

State of the Judiciary
Chief Justice Kay E. McFarland, Kansas Supreme Court
Written Message
February 2000

I welcome the opportunity to report on the State of the Kansas Judiciary to the Kansas Legislature and Governor Bill Graves, pursuant to K.S.A. 20-320.

THE WORKLOAD

The primary business of the Judicial Branch is the administration of justice. Greater efficiency in all areas of the court system continues to be a high priority. Much has been achieved in this regard; however, further innovative improvements continue to be actively sought. We must always remember, though, that the delivery of justice cannot be compromised in the name of either expediency or efficiency. The Judicial Branch has been stretched to the limits by: (1) increased case filings with little corresponding increase in personnel; and (2) additional duties imposed by federal and state law which escalate the amount of time involved in the processing of cases.

By way of illustration, between fiscal years 1987 and 1999, there has been a 54.6% percent increase in case filings. These numbers exclude the approximately 200,000 traffic cases filed each year. During that time, the number of judges has increased by eight percent and nonjudicial employee numbers, by nine percent.

The fiscal year ending June 1983 was the only year since consolidation in which case filings decreased. Every other year since 1978 has seen an increase in case filings. The total percentage increase in case filings between fiscal year 1978 and fiscal year 1999, not counting traffic cases, is more than 108 percent. With these case filings more than doubling since unification, the Judicial Branch has had to continually strive to make the most effective use of its resources. The case filing increase is not uniform across the state, and some districts have increased filings far in excess of the percentages I have cited.

Difficulties in processing this increase in our caseload were compounded by adverse Personnel action we have had to take over the years due to revenue shortfalls in the State General Fund. In parts of 1982 and 1983, a hiring freeze was in place. Employees saw delayed COLA increases and no merit increases. Unfortunately, this hiring freeze was the beginning of a trend that has plagued the Judicial Branch. In recent years, hiring freezes of 60 days or more were in effect in fiscal years 1993, 1994, 1995, 1996, and 1997, and a 45-day hiring freeze was in effect in fiscal year 1998. These delays in hiring employees have had a devastating impact on employee morale because many employees have had to do the work of two or more until the new employee could be hired.

Between fiscal year 1991 and fiscal year 1992, the Judicial Branch saw a decrease in full time employee equivalent Positions of 54.5, going from 1,404 nonjudicial district court FTE Positions to 1,349.5 FTE Positions. These positions were slowly recovered by a few positions each year up

to fiscal year 1998, when the Judicial Branch finally reached 1,404 nonjudicial district court FTE positions again.

Every year changes in federal and state law add complexities in the handling and Processing of individual cases. Requirements of expedited dispositions of cases, additional hearings, and notification to more individuals of court proceedings are examples of how changing law translates to more staff time being required to process a case.

I am proud of the people of the Judicial Branch. They have delivered through dedication, innovation, and hard work, but there is a limit to how far the system can stretch. We have reached that limit.

The nonjudicial pay plan we are seeking is vital to the continued operation of the Judicial Branch. It is my number one priority. I will discuss details of the plan later in this message.

FY 2000 BUDGET

Last year the legislature allocated funds to the Judicial Branch which allowed funding of 16 new nonjudicial positions. These positions were sorely needed and have been well utilized. Thirteen of the positions were Trial Court Clerk II positions, and three were Administrative Assistants. These new positions have benefitted several districts across the state.

In addition, funding from the 1999 legislature allowed us to add five district magistrate judge positions. In Johnson County, three of these judges have done specialized work, including handling dockets for traffic and small claims cases. Also funded was a salary increase pool, which enabled us to increase salaries for district court judges and upgrade salaries for our clerks of the district court and certain staff positions. In addition, a \$500,000 pool was funded to address foster care issues, such as judges pro tem, guardians ad litem, representation for parents, and related items. Those working in the Judicial Branch, as well as the citizens of Kansas, benefitted from these funds, as the courts were allowed to continue our tradition of excellence in serving justice.

FY 2001 JUDICIAL BRANCH BUDGET

Turning to our budget request of the current session, please accept my assurance that we have pared our requests down to those that are the most important. Public safety needs must continue to be met. The criminal justice system must continue to function efficiently and expeditiously. Criminal trials must proceed within the narrow statutory time limitations or else the judges are required to dismiss the charges. Our court service officers already are stretched to the limit in number of adult convicted criminals to supervise. Juvenile court service officers are equally stretched to supervise juvenile offenders. Court service officers play significant roles in child abuse and neglect cases, as well as in assisting judges in achieving the best solutions to major child custody issues in domestic cases.

