

IN THE SUPREME COURT OF THE STATE OF KANSAS

**Re: Kansas Judicial Branch Fiscal Year 2015 Surcharge and  
Application to Reinstatement Fees Assessed by Municipal Courts**

**Rescinding 2013 SC 60**

**FILED**

**JUN 27 2014**

**HEATHER L. SMITH  
CLERK OF APPELLATE COURTS**

WHEREAS, the Legislature authorized assessing a Judicial Branch Surcharge in 2009 Senate Bill 66; extended and increased that authority in 2010 Senate Substitute for House Bill 2476; further extended and increased that authority in 2011 Senate Bill 97; extended the authority in 2012 SB 322 and 2013 HB 2204; and again extended the authority in 2014 Senate Substitute for House Bill 2338; and

WHEREAS, it has been determined that, without additional funding, the Judicial Branch cannot perform its constitutional and statutory duties;

IT IS THEREFORE ORDERED that a Judicial Branch Surcharge shall be assessed in accordance with the attached schedule, effective July 1, 2014, which also continues in effect the \$22.00 Judicial Branch Surcharge to be assessed by municipal courts on drivers' license reinstatement payments collected.

IT IS FURTHER ORDERED that the following terms and conditions shall apply:

1. The district, municipal, and appellate courts may waive all or part of the Judicial Branch Surcharge set forth in this order on motion of the party to be charged, and upon a showing that such surcharge will result in undue hardship to the petitioning party;
2. Notwithstanding the provisions of Supreme Court Administrative Order No. 41 or local rules pertaining to the order of payment in criminal cases, funds received in criminal cases shall first be applied to the Judicial Branch Surcharge in the amount required, then shall be credited to other charges or entities as Supreme Court Administrative Order No. 41 or local rule directs;
3. In criminal and civil cases in which a party is ordered to pay court costs, the Judicial Branch Surcharge shall be considered a portion of such court costs;
4. The Judicial Branch Surcharge is not a service or operations charge and funds will be utilized solely to reduce the deficit in the budget; and
5. This order shall be effective on and after July 1, 2014, and shall continue until June 30, 2015, unless rescinded or amended by the Kansas Supreme Court.
6. On the effective date of this order, 2013 SC 60 is hereby rescinded.

BY ORDER OF THE COURT the 27 day of June, 2014.



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Lawton R. Nuss  
Chief Justice

## FY 2015 SURCHARGE CHART

(Effective July 1, 2014, through June 30, 2015)

Surcharge amounts remain unchanged from those assessed by 2013 Supreme Court Order 60.

TYPE OF FEE	STATUTE	SURCHARGE
<b>CIVIL</b>		
<b>Chapter 60</b>	60-2001	\$22.00
<b>Domestic:</b>	60-2001	\$22.00
Post Decree Motion	28-179	\$22.00
<b>Limited Actions:</b>		
<=\$500	61-4001	\$19.00
>\$500 or <=\$5,000	61-4001	\$19.00
>\$5,000 or <=\$25,000	61-4001	\$19.00
<b>Small Claims:</b>		
<=\$500	61-2704	\$12.50
>\$500 or <=\$4,000	61-2704	\$12.50
<b>Transfer Limited to Civil</b>		
Original \$35.00 (\$500 or less)	61-2910; 60-2001	\$22.00
Original \$55.00 (over \$500)	61-2910; 60-2001	\$22.00
Original \$101.00 (over \$5,000)	61-2910; 60-2001	\$22.00
<b>Order or Writ of Execution</b>	28-178; 60-2401	\$12.50
<b>Hearing in Aid of Execution</b>	28-178; 60-2419; 61-3604	\$12.50
<b>Order for Garnishment Chapter 60</b>	28-178; 60-729	\$12.50
<b>Order for Garnishment</b>	28-178; 61-3502	\$12.50
<b>Writ or Order of Sale</b>	28-178; 60-2401; 61-3602	\$12.50
<b>Attachment Order</b>	28-178; 60-701; 61-3501	\$12.50
<b>Motion for Summary Judgment</b>	60-256	0.00
<b>BONDS, LIENS, JUDGMENTS</b>		
<b>Post-Judgment Promotion of Ch. 61 to Ch. 60</b>	28-170	\$22.00
<b>Foreign Judgment (another state)</b>	60-2001; 60-3005	\$22.00
<b>Foreign Judgment (another county)</b>	60-2203a	\$22.00
<b>Tax Warrant</b>	28-170; 79-3235	\$22.00
<b>Personal Property Tax Warrant</b>	28-170; 79-2101	\$22.00
<b>Statutory Bond</b>	28-170; 60-1110	\$22.00
<b>Hospital Lien</b>	65-409	\$22.00
<b>Lis Pendens</b>	28-170; 60-2203a	\$22.00
<b>Mechanic's Lien</b>	28-170; 60-1102	\$22.00
<b>Notice of Intent to Perform</b>	28-170; 60-1103	\$22.00
<b>Oil &amp; Gas Mechanic's Lien</b>	28-170; 55-209	\$22.00
<b>CRIMINAL</b>		
Murder/Manslaughter	28-172a	\$22.00
Felony	28-172a	\$22.00
Misdemeanor	28-172a	\$22.00
Forfeited Recognizance	28-172a	\$22.00
Expungement (conviction)	21-6614	\$19.00
Expungement (arrest)	22-2410	\$19.00
<b>TRAFFIC</b>		
DL Reinstatement	8-2110	\$22.00
Appearance Bond	8-2107	\$22.00

<b>TYPE OF FEE</b>	<b>STATUTE</b>	<b>SURCHARGE</b>
<b><u>FISH &amp; GAME</u></b>	28-172a	\$22.00
WP Reinstatement	32-1049a	\$22.00
<b><u>JUVENILE</u></b>		
<b>Offender</b>	38-2314	\$22.00
<b>Child in Need of Care</b>	38-2215	\$22.00
<b>Juvenile Tobacco</b>	28-172a	\$22.00
Expungement	38-2312	\$19.00
<b><u>PROBATE</u></b>		
<b>Conservatorship &amp;/or Guardianship</b>	59-104	\$22.00
<b>Trusteeship</b>	59-104	\$22.00
<b>Filing Will &amp; Affidavit</b>	59-104	\$22.00
<b>Determination of Descent</b>	59-104	\$22.00
<b>Probate of Estate or Will</b>	59-104	\$22.00
<b>Refusal to Grant Letters of Administration</b>	59-104	\$22.00
<b>Termination of Joint Tenancy</b>	59-104	\$22.00
<b>Termination of Life Estate</b>	59-104	\$22.00
<b>Adoption</b>	59-104	\$22.00
<b>Certified Probate Proceedings (out of county)</b>	59-104	\$22.00
<b>Decrees in Probate from Another State</b>	59-104	\$22.00
<b>Care and Treatment:</b>		
Alcoholism or Drug Abuse	59-104	\$22.00
Mentally Ill	59-104	\$22.00
<b>Commitment of Sexually Violent Predator</b>	59-104; 59-29a01	\$22.00
<b>Marriage License</b>	23-2510	\$26.50
<b><u>APPEALS</u></b>		
<b>Municipal Court Appeal</b>	28-172a	\$22.00
<b>Appellate Courts</b>	2014 S. Sub. for HB 2338 (New Sec. 3)	\$10.00