All paper | | Until Dec. 31, 1982, both sizes accepted; Jan. 1, 1983, only letter size accepted. | <u>Utah Bar Leader</u> , March, 1982 |
| Washington | Appellate Courts | Verbatim report Briefs | R. App. Pro. 9(2)(f) (but see 9(2)(g)) R. App. Pro. 10.4(a) | | Project ELF Handbook R. App. Pro. 9(2)(f), 10.4(a) |
| | Superior Court | Use of 8 1/2" x 11" on pleadings, motions, and other papers is optional | R. Superior Ct. 10(d) | | R. Superior Ct. 10(d) |

S Courts Systems that have adopted the Letter Size Standard, Wholly or Partially. (continued)

| State | Jurisdictions Affected | Types of Documents | Authority (Rule Citation) | Effective Date | Information Source (copy attached) |
|----------------|---|---|--|--|--|
| Wisconsin | Appellate Courts | Briefs, any paper filed | R. Civ. Pro. 809.19 (8)(b) R. Civ. Pro. 809.81(1) | January 1, 1982 | Project ELF Handbook R. Civ. Pro. 809.19 (8)(b) |
| Wyoming | | Jury instructions | | | Project ELF Handbook |
| Virginia | In any clerk's offices, in any proceeding pursuant to Supreme Court rules | All pleadings, motions, briefs, depositions, requests for discovery and responses thereto, and all other documents filed, except tables, charts, plats, photographs, and other material that cannot be reasonably reproduced. | R.1:16 | January 1, 1984 (No paper shall be refused ... clerk may require that the paper be redone.) | <u>Court Commentaries</u> , Vol. 9, No. 3, July, 1983 <u>VA Bar News</u> , June, 1983 |
| Federal Courts | All courts | All documents | | Both sizes accepted from Dec. 14, 1981-Dec. 31, 1982, unless local rules prohibit 8 1/2" x 14". Mandatory effective Jan. 1, 1983. | <u>The Third Branch</u> , January, 1982 |

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

room 514-S, Statehouse, at 10:00 a.m. ~~1988~~ on February 15, 1983

Senate Bill 151 continued

Adrian Farver testified there are 103 sheriffs in addition to Sedgwick County sheriffs who support this bill because of the budget problems. He said the sheriffs are serving the state in this regard. He urged the committee to give both Senate Bill 121 and Senate Bill 151 their consideration.

Jim Clark testified Senate Bill 151 attempted to reach the same problem as Senate Bill 138; he thinks Senate Bill 138 is a better bill. He said if it were left up to the county to fund it, it would actually bankrupt that system because the jails are filling up, jury trials are on the increase, and that takes money.

Kim Dewey testified the Board of Sedgwick County Commissioners are in support of the bill. A copy of his remarks is attached (See Attachment #4).

Deputy Sheriff Jim McKeel testified the traffic program in Sedgwick County has been effective. The number of violators seems to have decreased on the streets, and speeding violators are not as common. He said the bill will help keep the traffic program on a good level. A committee member inquired where the money from appeals from municipal courts go. Joyce Reeves answered, the \$44.00 appeal fee goes to the state and the fine goes back to the city.

Senate Bill 102 - Requiring state agencies to use 8 1/2 inch paper.

Marjorie Van Buren testified in opposition to the bill. She stated the court is very satisfied with the paper they are now using and have no plans to change at this time. She asked the committee to leave the courts out of the bill. She referred the committee to a copy of a letter from Judge Donald L. Allegrucci opposing the bill (See Attachment #5). In answer to a question, she replied they brought in around 17 1/2 million dollars in fines and docket fees; their budget is around 32 million dollars.

Dick Shannon appeared in support of the bill.

John Thomas testified in support of the bill. A copy of his remarks and a copy of the Wyandotte County District Court Civil Department File Management System Financial Analysis are attached (See Attachments #6, #7). During committee discussion, Mr. Thomas explained the bill is patterned after the New York bill.

Senate bills 121 and 151 - Court fines and traffic fines

Sheriff William Thompson appeared in support of the bills. He said he was speaking on behalf of the smaller counties. The small counties are not able to have a separate unit for serving civil papers. He testified his deputies handled 662 legal documents with absolutely no money in return for the service. They can't affect the additional manpower to take care of the paper load.

Sheriff Thompson testified in support of Senate Bill 151. He explained the traffic pattern is going off of the main roads onto county roads, because there is no traffic control on the county roads in the smaller counties, and they need help along that line. The chairman inquired how the DUI law was working. Sheriff Thompson answered, at the present time, it hasn't drastically affected the smaller counties. They are not seeing jail time as yet; it will definitely affect them later.

The meeting adjourned.

7-6-3-2



The Kansas District Judges' Association

2-15-83
5



February 15, 1983

Hon. Elwaine Pomeroy
Chairman, Judiciary Committee
Statehouse, Room 143-N
Topeka, Kansas 66612

Dear Senator Pomeroy:

This is to advise you that the Legislative Coordinating Committee of the Kansas District Judges' Association has voted to oppose passage of Senate Bill 102.

Yours very truly,

Donald L. Allegrucci
mv

Donald L. Allegrucci
Div. 1, District Court
P. O. Box 1348
Pittsburg, Kansas 66762

