

Chapter 60: 40 jurors

Chapter 61: 25 jurors

Off grid severity level 1 offenses: 80 jurors

Level 2-6 person or non-person felony or level 2 or 3 drug felony: 60 jurors

Unclassified felony or guideline felony not mentioned above: 50 jurors

Where there are multiple parties or where there is an off-grid or severity level 1 felony, or in cases wherein there are potential difficulties in impaneling jurors due to subject matter, publicity or notoriety, the Clerk shall verify the number of jurors with the assigned judge.

RULE 22 JURORS

22.1 The assigned judge shall determine whether a prospective juror is unqualified for, exempt, or to be excused from jury service. Any person shall be determined to be qualified to serve on juries in the District Court unless he or she:

- (A) Is not a citizen of the United States 18 years of age;
- (B) Is unable to read, write and understand the English language with a degree of proficiency sufficient to fill out satisfactorily the juror qualification form;
- (C) Is unable to speak the English language;
- (D) Is incapable, be reason of mental or physical infirmity, to render satisfactory jury service; or
- (E) Has a charge pending against him or her for the commission of, or has been convicted in a state or federal court of record, a crime punishable by imprisonment for more than one year and his or her civil rights have not been restored.

Members in active service in the Armed Forces of the United States are exempt from jury service.

22.2 **EXCUSE OF INDIVIDUAL FROM JURY SERVICE:** In addition to the members of

groups and classes subject to excuse from jury service on request as stated above, any person summoned for jury service may be excused by the court, or the clerk, upon a showing of undue hardship or extreme inconvenience, or both. The names of those so excused are to be reinserted into the jury pool unless otherwise directed by a judge.

22.3 **GROUPS AND CLASSES, MEMBERS OF WHICH ARE SUBJECT TO EXCUSE ON REQUEST:** It is hereby determined that jury service by the following groups of persons and occupational classes of persons may entail undue hardship or extreme inconvenience to the members thereof and that an excuse from jury service of the members thereof may be granted by the assigned judge or the clerk:

- (1) Persons over 75 years of age;
- (2) Persons who have, within the last one (1) year served on a jury;
- (3) Persons having active care and custody of a child or children under ten (10) years of age whose health and/or safety would be jeopardized by their absence for jury service or a person who is essential to the care of aged or infirm persons;

RULE 23 DOMESTIC RELATIONS CASES

23.1 **Captions in Divorce Cases.** The caption in divorce cases shall have both the petitioner's and respondent's full name pursuant to K.S.A. 60-210. Filings will not be accepted if legal names are not in the caption.

23.2 **Ex Parte Orders.** In domestic cases, motions for ex parte orders pursuant to K.S.A. 60-1607a shall be presented upon verified motion or application. Ex parte orders shall not be sought when the adverse party has counsel of record or is formally acting *pro-se*. Ex parte restraining orders shall be mutual to both parties concerning financial and personal matters. If an interlocutory order for legal custody, residency, or parenting time is sought, the party seeking the order shall file a proposed temporary parenting plan at the time the order is sought. The plan shall be served with any temporary orders. A temporary parenting plan is defined to mean an agreement or order issued defining the legal custody, residency, and parenting time to be exercised by parents with regard to a child between the time of filing of a matter in which a parenting plan may be entered, and any other provisions regarding the child's care which may be in the best interest of the child, until a final order is issued. A temporary parenting plan shall include, but not be limited to, the following provisions:

designation of the temporary legal custody of the child;

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NICHOLAS V. SMITH

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