

January 12, 2016

REVISED

The Honorable John Barker, Chairperson
House Committee on Judiciary
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Revised Fiscal Note for HB 2411 by House Committee on Appropriations

In accordance with KSA 75-3715a, the following revised fiscal note concerning HB 2411 is respectfully submitted to your committee.

HB 2411 would allow the chief judge of the 14-member Kansas Court of Appeals to assign current members to a nine-member Court of Criminal Appeals and a five-member Court of Civil Appeals effective August 31, 2016. The bill includes the procedures that would be followed to convert current members to each court, and in most cases would amend current statutes by changing "court of appeals" to "court of criminal appeals" or "court of civil appeals." The bill includes several amendments that would expand, alter, remove, or eliminate authority or responsibilities of the Supreme Court or the Chief Justice of the Supreme Court, in many cases, transferring authority to the Court of Appeals. The bill would require the Court of Civil Appeals to file opinion within 180 days after a matter is submitted for decision, and would allow counsel to file a joint request for a decision to be entered as soon as possible. With regard to school finance litigation, a district judge would be required to give notice to the chief judge of the Court of Civil Appeals of a petition filed in a school finance case, and would require the chief judge to appoint a three-member panel to hear the case.

Since the original fiscal effect statement was issued, the Office of Judicial Administration (OJA) has provided information regarding the fiscal effect of this bill. The Office of Judicial Administration indicates that HB 2411 would shift a substantial portion of the Supreme Court's caseload to the Court of Appeals, but it is not anticipated to result in any additional savings or expenditures. However, the overall fiscal effect cannot be determined until the Judicial Branch has operated with the provisions of HB 2411 in place.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary