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Date: March 13, 2012

Chairman Rhoades, Vice Chair Kelley, and House Appropriations Committee Members:

My name is Rick Newson and I am a Lieutenant in the Civil Division of the Johnson County Sheriff's Office. I am offering this testimony in opposition of SB 425. There some concerns I would like to present to the committee with regard to the fees on e-filing and viewing documents.

The bill as currently proposed will single out the filing of electronic documents to have a fee attached to the filing. This will discourage the filing of documents electronically which will decrease the efficiency of the e-filing process. The efficiency will drop due to the filing of paper documents and the added data entry time required for processing the documents.

Currently there are only a limited number of counties accepting e-filings of civil documents. This fee as proposed will put an inequitable burden on those counties to fund the entire e-filing project. In the counties that have an e-filing system in place, the tax payers have already paid for the creation and maintenance of their particular system. The proposal as presented would cause those counties to go back to the taxpayers for additional money to create a new system.

Along with the filing fee the bill also proposes a fee for viewing and accessing court documents. The fee will deter the public from accessing the court files through electronic means and they will revert to calling the Court Clerk's Office, the District Attorney's Office or the Sheriff's Office to inquire on case proceedings. At the current staffing levels the calls will create an excessive workload on the staff. In some counties free access is available to court documents through a dedicated web site; that access would have to be discontinued. The language of this bill regarding the fees involved in e-filing and viewing documents will be a step backwards when we want the state to move forward.

To equitably distribute the cost of the state e-filing system our suggestion is to implement a minimal increase in fees on the filing of all civil process. This will accomplish two main objectives: it would generate the revenue needed to fund the state wide e-filing program and it will not single out those who choose to e-file their court documents.

Thank you for your time and consideration regarding this matter.

Lieutenant Rick Newson
Johnson County Sheriff's Office