cc: Judiciary Committee Members

Atch. 5

1840

CLERK OF DISTRICT COURT
ASSOCIATION OF RECORDS MANAGERS AND ADMINISTRATORS

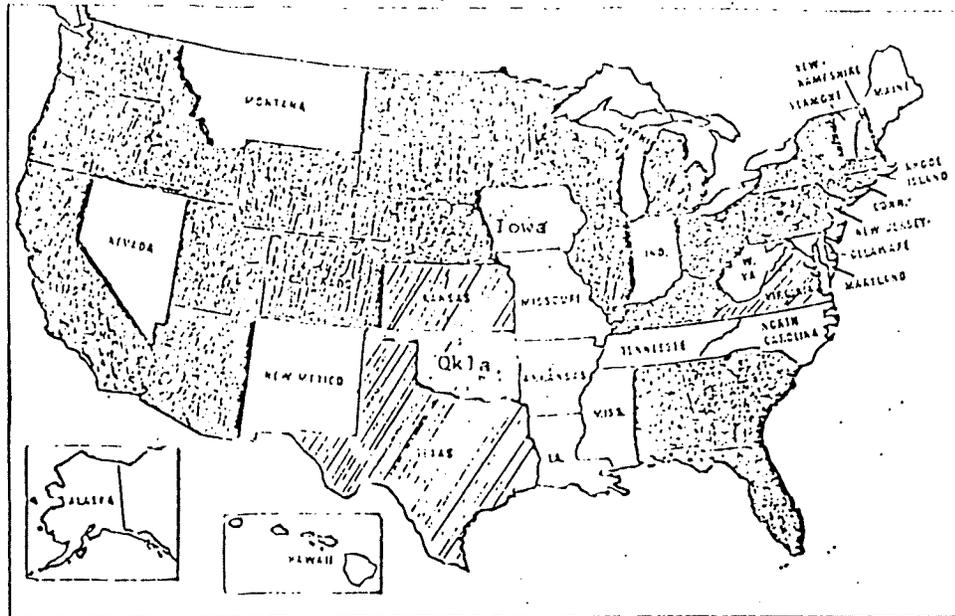
2-15-83

ELF
ELIMINATE LEGAL SIZE FILES
PROJECT

#6

Saving in the State of Kansas the District Courts alone

\$247,440.48 per year



1. Dark areas represent states that have totally or partially eliminated legal size files.
2. Cross hatch states such as Kansas, Virginia and Texas have bills pending in the legislature at this time.
3. Some states such as Missouri and Oklahoma have the proposal under study at this time.
4. In the state of Iowa the Supreme Court by court rule eliminated legal files, the legislature set this aside because only 90 days notice was provided. Iowa legislature is now making their own study and proposal.
5. The U.S. Government has already made the conversion as of Jan. 1, 1983.

Attch. 6

GREATER KANSAS CITY CHAPTER AREA
ASSOCIATION OF RECORDS MANAGERS AND ADMINISTRATORS

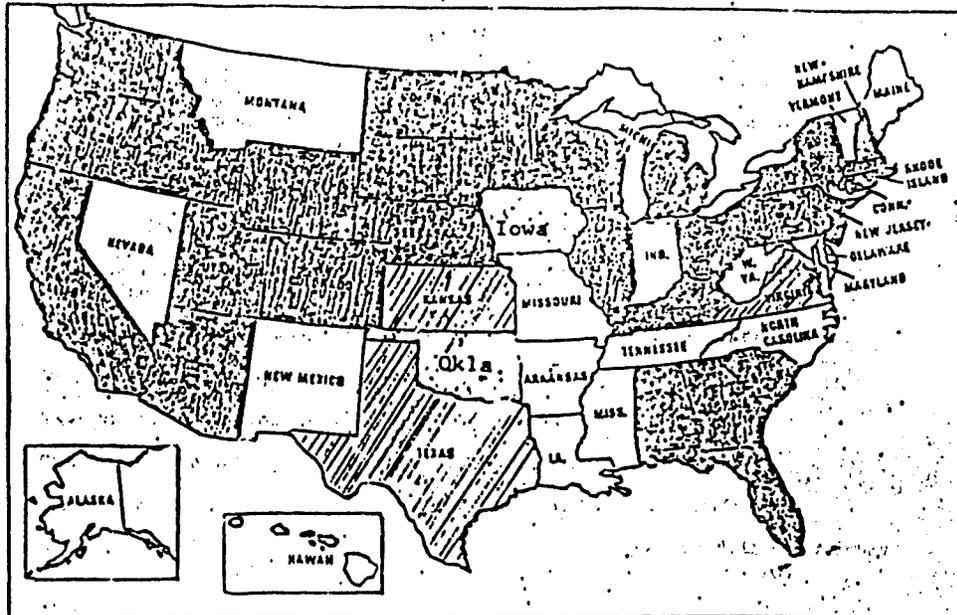
2-15-83

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5. The U.S. Government has already made the conversion as of Jan. 1, 1983

Attch. 6

7 6 4 5

OUTLINE OF ELF PRESENTATION FOR LEGISLATURE

I. Explain ANRA (Association of Records Managers and Administrators)

- A. Currently 100 chapters consisting of 7,500 members
- B. Goal to unify records management concepts
- C. National headquarters in Prairie Village, Kansas

II. Introduce ELF Committee members

- A. Aaron Reynolds, Chairman, 3M Corporation, File Management
- B. Richard Shannon, Wy. Co. District Ct., Court Administrator
- C. Tom Adkins, Adkins & Associates, Kansas City ANRA president, organized local ELF committee
- D. John Thomas, International Mailing Systems, first chairman of ELF committee, got local ELF project to progress
- E. Terry Starchich, Electronic Realty Associates, Manager Information Services

III. Testimony Facts

ANRA has a nationwide project, ELF, Eliminate Legal Size Files, objective to standardize size of files (8 1/2 by 11"), increase efficiency & lower costs

Nationwide 27 states have totally or partially adopted the ELF principle.

In some states, the governor is making the change by decree.

Some courts are making the change by local order.

Some states are making the change by locality (city, county, etc.)

Most states are making the change by legislation to create uniformity.

A state can only effectively make the greatest savings when all three branches of government eliminate the use of legal size forms at the same time.

Already many courts are experiencing confusion because a state or local court may require legal size paper and the federal court across the street requires standard size paper. The sooner every state adopts the ELF policy, the sooner everybody will participate in greater savings.

STATES WHERE THE CHANGE HAS BEEN MADE:

| | | |
|-------------|---------------|----------------------------|
| Alabama | Kentucky | Ohio |
| Arizona | Massachusetts | Oregon |
| California | Michigan | Pennsylvania |
| Colorado | Minnesota | South Carolina |
| Connecticut | Nebraska | South Dakota (by governor) |
| Florida | New Hampshire | Utah |
| Georgia | New Jersey | Washington |
| Idaho | New York | Wisconsin |
| Illinois | North Dakota | Wyoming |

*> Has only
been seen in the
courts
adopted*

The Federal government has eliminated legal size files.

→1. GSA Bulletin FPMR D-120, Archives and Records, June 2, 1982 states "Legal-size documents are costly and inefficient. Legal-size paper costs about 25 percent more than letter-size. Legal-size file cabinets cost about 13 percent more than letter-size for the upright variety and 28 percent more for the mobile or hanging file type. These cabinets take up to 16 percent more floor space than letter-size cabinets. Inactive legal-size files take up 20 percent more space in Federal records centers than do letter-size files. Copying machines and other types of automated office equipment must be designed and manufactured to provide for this exception."

While it is estimated that this will save administrative costs by 25%, the savings do not occur immediately because present systems must be gradually phased out over several years. Within five to ten years the savings will be actual and consistent.

