

**Blue Ribbon Commission**  
**Feedback from Dodge City Community Meetings**  
(Based on the 4 questions asked by the BRC)  
Updated June 14, 2011

Total attendance: by-invitation, 29; public, 12.

**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) There are things that could be done regionally, but we will be penalizing small communities in the process.
- 2) If the courts are consolidated, a new courthouse would be needed in Ford County. The concern is who would pay for it.
- 3) If the courts are consolidated, we do not want to have people in outlying areas driving miles to a courthouse.
- 4) It is a long drive from Dodge to Decatur County.
- 5) Concerned with the unintended consequences of closing down courthouses.
- 6) If we consolidate into regional courthouses, the lawyers will move to the cities with courthouses.

**b. Keep at local level**

- 1) If officer have to travel far to get a search warrant, the situation could change by the time he gets back.
- 2) Community corrections officers have to supervise people where they live.
- 3) The Protection from Abuse docket needs to stay local.
- 4) There are federal guidelines which state that interested children need to be at certain custody hearings. If the hearings are held at distant locations, it will result in a lot of travel time away from school.
- 5) Child in Need of Care and juvenile offense cases should be kept local so that we do not lose the human element.
- 6) It would be difficult for sheriff's departments if they had to send a couple of officers to transport offenders to distant places because their county would be short-staffed.

**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) Preliminary hearings could use videoconference technology.
- 2) It would be nice if the KBI had the equipment to videoconference.
- 3) In some civil matters videoconferencing might have merit.
- 4) Attorneys already appear by phone.

- 5) Idea of videoconferencing is a good one; it is like an enhanced telephone appearance.
- 6) Videotaping in all courtrooms should be a requirement.
- 7) Suggested telephone appearances. Appearing by telephone is easier for attorneys and parties.
- 8) Liked how Shawnee County had their own software which allowed others to check the status of cases online; would like it available everywhere.
- 9) The Supreme Court made it so that the status of appeals cases is available online.
- 10) Has had good experience with technology.
- 11) Videoconferencing to the jail works well.
- 12) Important to make sure the person on the phone is the appropriate party.
- 13) Encourages the use of Skype.
- 14) The interpreter services offered by phone are very expensive.

**b. E-everything:**

- 1) Kansas might permit e-warrants as other states.
- 2) Federal Court requires use of technology, but makes exceptions when needed.
- 3) E-filing would be helpful.
- 4) Federal court has mandatory e-filing.
- 5) Supreme Court is working on putting together a statewide e-filing system.
- 6) Concerned with the many comments disparaging technology.
- 7) The problem is not with technology itself, but with financing technology.
- 8) The low bidder gets the job and that is why the technology does not work half of the time.
- 9) The courts may need to have an Information Technology person who is responsible for the integration of all the technology.
- 10) Old buildings are being asked to do videoconferencing, and the backbone structure is not there.
- 11) In a business we have to replace and replace with new technologies, and it seems government has not done that.
- 12) When e-filing becomes available the hope is it will also be available in the Spanish language.
- 13) Would like an online database where one could look up the judge on a case, the parties, and the decisions made.
- 14) E-filing would help me a great deal.
- 15) Does not think e-filing restricts access.
- 16) Computer terminals should be available in the lobby of the courthouse with instructions.
- 17) Would like to see technology in which if the victims input their contact information they will receive instant notification from the courts when perpetrator is released from custody or changes supervision status.

**c.**      **Anti-technology**

- 1) The problem with technology is funding; not sure that counties could come up with more funding.
- 2) Some people use computers at the public library while some do not.
- 3) Not convinced that technology could be applied to small claims, pro se, and protection from abuse and protection from stalking cases.
- 4) Technology would be a problem for pro se litigants.
- 5) Many people don't have access to computers.
- 6) There is a presumption that defendants can confront their accuser face to face.
- 7) Videoconferencing can make it difficult for a client to interact with their attorney privately.
- 8) One person is concerned about the thought of replacing court reporters with recordings and transcriptionists.
- 9) A lot of time is spent trying to get the equipment to record properly.
- 10) There have been times when videoconferencing didn't work and the recording device did not work.
- 11) There are also confidential issues. If a client is 6 inches away from a microphone, they may be recorded speaking to their lawyer, and anyone can listen to recording.
- 12) People may speak over each other on a recording.
- 13) It is difficult to get a good record of a trial when using an electrical recording device when someone mumbles or talks over another person.
- 14) There are issues with the quality of technology.
- 15) Phone calls or Skype calls can drop out.
- 16) If the attorney and defendant want to have a private conversation will everyone need to leave the courtroom so that client can talk to attorney?
- 17) Videoconferencing is horrible when it does not work.
- 18) It can be difficult to tell if the person on the other end of a videoconference call understands the content of what is said.
- 19) Judges do not have the ability to ask questions when forms are faxed.
- 20) There is a difference between meeting in person and by video.
- 21) Elderly people don't know how to use computers.
- 22) E-filing might limit access to justice because there are people who are not computer literate.
- 23) Concerned with the security of technology.

