



Administrative Office
700 SW Jackson St, Suite 500
Topeka, KS 66603-3758

Heather Cessna, Director

KANSAS STATE BOARD OF INDIGENTS' DEFENSE SERVICES

Phone: 785-296-6631

Fax: 785-291-3082

www.sbids.org

Laura Kelly, Governor

House Committee on Agriculture and Natural Resources

February 12, 2025

Testimony of
Ann Sagan, Director of Special Projects
Kansas State Board of Indigents' Defense Services

Chair Rahjes, Vice-Chair Neelly, Members of the Committee and Legislative Staff,

Thank you for the opportunity to testify in support of HB 2174, which represents an important step toward increasing the number of attorneys in rural communities across Kansas. This bill will improve access to all types of attorney services for rural Kansans, and it will also help us to meet our state's constitutional requirement to provide counsel to all Kansans who are charged with a felony but cannot afford an attorney—including those who live in our state's rural communities.

Lawyers play an important role for rural small businesses, families, and agriculture. Yet rural communities in Kansas struggle to meet the legal needs of their residents due to the lack of attorneys in these areas. Over the next 10 years, Kansas's rural attorney shortage will grow larger, and justice gaps for rural communities will widen.¹ Both of the loan repayment programs in HB 2174 represent important incentives to help attorneys make the decision to call rural communities home.

In the context of criminal justice, the lack of rural attorneys represents a looming constitutional crisis as we face the possibility that Kansas will not be able to fulfill its obligation to provide counsel to rural defendants who are charged with felonies in the coming years. Already, BIDS has paid attorneys from urban areas to travel hundreds of miles to represent defendants in rural areas due to the lack of local counsel. This is a

¹ <https://kscourts.gov/KSCourts/media/KsCourts/court%20administration/Rural-Justice-Initiative/Kansas-Rural-Justice-Initiative-Committee-Final-Report.pdf>

costly solution to the problem of rural attorney shortages, as attorneys traveling for rural representation are paid by the State of Kansas for their travel time and many miles on the road. In addition, attorneys who live hours away are not able to meet with clients as frequently, and they are unable to take as many cases as local counsel. The local legal community suffers as well, as attorneys from outside of the local context have limited time to engage with the community and other justice partners. The current practice of paying attorneys to travel to rural areas is not a long-term solution—we must find a way to recruit attorneys to live and work in rural communities, not just commute there.

HB 2174 will provide a mechanism for Kansas to incentivize attorneys to move to rural areas, open their own practice, take appointed criminal defense cases, or even join a public defender or prosecutor's office. This bill represents an opportunity to support rural legal communities, whose survival is essential for fulfilling the promise of a fair and equitable justice system.

As always, if you have any further questions, please do not hesitate to contact us. Thank you for your time and consideration.

/s/ Ann Sagan

Ann Sagan
Director of Special Projects
Kansas State Board of Indigents' Defense Services