ENDORSEMENTS

Court clerks in Kansas voted and endorse ELF

Joseph Harkins, Secretary of the Kansas Dept. of Health and Environment endorsed the adoption of the ELF program

Kansas Department of Corrections endorsed the ELF program

Executive Council of the Kansas Bar Association endorsed the ELF program

WHY ELIMINATE LEGAL SIZE?

ELF committee objectives backed by ARPA are to show that the State of Kansas can reduce future costs and expenses from savings in space, labor, equipment, supplies and shipping.

If you walk into most any office storage area (courts, state offices, attorneys, businesses) you will normally see that on one side are shelves containing paper of legal size, typing paper, copy paper, onionskin paper, carbon paper, envelopes, etc. The other side contains the same supplies except in standard size, 8 1/2 x 11" paper.

If you eliminate the legal size forms, only one side of the room will be necessary to stock those supplies. This saves space as well as being able to buy larger quantities of one size of paper at a lower price.

The United States is the only country in the world that has a double standard for paper, file cabinets and shelves for storage.

FURTHER SAVINGS

This savings we're talking about goes further than paper, cabinets, floor space and labor.

Cost of copy machines could be reduced from \$25,000 to \$19,000 because for a copy machine made for one size paper:

1. the design is simpler and less complex
2. fewer dies are required
3. it is lighter in weight resulting in lower shipping costs
4. uses less material
5. nickel alloy drum cost alone reduced from \$300 to \$210
6. lower yearly maintenance costs due to simplicity

RESULTS: \$6,000 plus in savings

Likewise, word processing equipment would not have to accommodate but one size paper.

Micrographic equipment; cameras, reader/printers, etc. all require extra research and tooling to accommodate dual paper systems.

A ream of legal-size paper is approximately 21% larger and 24% heavier than a ream of letter-size paper. Legal-size takes more wood fibers and energy to produce and more energy and space to transport than letter-size for an equivalent number of reams of paper. It takes 25% more energy to cut, haul and process legal-size paper.

ELF will conserve our natural resources and energy by eliminating potential waste before it occurs.

Anybody who does much work with files knows it costs more to maintain a file folder in which various sizes of paper are attached as it increases labor costs. Also, letter size paper is difficult to find when filed in legal files with legal size papers.

LETTER/LEGAL SIZE COST ANALYSIS: (by Aaron Reynolds, File Management Specialist)

Handout sheet showing supplies/equipment and savings

Handout sheets showing costs, letter vs. legal size

LETTER/LEGAL SIZE COST ANALYSIS

| ITEM | LETTER SIZE | LEGAL SIZE | % HIGHER |
|--------------------------------|-------------|------------|----------|
| FILE CAB. (VERTICAL 4 DRAWER) | \$208.50 | \$239.20 | 15 |
| DESK TRAY | 10.25 | 11.40 | 11 |
| FILE GUIDES (PRESSBOARD) | 32.50 | 43.50 | 34 |
| FILE POCKETS (EXPANDABLE) | 1.71 | 2.01 | 18 |
| LINED WRITING PAD | .89 | 1.07 | 20 |
| BOND PAPER (REAM) | 13.40 | 17.35 | 29 |
| XEROX DUPLICATING PAPER (REAM) | 4.88 | 6.28 | 29 |
| FILE FOLDERS (VANILA) | 10.50 | 13.75 | 31 |
| ENVELOPES (VANILA) | 14.42 | 20.00 | 39 |

*** Average 22.6% increase of letter vs. legal size

Average percent of increase was arrived at prior to rounding to nearest percent

SOURCE: Kross Office Products 1983 catalog
Kross Office Outfitters, Inc.
Kansas City, Kansas

PAGE 5

WOULD YOU BELIEVE
IT COSTS

\$12,720.00

ACTUALLY TO TAKE CARE
OF
TEN 4 - DRAWER LETTER SIZE FILE CABINETS

OR

\$16,670.00

ACTUALLY TO TAKE CARE
OF
TEN 4 - DRAWER LEGAL SIZE FILE CABINETS?

7 8 4 6

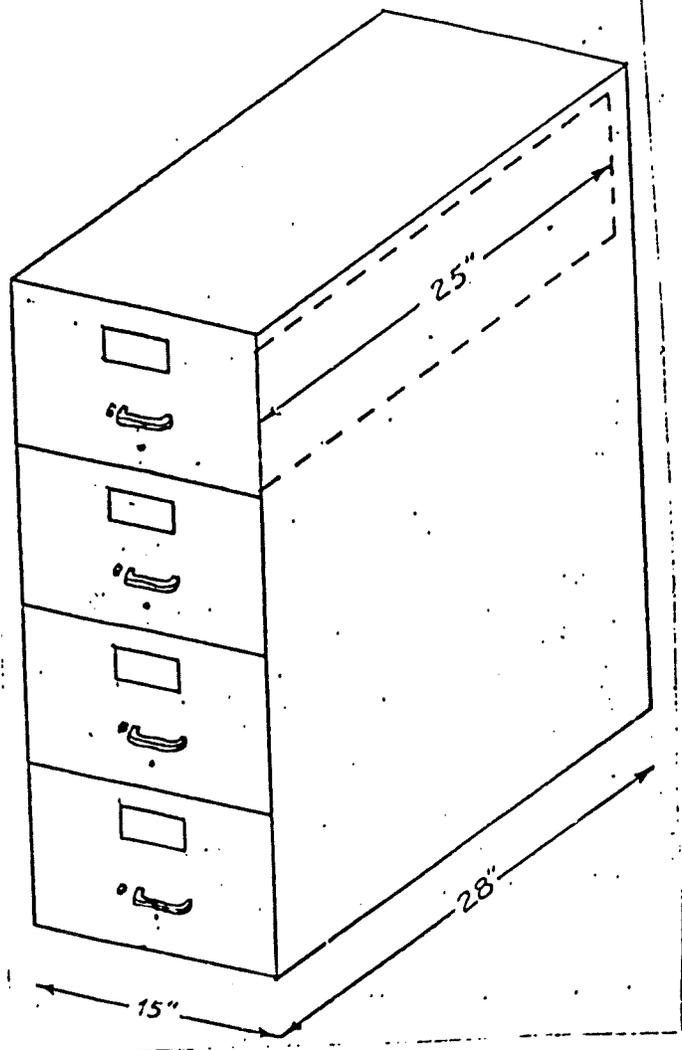
1 - VERTICAL
LETTER SIZE FILE
4 - DRAWER
OCCUPIES 7 Sq. Ft.
(FULL AISLE FROM WALL)

