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State Budget

J-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 in addition to statutorily set docket fees, which caused docket fees to be non-uniform.

In 1996, the Legislature passed legislation that returned docket fees to a uniform level and also added docket fees for filing post-divorce motions for changes in child custody, child support orders, or visitation. The 2006 Legislature passed 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 branch 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 \$186,239 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 2021, the Electronic Filing Management Fund will receive the first \$3.1 million in clerk's fees. From FY 2022 forward, that amount will be reduced to \$1.5 million for annual maintenance and upkeep.

The Office of Judicial Administration collected \$29.4 million in district court docket fees for the State Treasury in FY 2018.

Fines, penalties, and forfeitures. In FY 2018, the Judicial Branch collected \$17.7 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 \$7.9 million in other fees and assessments in FY 2018. 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 annually by the Legislature. In FY 2011, the Legislature extended the surcharge through FY 2012 and increased the surcharge by 25.0 percent. The 2014 Legislature abolished the Surcharge Fund and directed all docket fees generated by the surcharge be deposited in the Docket Fee Fund. The 2017 Legislature extended the surcharge through FY 2019.

		FY 2018 Actual		FY 2019 Estimate	
Name of Fund	Administering Authority	Percent of Fees	Revenue to Fund	Percent of Fees	Revenue to Fund
Docket Fee Distribution					
Judicial Branch Docket Fee Fund	Chief Justice, Kansas Supreme Court	99.01%	\$26,055,000	99.01%	\$26,055,000
Judicial Council Fund	Judicial Council	0.99%	200,980	0.99%	200,980
Electronic Filing Management Fund	Chief Justice, Kansas Supreme Court	N/A	3,100,000	N/A	3,100,000
<i>Subtotal - Docket Fee Distribution</i>		<i>100.00%</i>	<i>\$29,355,980</i>	<i>100.00%</i>	<i>\$29,355,980</i>
Fines, Penalties and Forfeitures					
Crime Victim’s Compensation Fund	Attorney General	10.94%	\$1,937,234	10.94%	\$1,937,234
Crime Victim’s Assistance Fund	Attorney General	2.24%	396,655	2.24%	396,655
Comm. Alcoholism and Intoxication Programs Fund	Department for Aging and Disability Services	2.75%	486,965	2.75%	486,965
Dept. of Corr. Alcohol and Drug Abuse Treatment Fund	Department of Corrections	7.65%	1,354,647	7.65%	1,354,647
Boating Fee Fund	Department of Wildlife, Parks and Tourism	0.16%	28,332	0.16%	28,332
Children’s Advocacy Center Fund	Attorney General	0.11%	19,479	0.11%	19,479
EMS Revolving Fund	Emergency Medical Services Board	2.28%	403,738	2.28%	403,738
Trauma Fund	Secretary of Health and Environment	2.28%	403,738	2.28%	403,738
Traffic Records Enhancement Fund	Department of Transportation	2.28%	403,738	2.28%	403,738
Criminal Justice Information Systems Line Fund	Kansas Bureau of Investigation	2.91%	515,297	2.91%	515,297
State General Fund	Kansas Legislature	66.40%	11,757,985	66.40%	11,757,985
<i>Subtotal - Fines, Penalties and Forfeitures</i>		<i>100.00%</i>	<i>\$17,707,809</i>	<i>100.00%</i>	<i>\$17,707,809</i>

		FY 2018 Actual		FY 2019 Estimate	
Name of Fund	Administering Authority	Percent of Fees	Revenue to Fund	Percent of Fees	Revenue to Fund
Other Fees and Assessments					
State General Fund	Various	Fee	\$188,747	Fee	\$188,747
Law Enforcement Training Center Fund	Various	Fee	2,273,103	Fee	2,273,103
Marriage License Fees	Various	Fee	1,027,254	Fee	1,027,254
Correctional Supervision Fund	Various	Fee	996,746	Fee	996,746
Drivers License Reinstatement Fees	Various	Fee	959,071	Fee	959,071
KBI-DNA Database Fees	Various	Fee	679,458	Fee	679,458
Community Corrections Supervision Fee Fund	Various	Fee	461,450	Fee	461,450
Indigents' Defense Services Application Fee	Various	Fee	541,372	Fee	541,372
Indigents' Defense Services Bond Forfeiture Fees	Various	Fee	567,298	Fee	567,298
Other (Law Library, Court Reporter, Interest, etc.)	Various	Fee	221,566	Fee	221,566
<i>Subtotal - Other Fees and Assessments</i>			\$7,916,065		\$7,916,065
Total of all Docket Fees, Fines, Penalties and Forfeitures Assessed			\$54,979,854		\$54,979,854

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