

bond is posted. All persons posting cash bonds for others shall be so notified but proof of said notice is not necessary to apply the cash bond to these costs.

#### **RULE 4 MEDIA COORDINATOR**

In accordance with Rule 1001(9) as promulgated by the Supreme Court of the State of Kansas pertaining to Media Coverage of Judicial Proceedings, the Chief Court Clerk is designated as Media Coordinator for the 6<sup>th</sup> Judicial District.

#### **RULE 5 ASSIGNMENT OF CASES**

The District Judge of Division one (1) shall maintain his or her chambers in Paola. The District Judge of Division two (2) shall maintain his or her chambers in Mound City and the District Judge of Division three (3) shall maintain his or her chambers in Fort Scott.

The resident District Judge of each county shall be responsible for all the assignments and hearing of all cases within that county, subject to approval of the Chief Judge. The Chief Judge will maintain ultimate authority to assign and hear cases as provided in Supreme Court Rule 107.

#### **RULE 6 CONSOLIDATIONS AND DISMISSALS**

- 6.1 **Consolidation.** Cases appropriate for consolidation shall be consolidated with the lowest number case unless otherwise ordered by the Chief Judge. When a case with a higher number is consolidated with a case having a lower number, the judge assigned to the case with the higher number shall order the consolidation after conferring with the judge with the lower number case, if such case is in another division.

When cases are filed under two different Chapters (60-61-59-38) the judge shall notify in writing the judge succeeding to the case.

Any case dismissed and re-filed shall be transferred to the same division to which it was previously assigned. (See Supreme Court Rule 107 and K.S.A. 60-242(a).)

- 6.2 **Dismissal for lack of prosecution:** Periodically at such times as the assigned judge may deem appropriate, or at the suggestion of the Clerk, the judge may notify counsel of cases subject to dismissal for want of prosecution. Notification will consist of a notice of intent to dismiss for lack of prosecution. Upon dismissal a notice of final action will be

mailed, or deposited in counsel's box.

**RULE 7**  
**CIVIL MOTION PRACTICE**

- 7.1 **Motions.** All motions, unless made during a hearing or at trial, shall be in writing and shall be filed with the clerk. An original shall be filed and shall be accompanied by or contain a brief or memorandum suggesting the reasons and authorities in support.

A party opposing a motion other than one to dismiss, one for summary judgment, or post judgment relief under Chapter 60, Article 16 shall, within ten (10) days after service of the motion upon it, file an original with the clerk and serve upon all other parties a written response to the motion containing a short, concise statement of his opposition to the motion, and if appropriate, a brief or memorandum in support thereof. A party shall have twenty-one (21) days to respond to a motion to dismiss or for summary judgment. The party may, within ten (10) days after the service of such a response, file an original with the clerk and serve upon all other parties a copy of a written reply memorandum. No other replies will be allowed. Any such motion, not responded to may be granted *sua sponte*.

- 7.2 **Hearings.** No contested hearing shall be scheduled on any regular docket without the specific approval of the Judge who has been assigned to hear that particular case. If oral argument or a fact hearing is allowed by the Court, after request by counsel, the Court will set the matter specially for hearing. At any time after the expiration of the initial response time to a motion when no request for a hearing or oral argument has been granted, the motion shall be deemed finally submitted for decision.

Exceptions. The exceptions to the above are as follows:

- (1) Initial applications to the court for additional time to plead which do not request extensions in excess of thirty (30) days will be ruled on instantly without supporting memoranda and without awaiting responses from adverse parties.
- (2) Motions which show on their face factual authorities sufficient to support the relief requested do not require additional memoranda. (Motions and supporting memoranda may be combined and where combined should be so labeled.)
- (3) Motions accompanied by an agreed order will be ruled on without further supporting or responsive memoranda.
- (4) Preliminary domestic motions may be supported and opposed by

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# LOCAL RULES

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and

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Rule 1

Rule 2

Rule 3

Rule 4

Rule 5

Rule 6

Rule 7

Rule 8

Rule 9

Rule 10

Rule 11

Rule 12

Rule 13

Rule 14

Rule 15

Rule 16

Rule 17

Rule 18

Rule 19

Rule 20

Rule 21

Rule 22

Rule 23

Rule 24

Rule 25

Rule 26

Rule 27

Rule 28

Rule 29

Rule 30

Rule 31

Rule 32

Rule 33

Rule 34

Rule 35

Rule 36

# The 6th JUDICIAL DISTRICT

**RICHARD M. SMITH**  
Chief District Judge

**GERALD W. HARRP**  
District Judge

**FRANK R. HARRP**  
District Judge  
**REBECCA P. STEPHAN**  
District Judge