



**KANSAS BAR
ASSOCIATION**

TO: **The Honorable Richard Wilborn**
 And Members of the Senate Judiciary Committee

FROM: **Joseph N. Molina**
 On Behalf of the Kansas Bar Association

RE: House Bill No. 2041 – Judicial Branch Surcharge Fund Extension

DATE: **March 20, 2017**

Chairman Wilborn and Members of the Senate Judiciary Committee. I am Joseph Molina. On behalf of the Kansas Bar Association, I provide this written testimony in **SUPPORT** of HB 2041, extending the judicial branch surcharge fund, relating to court fees and costs.

The KBA has a long-standing policy of supporting proposals that strengthen the judicial branch and maintain the highest level of service to Kansas citizens, businesses and communities. The extension of the judicial branch surcharge fund is one such proposal. The surcharge fund, created during a period of economic hardship, is a mechanism that allows the courts to raise revenue not readily available through normal state appropriations. This fund helped the court avoid damaging furloughs and court closures in the past. While that may not be the case currently, the surcharge fund is still a significant contributor to the overall judicial branch budget. An adequately funded court system ensures a citizen's right to meaningful access to the courts. A properly funded judicial system also allows for the efficient application of the legal process for lawyers and litigants. If steps are not taken to extend the surcharge fee, the judicial branch could suffer significant financial hardship, and in turn, subject Kansans to an inefficient court system.

While the KBA supports a judicial branch budget fully funded through state general fund appropriations, it is cognizant of the current fiscal challenges facing the state. The KBA also recognizes and appreciates the steps taken by our judicial branch to deal with its fiscal situation. The judicial branch continues to show sound fiscal discipline by continuing measures designed to weather difficult financial times. The additional money generated through the surcharge fund is just one step; to maintain the level of stability created from past budget saving measures, the surcharge fund needs to be maintained.

On behalf of the Kansas Bar Association, thank you for your time. I am available to respond to questions.

About the Kansas Bar Association:

The Kansas Bar Association (KBA) was founded in 1882 as a voluntary association for dedicated legal professionals. Its more than 7,200 members include lawyers, judges, law students, and paralegals. www.ksbar.org