Additionally, judges and court service officers cannot perform their important functions in these areas without adequate clerical resources. Further, as you know, the prompt and efficient processing of documents in the clerks' offices must occur before decisions can be made in civil

cases, such as child support and custody rulings, and in order that cases and motions can be heard in a timely manner.

I recognize that any so-called enhancements to the budget will be more difficult to achieve in the current fiscal climate. We included only the most vital in our budget. An additional district judge in the 18th Judicial District (Sedgwick County), a district magistrate judge in the 9th Judicial District (Harvey and McPherson Counties), and additional nonjudicial personnel in both the district courts and the appellate courts are all required to meet rising caseloads and responsibilities.

Another important request is an upgrade for our court service officers to maintain the historic salary range equity between those officers and parole officers. Parole officers are employees of the Executive Branch. This is an issue of fairness. The inequality was created in this fiscal year when parole officers received an upgrade.

The final budget issue I will address is the pay plan proposal. As I stated earlier, it is our highest priority. The Judicial Branch in recent years has faced increasing difficulty in attracting and retaining qualified nonjudicial personnel. This is not just an isolated local problem. Court operations across the state are being crippled by their inability to compete with private enterprise, counties, and cities for qualified personnel. We come to you with a solution.

First, however, I want to give additional information on the problem. An analysis of statistics regarding employees who left Judicial Branch service and of our pay practices uncovered a number of compelling facts. I mention only two of the most significant here. Over a three-year period, 70.3 percent of employees who left Judicial Branch service had been employed for less than three years. Additionally, during the period from FY 1988 to FY 1999, starting salaries for Judicial Branch employees had fallen to 26.4 percent below private sector wages as measured by the Kansas average weekly wage. In many courthouses, our employees cross the hall to take county jobs where they often receive higher pay and better benefits with fewer responsibilities and less stressful duties.

The plan follows our recognition that we must respond with a pay plan that will fairly compensate our employees, enable us to attract and retain competent employees, and motivate employees toward optimal performance.

Therefore, to review the situation and make recommendations, last June I appointed a Nonjudicial Salary Initiative committee (NJSI), composed of judges and management personnel. Thanks to its rapid and hard work, a plan was drafted which I believe meets the needs of the court system. I am confident that the proposed plan would put in place a pay structure that will work for the Judicial Branch, and perhaps, ultimately, for state government as a whole. The Department of Administration has endorsed the methodology of our proposal. Representatives from the Department of Administration's Division of Personnel Services participated in the NJSI committee's work and testified in support of the plan earlier this legislative session. In addition, our proposed plan has been endorsed by the Kansas Bar Association Executive Board. All segments of the Judicial Branch participated in the development of this plan, and it is overwhelmingly approved by our employees.

I am particularly proud of the fact the plan has been developed wholly in-house with no retained outside experts. Everyone on the committee is a Judicial Branch employee who undertook this difficult and time-consuming project as an addition to their regular duties and responsibilities. Judge John White of Iola is the chairman of this dedicated group.

The Judicial Branch budget request for FY 2001 includes funding to implement the first phase of the plan. In addition, in recognition of the fiscal realities in this budget year, we have introduced legislation that would enable the Judicial Branch to self-fund the transition to the new pay plan by increasing docket fees to approximately the national average. The present docket fees have remained essentially unchanged for many years and are unrealistically low in light of the quantity and quality of services provided as well as the increased costs of providing such service.

Our proposed plan is fashioned to provide for meaningful step increases both in terms of amount of increase, and in terms of timing of the increases. Although the step increases of the proposed new matrix are not as frequent, they are more substantial in amount, and they are received earlier in the employee's career than under the current system. The plan centers around the requirement that a COLA must be formulated so that it truly is an adjustment to employees' salaries to compensate for yearly increases in the cost of living. This would insure that employees who may not receive a step increase in a given year will maintain essentially the same earning power as they held in previous years. A true annual increase to adjust salaries for the increased cost of living also will insure that our starting salaries remain competitive.

The NJSI committee is continuing its work. In November and December, committee members held meetings in ten locations across the state (Oakley, Garden City, Olathe, Kansas City, Topeka, Holton, Emporia, Salina, Wichita, and Iola) to familiarize Judicial Branch employees with the plan and to answer questions. The committee continues to meet and study future phases of our pay plan, but I believe the initial recommendations address the most critical personnel issues. The pay plan portion of our budget request is vital, and I ask for your support.