1 - VERTICAL
LEGAL SIZE FILE
4 - DRAWER
OCCUPIES 8.75 Sq. Ft.
(FULL AISLE FROM WALL)

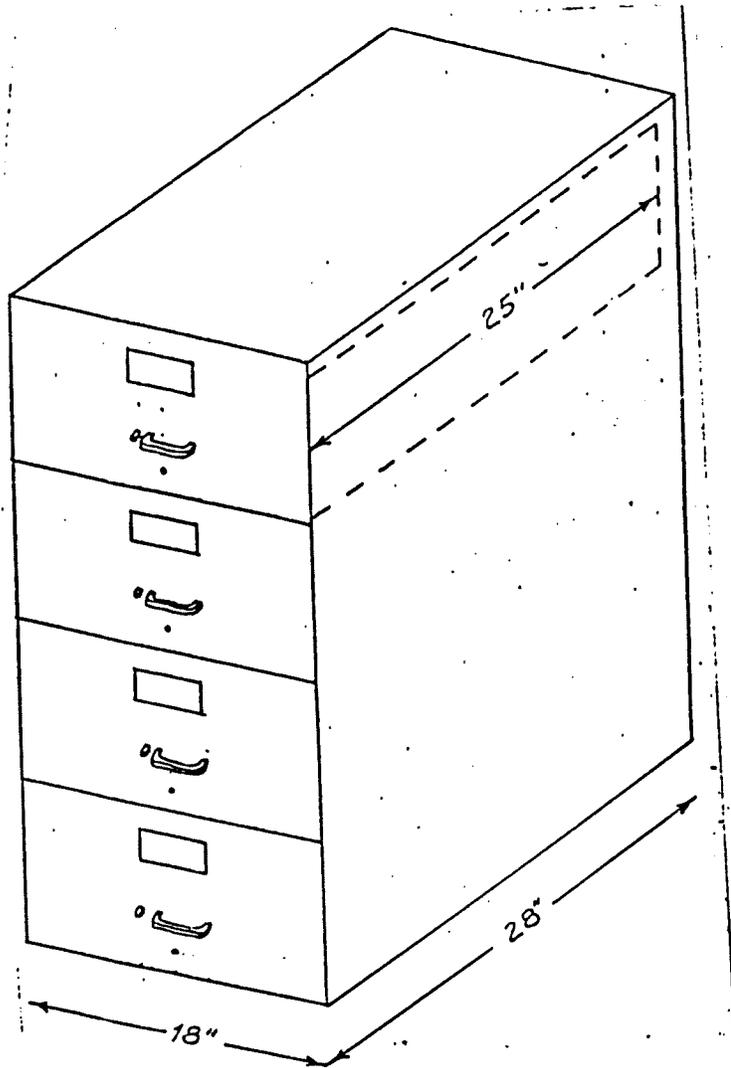
1841

7 5 4 8

4 - DRAWER LETTER VERTICAL FILE



4 - DRAWER LEGAL VERTICAL FILE

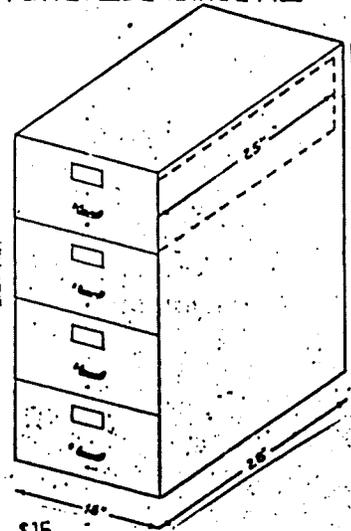
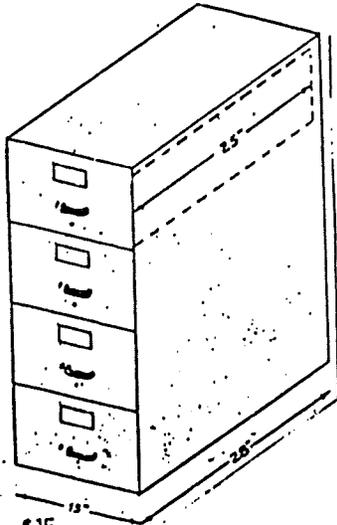


COST OF FLOOR SPACE

4-DRAWER LETTER VERTICAL FILE

4-DRAWER LEGAL VERTICAL FILE

*FIG. FOR OFFICE SPACE



*COST PER SQUARE FOOT/ANNUAL

\$15

\$15

MULTIPLY:

7 SQ. FT. X \$15 = \$105

8.75 SQ. FT. X \$15 = \$131.25

DIVIDE:

\$105 DIVIDED BY 100"²
\$1.05 PER INCH

\$131.25 DIVIDED BY 100"²
\$1.31 PER INCH

SPACE:

\$1.05 PER INCH PER YEAR

\$1.31 PER INCH PER YEAR

25% MORE IN FLOOR SPACE COSTS FOR LEGAL SIZE FILE CABINET THAN LETTER SIZE

COST OF EQUIPMENT

| | LETTER SIZE | LEGAL SIZE |
|----------------------------------|---|---|
| *AVERAGE COST | \$208.50 | \$239.20 |
| SIZE | 4-DRAWER | 4-DRAWER |
| FILING INCHES | 208.50 DIVIDED BY 100" = \$2.09 PER FILING INCH | 239.20 DIVIDED BY 100" = \$2.39 PER FILING INCH |
| 5 YEAR EQUIPMENT AMORTIZATION | \$.41 PER INCH PER YEAR | \$.47 PER INCH PER YEAR |

LEGAL SIZE FILE CABINET 15% MORE THAN LETTER SIZE

*SOURCE: KROSS OFFICE OUTFITTERS, INC.

7 8 5 1

LABOR

ONE CLERK

* (EQUALS 40 DRAWERS)
-PER DRAWER COST
(ANNUAL SALARY DIVIDED
BY 40 DRAWERS)

SALARY

\$260/WEEK - \$13,520 (ANNUAL)
(INCLUDES BENEFITS)
\$338.00 PER DRAWER

4-DRAWER FILE (COST)

LETTER (100") =
\$1,014.00 DIVIDED BY 100"

\$10.14 PER INCH PER YEAR

LEGAL (100")
\$1,352.00 DIVIDED BY 100"

\$13.52 PER INCH PER YEAR

LEGAL SIZE REQUIRES 25% MORE LABOR DUE TO FILING AND RETREIVING OF RECORDS.
UNIFORM SIZE PAPER IS EASIER AND FASTER TO FIND AND TO FILE.

