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MEMORANDUM

To: House Judiciary Committee
From: Natalie Scott, Assistant Revisor of Statutes
Date: January 28, 2019
Subject: Bill Brief on HB 2020

HB 2020 makes changes to the attorney registration process and supreme court nominating and district judicial nominating commissions.

Section 1 removes the requirement that applicants for admission to practice law in Kansas submit the information required in K.S.A. 25-2309(b)(1) through (5) and removes the requirement that the clerk of the supreme court notify applicants are submit such information.

Section 2 allows the clerk of the supreme court to use the roster of attorneys licensed to practice in Kansas in the clerk's office for finding the names and addresses of those attorneys entitled to receive ballots instead of the certified roster provided by the secretary of state. It also removes the requirement that the clerk of the supreme court create a list containing the names and addresses of every attorney who submitted a ballot, which would be provided to the secretary of state and subject to an open records request.

Section 3 removes the provisions related to the ability for the supreme court nominating commission to recess into closed or executive session.

Section 4 replaces the secretary of state as a canvasser at an election for the supreme court nominating commission with two or more members of the bar who reside in Kansas and are either practicing lawyers or judges designated by the chief justice of the supreme court.

Section 5 provides that lawyer members of the district judicial nominating commission shall be elected by the lawyers who are qualified electors of the judicial district and who are registered with the clerk of the supreme court pursuant to supreme court rule. It also removes the same requirement removed from section 2 that the clerk of the supreme court create a list containing the names and addresses of every attorney who submitted a ballot, which would be provided to the secretary of state and subject to an open records request. This section also replaces the secretary of state as a canvasser at an election for the district judicial nominating commission with two or more members of the bar who reside in Kansas and are either practicing lawyers or judges designated by the chief justice of the supreme court.

Section 6 removes the provisions related to the ability for the district judicial nominating commission to recess into closed or executive session.

This bill also repeals K.S.A. 20-170, requiring the clerk to maintain a roster of attorneys and allowing only attorneys who reside in Kansas to cast ballots in selections; 20-171, the severability clause for 2016 SB 128; and 20-2917, allowing only attorneys who reside in the judicial district to cast ballots in district judicial nominating selections.