



State of Kansas

**Supreme Court of Kansas**  
**Office of Special Counsel**  
Kansas Judicial Center  
301 SW 10<sup>th</sup>  
Topeka, Kansas 66612-1507

**(785) 368-6327**

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Senate Judiciary Committee

HB 2227—Proponent Testimony

Shawn Jurgensen  
Special Counsel to the Chief Justice

Chair Warren and members of the committee, thank you for the opportunity to appear today to discuss HB 2227, which seeks to amend the chief justice's current authority to suspend or extend statutory timelines and deadlines, including statutory speedy trial rights, and to permit the use of audio-visual communication in court proceedings.

Currently, the chief justice is permitted, when necessary to secure the health and safety of court users, staff, and judicial officers during a valid state of disaster emergency, to enter an order (1) extending or suspending any deadline or time limit established by statute, (2) extending or suspending statutory speedy trial deadlines and time limits, and (3) extending or suspending time computation rules or time limits under the civil time computation statute. She may also authorize the use of two-way electronic audio-visual communication in any court proceeding independent of a state of disaster emergency but only when necessary to secure the health and safety of court users, staff, and judicial officers.

Her authority to enter these orders expires March 31, 2021.

The changes contemplated in this bill would:

- Expand the relevant emergency provision to authorize the chief justice to suspend or extend the permitted deadlines or time limits in statute under a local disaster declarations pursuant to K.S.A. 48-932 in addition to a state of disaster emergency under K.S.A. 48-924;

- Grant the chief justice authority to suspend the verification requirement under K.S.A. 38-2273 during a state of disaster emergency or state of local disaster emergency when necessary to secure the health and safety of court users, staff, and judicial officers;
- Add "expeditiously resolving pending cases" as a permitted rationale and eliminate the sunset's application in authorizing the use of audio-visual communication in court proceedings;
- Add language providing for the computation of time upon termination of a suspension order; and
- Extend this law until June 30, 2022—a 15-month extension.

These changes would provide the judicial branch greater flexibility in responding to the present emergency, regardless of whether it varies by locality. This flexibility allows the judicial branch to maintain its present continuity of operations during the COVID-19 pandemic.

Thank you for your time. I am happy to stand for questions regarding the issue.