* ARMA SURVEY

7 5 5 3

| | VERTICAL LETTER FILE (CONTAINING 100") | VERTICAL LEGAL FILE (CONTAINING 100") |
|--------------------|---|--|
| COST/FILING INCH | \$ 12.72 X 100" | \$ 16.67 X 100" |
| ONE 4-DRAWER FILE | \$1,272.00 | \$1,667.00 |
| TEN 4-DRAWER FILES | | |
| TOTAL ANNUAL COST | \$12,720.00 | \$16,670.00 |

*COST EXCLUDES COST OF CREATING RECORDS

FILE INCH COST

| ANNUAL | VERTICAL LETTER | VERTICAL LEGAL |
|--------------------------------|---------------------|---------------------|
| SPACE | \$1.05 | \$1.31 |
| EQUIPMENT | \$.41 | \$.47 |
| LABOR | \$10.14 | \$13.52 |
| *SUPPLIES (FOLDERS, LABELS) | \$1.12 | \$1.37 |
| | <hr/> | <hr/> |
| | \$12.72 PER INCH | \$16.67 PER INCH |

*KARDEX COMPANY, MARIETTA, OHIO

COST PER FILE CABINET

| ANNUAL | VERTICAL LETTER 4-DRAWER | VERTICAL LEGAL 4-DRAWER |
|----------------------------------|-----------------------------|----------------------------|
| COST PER CABINET | \$1,272.00 | \$1,667.00 |
| COST PER DRAWER | \$318.00 | \$416.75 |
| *AVERAGE DOCUMENTS PER DRAWER | 3,000 | 3,000 |
| FILING COST PER DOCUMENT | \$.10 | \$.13 |
| SAVINGS IN COST PER DOCUMENT | | <u>-.10.</u> \$.03 |

*ARMA

COURT RECORDS, WYANDOTTE COUNTY DISTRICT COURT CIVIL DEPARTMENT

A. LABOR (INCLUDES BENEFITS)

- | | |
|--|----------------------|
| 1. SORTING AND FILING DOCUMENTS: 250 WORKDAYS X 8 CLERICAL HOURS PER DAY X \$6.50 LABOR RATE PER HOUR = | \$13,000.00 PER YEAR |
| 2. GENERAL FILE MAINTENANCE: 250 WORKDAYS X 8 HOURS PER DAY FOR MAINTENANCE X \$6.50 LABOR RATE PER HOUR = | \$13,000.00 PER YEAR |
| LABOR SUBTOTAL = | \$26,000.00 PER YEAR |
| 3. SUPERVISION: 20% X \$26,000.00 (LABOR SUBTOTAL) | \$ 5,200.00 PER YEAR |
| TOTAL ANNUAL LABOR = | \$31,200.00 PER YEAR |

B. SUPPLIES

- | | |
|--|----------------------|
| 1. ANNUAL EXPENSES FOR FOLDERS, LABELS, FILE CABINETS, ETC. | \$15,000.00 PER YEAR |
|--|----------------------|

C. SPACE *

- | | |
|---|----------------------|
| 900 SQ. FT. OF FLOOR SPACE X \$15.00 COST OF SQUARE FOOT PER YEAR. = | \$13,500.00 PER YEAR |
|---|----------------------|

TOTAL ANNUAL COST = \$59,700.00 PER YEAR

*DOES NOT INCLUDE SPACE AT COURTHOUSE
ANNEX LOCATED 15 MILES FROM COURTHOUSE

599 /

WYANDOTTE COUNTY DISTRICT COURT CIVIL DEPT. (CONT'D)

| | | | | |
|-------------------------|-----------------|---|---------------|-------------|
| OPEN SHELF FILING | 42 1/2 x 8 x 76 | = | 25,840 | FILE INCHES |
| 4-DRAWER VERTICAL LEGAL | 25 x 4 x 23 | = | 2,300 | FILE INCHES |
| FILE INCHES IN BASEMENT | | | <u>10,336</u> | FILE INCHES |

| | | |
|-------------------|--------|-------------|
| TOTAL FILE INCHES | 38,476 | FILE INCHES |
|-------------------|--------|-------------|

| | | |
|---|-----|-------------|
| SQUARE FEET OF OFFICE SPACE BEING UTILIZED | 600 | SQUARE FEET |
|---|-----|-------------|

| | | |
|---|-----|-------------|
| SQUARE FEET OF BASEMENT BEING UTILIZED | 377 | SQUARE FEET |
|---|-----|-------------|

| | | |
|-------------------|-----|-------------|
| TOTAL SQUARE FEET | 900 | SQUARE FEET |
|-------------------|-----|-------------|

| | | | |
|---|---|-----------|-----------|
| 38,476 FILE INCHES X 120 AVERAGE DOCUMENTS PER INCH | = | 4,617,120 | DOCUMENTS |
|---|---|-----------|-----------|

| | | |
|--|---|--------------|
| 4,617,120 DOCUMENTS X \$.03 SAVINGS PER DOCUMENT | = | \$138,513.60 |
|--|---|--------------|

| | | |
|---------------------------------------|--|------------------|
| LESS 23% *** (SEE FOLLOWING NOTATION) | | <u>31,858.12</u> |
|---------------------------------------|--|------------------|

| | |
|---------------|--------------|
| TOTAL SAVINGS | \$106,655.48 |
|---------------|--------------|

\$106,655.48 DIVIDED BY 10 YEARS = \$10,665.54 SAVINGS PER YEAR.

FACTS (CORRECTION FACTOR)

1. THE AVERAGE LEGAL COURT FILE CONTAINS 30 SHEETS OF PAPER - SOME LEGAL, SOME LETTER SIZE.
2. IN THE AVERAGE CASE FILE, 36% OF PAPER IS EITHER ON LETTER SIZE OR COULD HAVE BEEN ON LETTER SIZE; OR 11 SHEETS OF THE 30 COULD BE ON STANDARD SIZE PAPER.
3. THE REMAINING 64% (19 SHEETS) ARE ON FULL LEGAL SIZE PAPER.
4. TYPING THESE 19 LEGAL SIZE SHEETS ON STANDARD SIZE PAPER REQUIRES 36% (7 SHEETS) MORE OF REGULAR SIZE PAPER.
5. THUS, THE FILE INCREASED IN SIZE BY $11 + 19 + 7 = 37$ SHEETS (23%)

THEFORE, THE TOTAL COST SAVINGS SHOWN BY CHANGING FROM LEGAL TO STANDARD SIZE PAPER SHOULD BE REDUCED BY 23% BECAUSE OF THE ADDITIONAL NUMBER OF SHEETS REQUIRED TO CONVERT TO STANDARD PAPER AND THE INCREASE IN FILE SIZE (SPACE).