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

**a.**      **Consolidate/Share**

- 1) If we can be more efficient through technology, there is the thought that not as many employees will be needed, so people will be taken from us.
- 2) If we have one clerk in a county, what are we going to do when they are sick or gone?

- 3) District Magistrate Judges in western Kansas are willing to help eastern counties through technology if they are in a pinch.
- 4) If the courts are consolidated, there is no way for the clerks in Ford County to take on all the workload.

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

- 1) Why do we have some districts with no magistrate judges?
- 2) It seems like people in eastern Kansas don't know what District Magistrate Judges do.
- 3) One cannot substitute one district judge for five District Magistrate Judges as it is not same amount of work.
- 4) It is already difficult for Protection from Abuse cases to be seen in person because our District Magistrate Judge is out of the county a few days a week.
- 5) If District Magistrate Judges were not in the local courts, children in Child in Need of Care cases would have to wait in foster care.
- 6) Scheduling a case with a district judge can take a long time.
- 7) District Magistrate Judges have a heavy load.
- 8) Johnson County has District Judges hearing cases that our District Magistrate Judges hear for a much lower salary.
- 9) If there is going to be consolidation, I wouldn't cry one tear for giving up the election of judges.
- 10) We give up some accountability when one switches from elected to appointed judges.
- 11) Changing from an elected to an appointed system for judges would have to come up before the voters.

**c.     Other**

- 1) If a judge runs unopposed for two terms, could not we say he is ineligible due to monopoly of power?
- 2) The chief judge position should rotate among the judges in a district.

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

**a.     Access to Justice/Timeliness**

- 1) Same services should be available to small and large population centers.
- 2) It is unfair to defendant if a Skype or phone call drops out in the middle of a proceeding.
- 3) Concerned with the impact changes to the courts will have on the level of service to the citizens.
- 4) Defendants would not have a jury of their peers if the jurors are from the other side of the state.
- 5) A judge needs to see that the defendant understood their rights, and that may be difficult to do through a monitor.
- 6) The people who request Protection from Abuse are getting the orders later than they would when the request has to be faxed because the judge is working in another county.

- 7) Some people walk to the courthouse because they do not have cars or a license to drive or car insurance.
- 8) Are people going to participate in the justice system if getting to the court is a hardship?
- 9) We are dealing with a branch of government; access to justice is a right.
- 10) Timeliness of justice has suffered due to be understaffed.
- 11) Concerned about equal access to justice for everyone.
- 12) Concerned about victims and survivor's rights in the court.
- 13) It is very important that victims can get immediate access to protection orders.
- 14) It is difficult when a judge is not in that county on the day the victim and advocate come in.
- 15) Access to justice will become an issue because poor people will not be able to get lawyers in distant towns.
- 16) There would be a lack of legal services available in rural areas.

**b.**     **Process changes**

- 1) Protection from Abuse orders can be delayed when they have to be faxed to the judge in a neighboring county.
- 2) Wondered how much good they were doing by having juvenile offender hearings in a cattle call format.
- 3) Put archived data on microfiche or online.
- 4) Mediations help some.
- 5) Good scheduling helps so that people are not waiting around.
- 6) Everything we have is on computer; every document is imaged.
- 7) We have our backup system offsite. We have microfiche in the salt mines in Hutchinson.
- 8) Having every document imaged helps when making copies.
- 9) It would help if the forms for domestic abuse cases were in a fillable pdf format and if those forms were available in Spanish.

**c.**     **Money/Vacancies**

- 1) Uncollected money from fines and fees are a systemic problem.
- 2) It is difficult to collect outstanding fines and fees from the unemployed and those in jail.
- 3) One court acknowledged it is not as aggressive as they could be in trying to collect.
- 4) It takes a lot of effort if you are already understaffed to collect outstanding debts.
- 5) Concerned about what the state will ask of the counties in regards to funding.
- 6) If one county ends up with the regional center, is the state going to help pay for the extra office space needed?
- 7) County budgets are tight.
- 8) If the state saves money, will it cost the counties more?
- 9) Investments in technical equipment of \$30,000 might be huge for some counties.
- 10) If we do consolidate, new buildings will need to be built.