As you consider our entire budget request, please remember that virtually everything the Judicial Branch does is mandated by the Kansas Constitution or a statute. We have no way to reduce the Judicial Branch costs by redefining eligibility for services, closing down a field office, or delaying purchases or construction. Approximately 96 percent of our state operations budget goes to salaries. We are required by law to be open for business in 110 courthouses in 105 counties. In other words, we simply have no option to downsize our operation.

I know that as legislators you take your fiscal responsibilities very seriously and perform them responsibly, and that in today's fiscal climate, many difficult decisions will have to be made. I am confident that you will give the items in the Judicial Branch budget serious consideration.

Our goal is to keep the Kansas Unified Court System one of the best state court systems in the nation. Your continued support as we pursue this challenging endeavor is greatly appreciated.

The remainder of this report will briefly describe where we have been and set out where we hope to go as we move from the 1900's into the Year 2000.

SENIOR JUDGE PROGRAM

We are in the fifth year of the Kansas Senior Judge Program. This program is highly successful. We contract with retired district court judges to perform 40 percent of the work of a district judge for 25 percent of the salary. This gives us a pool of experienced and able judges to provide assistance throughout the state as needs arise. Examples of such needs are illness, retirements, conflicts that remove local judges from cases, or increases in caseloads.

Because of their experience, the senior judges hear all types of cases, both civil and criminal. They have been assigned criminal cases ranging from first appearances to first-degree murder, and civil cases ranging from limited actions to major class action lawsuits. Several of the senior judges have conducted trials in which local public officials are parties because the local judges had recused themselves.

Three of the senior judges have been assigned to the Court of Appeals, and we plan to assign a fourth this year. That court has a tremendous caseload and the additional help of the senior judges has been of great assistance to the Court of Appeals. Five of the senior judges have sat with the Supreme Court on occasions when members of the Supreme Court had to recuse.

The Kansas Senior Judge Program now includes fifteen respected retired judges, supplementing our long-standing use of retired judges. It is a highly successful use of the knowledge possessed by our retired judges and is highly cost efficient. It is a win-win program with no downside.

JUSTICE INITIATIVE

In last year's report I mentioned the Justice Initiative Commission, a 46-member panel appointed in equal numbers by all three branches of state government. Last fall the Commission presented its recommendations for changes in court operations. Among them are:

- There should be a uniform method of nonpartisan selection of district court judges statewide.
- Supreme Court rules should be amended regarding the procedures taken when a citizen lodges a complaint against a judge so that the chief judge is afforded an opportunity to resolve the matter. If that method is unsuccessful, the complaint would be referred to the departmental justice.
- Salaries for district and appellate judges should be increased.
- The number of Court of Appeals judges should be increased from 10 to 14, and the number of research attorneys for both the Supreme Court and Court of Appeals should be increased.
- Additional technology funds should be allocated.
- A task force should be appointed to review and make recommendations concerning all issues surrounding guardians ad litem.
- The Supreme Court should adopt rules which would encourage attorneys to perform pro bono legal services.

- Additional services should be provided to *pro se* litigants.
- K.S.A. Chapter 60 cases should be referred to a mandatory settlement or mediation conference unless the district judge orders otherwise.
- The Supreme Court should study the value of including non-lawyers in the lawyer discipline process.
- The Supreme Court should insure that appropriate arrangements are in place to provide qualified interpreters as needed in court proceedings.

We were pleased to receive their recommendations and believe the justice initiative process was worthwhile and meaningful. Work to incorporate several of the recommendations into court procedures is already underway.

KANSAS JUDICIAL CENTER

Over the past year, much work has been done to refurbish the Kansas Judicial Center. Anyone who had visited the building in recent years knew the decor was both worn and outdated. The new paint, wallpaper, carpet, and furnishings have brought a whole new look to those areas of the building and bring back a feeling of pride in our workplace. Also improved are the grounds surrounding the building. The grounds need substantial work to take their rightful place in the upgraded Capitol Complex. It is a beautiful building and can, again, be shown with pride to our many visitors. More needs to be done, but much has been accomplished.

