

Blue Ribbon Commission
Colby Community Meetings, April 26, 2011
Attendance: by-invitation meeting, 53; public meeting, 25.
Feedback based on the 4 questions asked at the meetings

1. **Are there things the courts do locally that could be performed regionally or at one central statewide location to improve their efficiency?**
 - a. **Regionalize**
 1. Traffic and limited cases could probably be done regionally.

2. **How could the courts use technology to make their operations more cost-effective or improve access to the courts?**
 - a. **A/V Technology**
 1. Allow Western Kansas judges to hear hearings in Eastern Kansas through audio/ video conferencing.

 - b. **E-everything**
 1. E-filing would be more convenient for attorneys and clerks.
 2. Would like to see more information available on the web. Still have to do a manual search for records in many places.
 3. Seek federal funding for e-filing rather than placing this burden on state finances.

 - c. **Anti-technology**
 1. Technology can be useful but it is difficult to keep it up and running.
 2. Electronic communication can be helpful but can also be unreliable and should not be the only form of communication.
 3. Concerns regarding the cost of technology.
 4. When we went to FullCourt, our county commissioners refused to fund the hardware, so we had to take money from other sources to buy it. There is a cost to technology that needs to be considered.
 5. Why is the BRC out here? Because they want to see people, they want to talk to people. The same is true for the public, they want to see a judge face to face.
 6. E-filing works but still need access to a local person.
 7. Counties have a hard time keeping technology updated and maintained. There are no funds for doing that.

3. How can the courts become more flexible in the use of people and facilities as workloads and funding fluctuate?

a. Consolidate/Share

b. District Magistrate Judges (DMJs) & District Court Judges(DJs)

1. Utilize magistrate judges more by allowing them to go to other districts to help out where caseloads are larger. Instead of increasing judicial positions, utilize the judges we have.
2. Cut costs by having more magistrate judges in the eastern side of the state.
3. Scaling back District Judges in smaller districts would be a mistake as there are more likely to be conflicts and those conflicts will be more severe than those in metropolitan areas.
4. Need to leave the magistrate judges in western Kansas and allow them to help with hearings and appearances in other counties.
5. Need to make better use of our magistrate judges.
6. Each county needs a magistrate judge.
7. Consider part time judge positions.
8. Change magistrate judge employment to the counties.
9. Don't want part time judges, won't get well qualified people for a part time position.
10. Have clerks handle first appearances. Court clerks can schedule a hearing date for defendants and judges need not be involved at all.
11. Don't feel like magistrate judges have the law training to handle cases they don't currently hear.
12. Pay law trained magistrates more money.
13. The 15th Judicial District could do with a District Judge in Sherman County, a District Judge in Thomas County, and one Magistrate Judge with a law degree. Everyone would be within one hour of a judge.

c. Other

4. What other ideas, issues, or concerns do you want the BRC to consider?

a. Access to Justice/Timeliness

1. Removing judges from our areas will increase lawlessness and create a lack of access to justice.
2. If courts are closed and attorneys have to travel, there will be increased travel costs that are passed onto the client. Some cannot afford to pay that cost.
3. Just because you live in a remote area does not mean that your case is less important. Shouldn't have to travel a great distance to have your case heard.

4. Closing courthouses will end up costing the people in western Kansas more money and reduce their access to justice.
5. Clients will not use the court system if we throw up barriers that they can't afford. People can't afford to spend a half a day traveling for a court case and their employers can't afford to have them gone.
6. As a small business owner, if there were a small claims action, the cost incurred to get the money owed me would not be worth the time and expense if I had to travel.
7. Need to consider the effect on lower socio economic people in the community. If they don't have a car or a local judge, how will they get a protection order?
8. More than half of the citizens in Wallace County are Medicare-eligible and 12% are Medicaid-eligible. The extra travel costs would make it much more difficult for those people to access justice.
9. There is a need for legal services in our communities.
10. If we lose our courts in our communities we will also lose young attorneys.

b. Process changes

1. Cases should not go to trial until they have been through a mediation process.

c. Money/Vacancies

1. Misconception that smaller counties are inflating the judicial budget. Need to make changes in the larger counties where the money is being spent.
2. There is not much money to be saved in western Kansas.
3. Increase court costs. The court costs in Kansas are much lower than many other states around us.
4. If close courts, law enforcement will have to travel farther to transport prisoners, which increases the county costs. Increased travel becomes a safety issue for the officers, public and the prisoner.
5. The state is trying to balance their budget on the counties backs.
6. We currently have a limited amount of court clerks in each county now, we are working on barebones.
7. If consolidate courts, what about the jurors that have to travel for jury duty?
8. We are worried about losing our jobs. Want to keep the courts open and serve the people of our area.
9. We pay taxes like everyone else and want our services too.
10. Could raise taxes for essential government services.
11. Problem with raising taxes is that sparsely populated counties are very impoverished and the way the agricultural land is valued for property tax purposes, when taxes are raised, the burden is largely on commercial and residential property owners.
12. Raise filing fees. Every time someone files something, they pay a fee. Waivers are available for those that can't afford the fee.

13. Just finished major renovations to add an elevator to the courthouse.
14. The Governor has a program to attract people to western Kansas with tax incentives. Why spend money to get people out here then pull services?

d. Legislature

1. The people in Western Kansas are paranoid because they don't have the political clout that exists in Eastern Kansas and the metropolitan areas.

e. One judge per county

1. Don't have to have one judge per county, that could be loosened up.

f. BRC

1. The courts need more information before they can accurately respond to the questions being asked.
2. This meeting should take place when the committee has recommendations, then we can offer better feedback.

g. Furloughs

1. No access to records during furloughs which created a potential liability for those checking judgments and titles.

h. Other

3. Court re-distribution will cause further population declines in Western Kansas.
4. If the Vermont study is any indication on what will happen in Kansas, then the rural areas don't have a chance. The rural counties ended up being consolidated and regionalized in Vermont.
5. Time spent is increased in parts of western Kansas due to the Mountain Time issue.
6. There are three branches of government and they are all equal.
7. I think the system here works well and should not be changed.
8. Can't lose court reporters, we need to be able to keep the record.
9. Weighted caseload study is a waste of time in the rural areas due to the limited caseload.
10. The appraiser's and county clerk's offices depend upon documentation from the district courts on a constant basis to keep our records updated for taxing purposes. If documents relocated, it will increase risk for dropped communications and errors.