- 11) Statewide savings can be costly to counties.
- 12) The courts could charge more for making copies, looking up probate records, and performing genealogy requests.
- 13) Docket fees are high enough.
- 14) Some people are not filing because they cannot afford it.
- 15) We are sentencing some people to failure due to all the fees they have to pay.
- 16) We are putting a horrible burden on people who cannot afford it.
- 17) We could charge more for domestic case filings.
- 18) Child custody investigations are free and they take hours.
- 19) Charges are not consistent throughout the state.
- 20) Not seeing a lot of fat in the budget.
- 21) Financing is a big thing, especially in small counties.
- 22) Housing and transporting prisoners are a great expense the counties bear.
- 23) The entire judiciary budget is less than that for some agencies.
- 24) If costs are only shifting from the state to the counties, there is a false economy.

**d.     Legislature**

- 1) The legislature needs to hear the effects of cost cuts.
- 2) The legislature says that we are going to charge this or that fee, but the people assessed these costs do not have the money to pay those fees.
- 3) There are several new state legislators who need to be educated on the needs of the cities.

**e.     One judge per county**

- 1) Supports the one courthouse per county rule.
- 2) Supports the one courthouse, one county rule.

**f.     BRC**

- 1) The judicial branch needs to be reviewed as there have not been any major changes in 34 years.
- 2) Sometimes it is difficult to discuss changes in efficiencies, because we wonder what the BRC is going to take from this discussion.
- 3) Hopes there is not a rush to judgment that change is needed.
- 4) Hopes problems are appropriately identified, and the decision makers consider whether change is going to make the system better.
- 5) He encouraged the BRC panel to take the time needed to make good recommendations.
- 6) She is concerned that when the BRC take their recommendations back to the Supreme Court, costs may decrease in judicial budget, but increase in some other funding agency.
- 7) Would like the BRC to say what is essential for the courts to operate effectively.
- 8) Concerned that the recommendations will be numbers driven.
- 9) There is good representation from rural Kansas on BRC.
- 10) There are a number of legislators on the BRC.

- 11) Does not envy the job that is before the BRC.
- 12) Doubts that BRC will be able to compile everything and present the recommendations by January.

**g. Furloughs/staffing**

- 1) There is a discrepancy among counties in regard to judicial and staff positions.
- 2) There is a shortage of court reporters.
- 3) There are often too many people on the docket.
- 4) In small courts, if we are one clerk down, that shuts down the court.
- 5) How are we going take positions away from smaller communities and give them to the larger communities?
- 6) Interpreters are needed.
- 7) I am one person in an office that used to have 2.5 people.
- 8) District clerks aren't paid as well as some municipal clerks.
- 9) Fear of furloughs is one reason she quit her job as a district clerk.
- 10) Not happy about her husband's 7% pay cut due to him being a judge.
- 11) There is a lot of turn-over in district clerks here because they feel threatened that the state was going to pull the rug out from under its employees.
- 12) The district clerks cannot take vacation because if they take off, no one can fill in.

**h. Other**

- 1) The judicial branch is an equal branch of government, but we are not treated the same.
- 2) There is a fear out here of how many judges and clerks are going to be taken from us.
- 3) The court system is working fine the way it is right now.
- 4) If the court system is working, we do not need to fix it.
- 5) Smaller counties are more personable because there are not so many Child in Need of Care cases in their counties.
- 6) By late in the fiscal year, social workers have already spent their budgets, so they are unable to travel to children in distant counties.
- 7) For the interested parties, the court proceedings are the most important thing going on in their lives.
- 8) Some smaller counties are doing a better job than we are doing in the mid-size counties due to more personal attention.
- 9) Court provides other services in addition to processing their caseload. They look up old probate records, provide certified copies of divorce records, and receive genealogy related requests.
- 10) The state has forced things on the counties such as housing new prisoners.
- 11) Very concerned about what will be done to rural courts.
- 12) We, in the rural courts, feel like we are not heard because our needs are different than city courts.
- 13) Felt the reason for the low turn-out from the public was no publicity.
- 14) Proud of our court system.

- 15) Change should be as painless as possible.
- 16) There is a huge need for translators and not just for the Spanish language.
- 17) Without the courts, we would turn into a dust bowl.
- 18) We feel like we cannot trust Topeka.
- 19) In the elementary schools in Dodge City this year, there are 37 different languages spoken among 6000 students.