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State Finance

P-1 District Court Docket Fees

Kansas has had a uniform system of district court docket fees since 1974. The original docket fees were \$35 for civil cases and varying amounts for criminal cases, depending upon the nature of the crime. From 1984 to 1995, local law libraries could charge differing library fees that were in addition to statutorily set docket fees, which caused docket fees to be non-uniform.

In 1996, the Legislature enacted legislation that returned docket fees to a uniform level and also added docket fees for filing post-divorce motions for changes in child custody, modifications of child support orders, or changes in visitation. The 2006 Legislature enacted legislation specifying that only the Legislature can establish fees or moneys for court procedures including docket fees, filing fees, or other fees related to access to court procedures.

The 2006 Legislature raised docket fees for four purposes: to provide additional funding for the State General Fund associated with an approved judicial salary increase, to provide an increase in funding for the Kansas Law Enforcement Training Center Fund, to provide funding for the Kansas Judicial Council's judicial performance evaluation process, and for the Child Exchange and Visitation Centers Fund.

The 2009 Legislature raised docket fees to provide funding for the first phase of a statewide non-judicial personnel salary adjustment and raised the docket fee in criminal cases by \$1 to fund a \$1 increase to the Prosecuting Attorneys' Training Fund.

The 2014 Legislature redirected docket fees from state agencies to the Judicial Branch starting in FY 2014. Starting in FY 2015 docket fees are deposited in three places; the Judicial Council, the Electronic Filing Management Fund, and the Judicial Branch Docket Fee Fund. Through FY 2017 the Electronic Filing Management Fund will receive the first \$3.1 million in clerk's fees. From FY 2018 forward, that amount will be reduced to \$1.0 million for annual maintenance and upkeep.

The Office of Judicial Administration collected \$29.0 million in district court docket fees for the State Treasury in FY 2015.

Fines Penalties and Forfeitures. In FY 2015, the Judicial Branch collected \$17.2 million in fines, penalties, and forfeitures. A portion of funds collected, 33.6 percent, is earmarked for assisting victims of crime, alcohol, and drug abuse programs, children's services, and other law

enforcement-related activities. The remainder is transferred to the State General Fund for general operations.

Other Fees. In addition to docket fees, the Judicial Branch also imposes other fees and assessments on individuals who use the judicial system. The Judicial Branch collected \$7.6 million in other fees and assessments in FY 2015. These fees support law enforcement related activities within the Kansas Bureau of Investigation, Office of the

Attorney General, Board of Indigents' Defense Services, and the Department of Corrections.

The 2009 Legislature authorized the Supreme Court to enact a new surcharge in FY 2009. The surcharge is approved on an annual basis by the Legislature. In FY 2011, the Legislature extended the surcharge through FY 2012 and increased the surcharge by 25.0 percent. The FY 2014 Legislature abolished the Surcharge Fund and directed that all docket fees generated by the Surcharge be deposited in the Docket Fee Fund.

Name of Fund	Administering Authority	FY 2015 Actual		FY 2016 Est.	
		Percent of Fees	Revenue to Fund (Est.)	Percent of Fees	Revenue to Fund (Est.)
Docket Fees					
Electronic Filing Management Fund	Chief Justice, Kansas Supreme Court	N/A	\$3,100,000	N/A	\$3,100,000
Judicial Council Fund	Judicial Council	0.99%	183,149	0.99%	172,161
Judicial Branch Docket Fee Fund	Chief Justice, Kansas Supreme Court	99.01%	25,752,915	99.01%	24,798,332
State General Fund	Kansas State Legislature	0.00%	0	0.00%	0
Docket Fee Total		100.00%	\$29,036,064	100.00%	\$28,070,493
Fines, Penalties and Forfeitures					
Crime Victim's Compensation Fund	Attorney General	10.94%	\$1,876,441	10.94%	\$1,876,441
Crime Victim's Assistance Fund	Attorney General	2.24%	384,207	2.24%	384,207
Comm. Alcoholism and Intoxication Programs Fund	Department for Aging and Disability Services	2.75%	471,683	2.75%	471,683
Dept of Corr. Alcohol and Drug Abuse Treatment Fund	Department of Corrections	7.65%	1,312,137	7.65%	1,312,137
Boating Fee Fund	Department of Wildlife, Parks and Tourism	0.16%	27,443	0.16%	27,443
Children's Advocacy Center Fund	Attorney General	1.10%	188,673	1.10%	188,673
EMS Revolving Fund	Emergency Medical Services Board	2.28%	391,068	2.28%	391,068
Trauma Fund	Secretary of Health and Environment	2.28%	391,068	2.28%	391,068
Traffic Records Enhancement Fund	Department of Transportation	2.28%	391,068	2.28%	391,068
Criminal Justice Information Systems Line Fund	Kansas Bureau of Investigations	2.91%	499,126	2.91%	499,126
State General Fund	Kansas State Legislature	66.40%	11,389,003	66.40%	11,389,003
Fines, Penalties and Forfeitures Total		100.00%	\$17,152,113	100.00%	\$17,152,113

Name of Fund	Administering Authority	FY 2015 Actual		FY 2016 Est.	
		Percent of Fees	Revenue to Fund (Est.)	Percent of Fees	Revenue to Fund (Est.)
Other Fees and Assessments					
State General Fund	Various	Fee	188,721	Fee	177,645
Law Enforcement Training Center Fund	Various	Fee	2,175,597	Fee	2,203,159
Marriage License Fees	Various	Fee	1,075,544	Fee	1,065,556
Correctional Supervision Fund	Various	Fee	952,507	Fee	951,463
Drivers License Reinstatement Fees	Various	Fee	879,943	Fee	878,805
KBI-DNA Database Fees	Various	Fee	645,720	Fee	620,001
Community Corrections Supervision Fee Fund	Various	Fee	543,081	Fee	498,561
Indigent Defense Services Application Fee	Various	Fee	474,797	Fee	459,481
Indigent Defense Services Bond Forfeiture Fees	Various	Fee	542,125	Fee	267,572
Other (Law Library, Court Reporter, Interest, etc.)	Various	Fee	117,371	Fee	157,562
<i>Other Fees and Assessments Total</i>			<u>\$7,595,406</u>		<u>\$7,279,805</u>
Grand Total of all Fees, Fines, Penalties and Forfeitures Assessed			<u><u>\$53,783,583</u></u>		<u><u>\$52,502,411</u></u>

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