IN CONCLUSION

THE COMBINED NUMBER OF FILES ON RECORD IN OTHER DEPARTMENTS IN THE WYANDOTTE COUNTY DISTRICT COURT (CRIMINAL, PROBATE, JUVENILE, LIMITED ADULTS, PROBATION, ETC.) IS 2.9 TIMES THE NUMBER OF FILES IN THE CIVIL DEPARTMENT.

THEREFORE, THE YEARLY AVERAGE SAVINGS TO THIS COURT WOULD BE \$30,930.06

IN A PROJECTED STATE WIDE SAVINGS IN THE COURTS ON THE BASIS OF CASES FILED PER COURT PER YEAR, THE STATE WOULD REALIZE A SAVINGS OF \$247,440.48 *PER YEAR*

WYANDOTTE CY DISTRICT COURT CIVIL DEPT.
 FILE MANAGEMENT SYSTEM SYSTEM FINANCIAL ANALYSIS

341 8384
 2-15-83
 # 7

I. EVALUATION CRITERIA

| | |
|--|---------------|
| SYSTEM PRICE | \$2085 |
| DEPRECIABLE LIFE (YEARS) | 10 |
| DEPRECIATION METHOD | STRAIGHT LINE |
| GROWTH RATE FOR FILES | 6% |
| TAX RATE | 0% |
| CONVERSION PERIOD (MONTHS) FOR ACTIVE FILES | 12 |
| RESIDUAL VALUE | \$0 |
| INFLATION COST FACTOR | 8% |
| MINIMUM RETURN ON INVESTMENT | 0% |

II. SUMMARY OF FORECASTED ANNUAL SAVINGS

| | YEAR | | | | |
|-------------------------------|---------|---------|---------|---------|---------|
| | 1 | 2 | 3 | 4 | 5 |
| EXISTING SYSTEM COSTS | \$19084 | \$21847 | \$25011 | \$28632 | \$32778 |
| FILE MANAGEMENT SYSTEM SYSTEM | 14562 | 16670 | 19084 | 21848 | 25011 |
| CONVERSION-ACTIVE FILES | 2061 | 0 | 0 | 0 | 0 |
| SAVINGS | 2261 | 5177 | 5927 | 6784 | 7767 |
| LESS: DEPRECIATION | 199 | 199 | 199 | 199 | 199 |
| PRETAX SAVINGS | 2062 | 4978 | 5728 | 6585 | 7568 |
| LESS: TAXES @ 0% | 0 | 0 | 0 | 0 | 0 |
| AFTER TAX SAVINGS | \$2062 | \$4978 | \$5728 | \$6585 | \$7568 |

III. CALCULATION OF CASH FLOW

| | | | | | |
|---------------------|--------|--------|--------|--------|--------|
| AFTER TAX SAVINGS | \$2062 | \$4978 | \$5728 | \$6585 | \$7568 |
| PLUS: DEPRECIATION | 199 | 199 | 199 | 199 | 199 |
| RESIDUAL VALUE | 0 | 0 | 0 | 0 | 0 |
| AFTER TAX CASH FLOW | \$2261 | \$5177 | \$5927 | \$6784 | \$7767 |

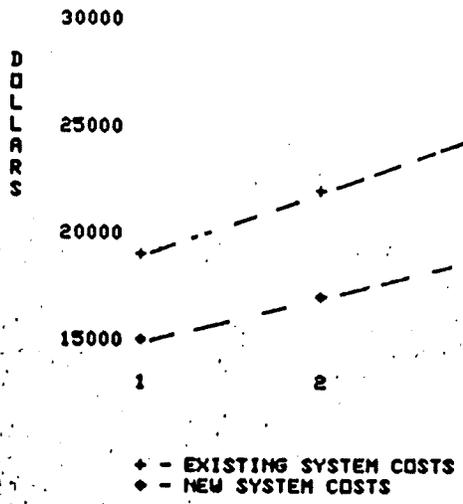
3M
 MICROGRAPHIC PRODUCTS DIVISION

CONFIDENTIAL INFORMATION FOR WYANDOTTE CY DISTRICT COURT CIVIL DEPT. ONLY

Attch. 7

7653

WYANDOTTE CY DISTRICT COURT CIVIL DEPT.
 FILE MANAGEMENT SYSTEM SYSTEM FINANCIAL ANALYSIS
 I. COST COMPARISON



II. FINANCIAL SUMMARY

| | | | | | |
|---|--------|------|------|------|------|
| INVESTMENT | \$2085 | | | | |
| | | YEAR | | | |
| | | 1 | 2 | 3 | 4 |
| AFTER TAX CASH FLOW FOR 5 YEAR ANALYSIS | | 2261 | 5177 | 5927 | 6784 |
| | | 7767 | | | |

| | |
|-------------------------|---------|
| ESTIMATED: | 5 YEARS |
| INTERNAL RATE OF RETURN | 166.35% |
| NET PRESENT VALUE @ 0% | \$25831 |
| PAYBACK PERIOD (YEARS) | .92 |

? QUIT
 2GNHJ

COMMENTS CONCERNING HOUSE BILL NO. 2751

Presented to the House Government Organization Committee
by Thomas D. Norris, State Records Specialist,
Department of Archives

I appreciate very much this chance to speak before the committee as a representative of the State Historical Society's Department of Archives. As custodian of the official state archives and because of our statutory obligation (see K.S.A. 45-406) to provide records management assistance to state agencies, this department is very interested in any proposal such as House Bill No. 2751 which is related to the storage of state government records.

In general, we have no argument with the bill: it reflects a tactic of cost savings that has been proposed by the Association of Records Managers and Administrators for several years and which has been adopted by many businesses and states across the nation. Although there are often legitimate reasons for creating and maintaining records of non-standard sizes, many times agencies continue to use such formats long after the practical reasons for their use has departed from either a misplaced sense of tradition or a simple fear of change. One consequence is that thousands of tax dollars are wasted annually across state government on legal-sized filing equipment and supplies for which less expensive standard purchases might be easily substituted. This bill, if enacted into law and enforced with vigor, would help to alleviate some of this problem and thereby save money for the state. The portion of the bill (paragraph 1-c) that directs the Department of Administration to assist agencies in forms analysis and design should help reduce duplication of old and superfluous creation of new forms in state government. In short, the basic precepts of this bill incorporate sound records management principles that should serve the state well.

Nevertheless, the Department of Archives proposes an amendment which is set forth in a balloon version of the bill attached to this statement. That amendment would allow the purchase and use of equipment and supplies for the storage of state government records of enduring value which were created prior to the approval of this legislation and which are of non-standard sizes. It would also allow the same for the historical collections in the custody of the State Historical Society and the libraries of the colleges and universities under the State Board of Regents.

The rationale behind the proposed amendment is that non-standard-sized records are already in existence and that those with archival worth will continue to require storage that meets their peculiar shapes and sizes. To attempt to force an over-

may do irrevocable damage to the document. Folding legal- or other odd-sized papers to fit standard filing spaces ruptures the fibers within the paper and eventually fosters rips and tears. To repair injured documents requires time and skill--it is far more cost effective to prevent the harm from occurring. Without the addition of this amendment, our state-supported historical records repositories would be unable to effectively fulfill their mission to protect and preserve our heritage.

Although this amendment would most affect the State Historical Society and the library special collections divisions at the Regent's institutions, other agencies would also benefit. This is because many of them maintain records in their custody which are archival in nature but which need to remain at the agencies for various operational reasons. This amendment would enable all agencies to properly replace or upgrade the storage equipment and supplies for the archival records in their custody thereby helping to promote the preservation of our state's history.

Finally, let me say that House Bill 2751 should only be one step in the development of an efficient and effective records management program. At present, Kansas is nearly unique among the states in its lack of a centralized and uniform records management policy and system for state government. The start-up costs of such a system would not be inexpensive, but they would be an excellent investment for the long term. This bill has merit, but it should be followed by other statutory changes and appropriations necessary to establish a full-fledged centralized records management program. Such a program would greatly increase efficiency in state government and would provide substantial financial savings.

HOUSE BILL No. 2751

By Committee on Judiciary

2-2

0017 AN ACT concerning state agencies; relating to certain supplies
0018 and equipment; restricting the size thereof.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. (a) No state agency shall purchase forms, bond
0021 paper or legal pads larger than standard size unless the forms,
0022 bond paper or legal pads are perforated or otherwise designed to
0023 produce completed documents not larger than standard size.

0024 (b) No state agency shall purchase file cabinets designed to
0025 hold completed documents larger than standard size.

0026 (c) Each state agency shall review its existing forms to deter-
0027 mine which forms need to be redesigned so that each page of the
0028 completed document is not larger than standard size. The secre-
0029 tary of administration and the director of printing shall provide
0030 assistance in forms analysis and design to any agency upon
0031 request.

0032 (d) Notwithstanding any other provision of law, no state
0033 agency shall use forms, bond paper or legal pads larger than
0034 standard size on or after June 30, 1990, unless the forms, bond
0035 paper or legal pads are perforated or otherwise designed to
0036 produce completed documents not larger than standard size.

0037 (e) This section does not prohibit the purchase or use of:

0038 (1) Forms larger than standard size, if the forms are to be
0039 used to maintain accounting or bookkeeping records, for prepar-
0040 ing architectural or engineering drafts or documents or for pre-
0041 paring maps, graphs, charts or artwork; or

0042 (2) fan-fold paper designed for use in computer peripheral
devices.

0043 (f) As used in this section:

0045 (a) "Standard size" means 8½ x 11 inches.

(3) Equipment and supplies to be used for the storage of government records created before this act which hold enduring value as defined by K.S.A. 45-402(f) or of the historical collections of the State Historical Society and the various institutions of higher learning governed by the State Board of Regents.

0046 (b) "State agency" means any state office, department, insti-
0047 tution, commission, board or authority of the state.

0048 Sec. 2. This act shall take effect and be in force from and
0049 after its publication in the statute book.

TESTIMONY BEFORE THE HOUSE GOVERNMENTAL ORGANIZATION COMMITTEE
Feb. 11, 1988

Good morning, Chairman Walker, ladies and gentlemen. Thank you for the opportunity to appear and provide testimony regarding House Bill 2751. My name is Gretchen Gleue. I'm a Management Analyst with the Kansas Corporation Commission. Included in my duties is records management.

The Kansas Corporation Commission supports this bill, and the changes proposed by the State Archives.

During the last 18 months, the KCC has developed and started to implement a records management plan. While conducting records inventories, I have learned how much floor space and equipment is dedicated to the storage of state records. Under the advisement of the State Archives, and with the approval of the State Records Board, we are beginning to reduce our storage needs by microfilming and eliminating duplicates. We could further reduce our administrative operating costs by eliminating the necessity of having both legal and letter size records. As part of its records management plan, the KCC is investigating the use of only letter-size paper.

Every legal-size cabinet requires 17% more floor space than a letter-size cabinet. Floor space in the Docking State Office Building costs us \$ 11.75 per square foot. By multiplying the amount of space wasted by legal size file cabinets times the number of files times the cost per square foot, you'll see the additional storage costs borne by the agency attributed to the present records maintenance policy.

The percentage of additional cost for legal-size furniture and supplies over the standard letter size items is illustrated in this table.

Legal-size cabinets require at least 960 additional square inches of steel. This furniture grade steel is one of the key ingredients in the spiraling cost of office equipment.

Agencies that use both legal and letter size paper must maintain a supply of both sizes. Double stocking requires 21% additional storage space and file storage. According to information published by the Association of Records Managers & Administrators (ARMA) International, the Federal Government has saved taxpayers over \$72 million annually by photocopying only on letter-size paper.

We recognize the Commission should plan to acquire new equipment in only letter-size. We realize older legal-size equipment has to live out its life span. We would phase out existing legal-size equipment as it becomes worn and obsolete.

The KCC is a member of the Association of Records Managers and Administrators (ARMA) International. In Oct. 1980, ARMA International started "Project ELF". ELF is an acronym for Eliminate Legal-size Folders. ARMA International's headquarters is in Prairie Village, Kansas and they could provide you with additional information on Project ELF.

We urge you to follow the lead of the Delaware General Assembly, who was the first state to adopt legislation to eliminate legal-size files.

Table 3*
LETTER/LEGAL-SIZE COST ANALYSIS

| Item | Lettersize | Legal-Size | Percent of Additional Expenditure |
|--------------------------------|------------|------------|---|
| File Cab (Vertical 4-drawer) | \$208.50 | \$ 298.70 | 43 |
| File Cab (Mobile Hanging) | 95.60 | 131.00 | 37 |
| File Cab (Lateral 4 Tier) | 647.00 | 647.00 | 00*(A) |
| File Cab (Transfer) | 8.90 | 11.15 | 25 |
| File Cab (Fireproof) | 960.00 | 1,033.00 | 08 |
| File Shelving (Open Face) | 295.00 | 295.00 | 00* |
| Desk Trays | 9.30 | 10.60 | 14 |
| File Guides (Pressboard) | 46.50 | 58.75 | 26 |
| Carbon Copysets | 8.95 | 8.95 | 00 |
| File Pockets (Expandable) | 1.43 | 1.65 | 15 |
| Duplicating Stencils | 12.95 | 14.60 | 13 |
| Folders (Pendaflex) | 12.00 | 13.70 | 14 |
| Folders (Pressboard) | 19.80 | 24.65 | 24 |
| Folders (Manila) | 9.40 | 12.10 | 29 |
| Binders (Report-ACCO) | 1.90 | 2.40 | 26 |
| Pads (Lined "Legal") | .87 | .97 | 11 |
| Papers (25% Cotton-Typewriter) | 11.40 | 16.95 | 49 (B) |
| Paper (Xerographic) | 6.30 | 8.05 | 28 (B) |
| Paper (Mimeographic) | 6.30 | 8.05 | 28 (B) |
| Envelopes (Manila Flat 32) | 14.35 | 18.50 | 29 |

(A) These units are manufactured to hold either letter or legal-size media. There is, therefore, a waste of 960-1,400 square inches of furniture grade steel in each file used for lettersize media. Over 10,000 cubic inches of waste in each file.

(B) Projected discounted copy paper cost for the Federal Government is \$60,000,000. If the government used legal instead of standard lettersize paper, the cost to the taxpayers would soar to \$72,600,000. This is an annual figure.

*Source: Arlilite Office Products, 1982

ASSOCIATION OF RECORDS MANAGERS AND ADMINISTRATORS
(ARMA) INTERNATIONAL, INC.

4200 Somerset Drive, Suite 215, Prairie Village, KS

(913) 341-3808

MEMORANDUM

February 8, 1988

TO: House Committee on Governmental Organization
FROM: Kansas Legislative Research Department
RE: 1988 H.B. 2751

Summary of Bill

The bill would prohibit, with certain exceptions, any state agency from purchasing forms, bond paper or legal pads larger than standard size after July 1, 1988. Effective the same date, agencies would also be prohibited from purchasing file cabinets designed to hold documents larger than standard size. Effective July 1, 1990, agencies would be prohibited from using forms, bond paper or legal pads larger than standard size.

Standard size would be defined by the bill as 8 1/2 x 11 inches. The bill defines the term "state agency" to mean any state office, department, institution, commission, board or authority of the state.

Larger paper would be permitted for use in accounting or bookkeeping, for architectural or engineering drafts or documents or for preparing maps, graphs, charts or artwork. Larger paper would also be permitted for use in computer equipment.

The bill is identical to one introduced in 1983 (1983 S.B. 102). That bill was recommended for passage by the Senate Judiciary Committee, but was stricken from the Senate Calendar at the end of the 1984 Session.

Background

Judicial Agencies. Based upon national information, it appears that the state and federal courts are more likely to address the issue of paper size than are the executive or legislative branches of government. The federal courts adopted a letter-size paper standard in 1983 and several state court systems have either partially or completely adopted such a standard. Kansas has not adopted a letter-size paper standard, and most filings with the state courts must be on 8 1/2 x 14 (legal size) paper.

Information provided by the National Center for State Courts, which produced a research memorandum on the subject in 1984, is attached. That chart displays the states that have adopted a letter-size paper standard either wholly or partially and other information about the extent of the application of the rule. The memorandum indicates that Arizona, Hawaii, Idaho, Illinois, Kentucky, Massachusetts, Minnesota, New Jersey, North Dakota, Pennsylvania, South Carolina, South Dakota, Utah, and Virginia have adopted a complete letter-size paper rule. According to the Center, Wisconsin and Georgia adopted a letter-size standard after the table was prepared.

ATTACHMENT 7

H.O. Comm. 2/11/88

The most common argument in favor of changing to the smaller paper size is reduced cost for paper, file cabinets, archival storage, and handling. The National Center for State Courts did not know of any post-implementation studies that would shed light on whether or not the anticipated cost savings were achieved.

Executive and Legislative agencies. Locating information regarding the extent to which a letter-size standard has been adopted via rules or legislation for the executive and legislative branches of government is more difficult. Apparently adoption of such standards by nonjudicial agencies is not common. Only three states have enacted legislation that regulates the size paper that state agencies can use. The federal government has a very limited requirement regarding paper size.

According to the federal General Services Administration (GSA) in Washington, D.C., the only paper size standard in existence is a regulation (41 CFR 201-45.401-2) that establishes the requirement that letterhead stationery must be 8.5 x 11 inches, but which does not prohibit the use of legal size paper for other purposes. There does not appear to be any federal evaluation of the real or anticipated cost savings of implementing a letter-size paper standard.

"GSA Bulletin FPMR B-120 Archives and Records" (June 2, 1982), which is cited in the National Center for State Courts memorandum, was not a regulation and did not impose a mandatory standard on federal agencies. According to personnel in the GSA, bulletins are issued for guidance and information purposes only and have no regulatory impact. (The bulletin was canceled by a 1986 issuance that became the regulation cited above.) This particular bulletin has apparently been misinterpreted in the past to be a requirement that federal agencies quit using legal size paper.

The Association of Records Managers and Administrators (ARMA) has organized an effort called "Eliminate Legal-Size Files" (ELF) that has worked for the adoption of 8.5 x 11 inch paper as the universal standard for government work. It appears that much of the information available on this subject is generated by ELF.

The International Chairman of ELF is aware of three states, Arizona, Delaware, and Texas, that have adopted statutes that establish 8.5 x 11 inch paper as the standard. A draft bill establishing the standard in Michigan has been prepared for introduction to the 1988 Michigan Legislature. Apparently bills have been introduced in the New York and Florida legislatures in years past, but none have been enacted.

Both the Texas and Delaware laws apply to state agencies only while the Arizona statute applies to both state and local governmental entities. In Arizona and Delaware, the state courts had adopted a letter-size standard prior to the adoption of the statute. None of the states that have adopted statutes mandating the use of letter-size paper has done a follow-up study to determine whether anticipated cost savings have been realized.