One of the most recent events affecting the Judicial Center is the Attorney General's consolidation of her offices in the Memorial Building. This move has been long-anticipated and opens up much-needed office space on the second floor, which will be used principally by the Court of Appeals. Also, newly available will be space in the basement, which will be used to consolidate Judicial Branch staff currently housed in other locations and to provide other much-needed space. The Judicial Center is a beautiful structure and taking care to maintain and improve it must become an ongoing process. I have great pride in the Judicial Center and want to maintain its beauty and grace.

As I reflect back, I recall the dedication of the Kansas Judicial Center, which occurred soon after unification, on September 17, 1978. In his remarks at the dedication ceremony, then-Chief Justice Alfred Schroeder reflected on the large white marble statue, known as the Figure of Justice, which stands proudly in the Hall of Justice of the Kansas Judicial Center. The figure differs from the traditional symbol of justice, the blindfolded woman holding a set of scales. The Judicial Center's Figure of Justice holds the prairie falcon, the fastest flying bird native to Kansas, aloft, to signify the enhanced speed and insight of Kansas justice. The prairie falcon's sight is said to be eight times more powerful than that of the human eye. In addition, the swift flight of the falcon signifies the Judicial Branch's continual work toward eliminating delay. Chief Justice Schroeder referred to the "all-seeing eye of Justice," and said the Figure of Justice "incorporates the innovations, accomplishments and traditions of the past with the hopes and ideals of the future." This symbol and what it signifies are equally meaningful today.

TIME STANDARDS

In 1980, the Kansas Supreme Court established time standards to reduce delay in court proceedings. These standards are still in place today. An important principle of our time standards program is that the trial judge controls the pace of litigation rather than the attorneys or the parties. Because litigant costs increase when cases are unnecessarily delayed, the ultimate beneficiaries of our delay reduction program are the citizens of Kansas.

The time standards set guidelines for the number of days designated as the median time for terminating cases in five major categories. The guidelines call for the resolution of felony cases within a median time frame of 120 days from the date of first appearance; misdemeanors within a median time of 60 days; and traffic cases, within a median time of 30 days. Domestic relations cases should be brought to final disposition within a median time of 120 days from the date of filing; limited actions civil cases within 60 days; and other non-domestic civil cases within 180 days from the date of filing. The time standards have been recognized by an award from the Foundation for the Improvement of Justice. Currently the time standards are still regularly met or exceeded.

"BLITZ DOCKET"

In 1981, the first "blitz docket" was conducted to work through a backlog of cases in the Court of Appeals. Seven three-judge panels heard 400 cases in two 30-day periods. The convening of such special dockets is a good example of the extra efforts our personnel make to meet the challenges of continually increasing caseloads.

Another major "blitz docket" occurred during this past year in a campaign to reduce a significant backlog in the Court of Appeals to a manageable level. All members of the Supreme Court and the Court of Appeals joined 32 active and retired district court judges in late October and early November to decide 384 Court of Appeals cases. As a result of the "blitz," most cases are now being set for oral argument within two months of completion of all briefs relating to the appeal. That compares to as long as 15 to 18 months that had become standard as the court worked through a massive number of appeals, many arising from the adoption of the Kansas Sentencing Guidelines Act of 1993.

Assisting the appellate court judges and justices with the 1999 "blitz dockets" were Judges Terry L. Bullock, James P. Buchele, and Marla J. Luckert, all of Shawnee County; Robert G. Jones, Steve Leben, Janice D. Russell, Patrick D. McAnany, and Stephen R. Tatum, all of Johnson County; and Judges Richard Wahl, Cloud County; Michael F. Powers, Marion County; Nelson E. Toburen, Crawford County; Robert W. Fairchild, Douglas County; Stephen D. Hill, Miami County; and Robert J. Schmisser, Pratt County.

David J. King, Leavenworth County; Philip C. Vieux, Finney County; Jack L. Burr, Sherman County; David L. Stutzman, Riley County; John E. Sanders, Greenwood County; Tom Malone, Sedgwick County; Timothy E. Brazil, Neosho County; Glenn D. Schiffner, Thomas County; C. Fred Lorentz, Wilson County; Paul E. Miller, Riley County; Charles E. Worden, Norton County; Barry A. Bennington, Stafford County; Philip L. Sieve, Wyandotte County; David W. Kennedy,

Sedgwick County; Jack Lively, Montgomery County; Robert J. Fleming, Labette County, and Richard M. Smith, Linn County.

This "blitz" docket is a good example of the spirit and dedication of Judicial Branch people. An enormous amount of time was spent in the planning and organization of dockets for 16 panels of judges hearing 384 cases in a two week period. Great care was taken to distribute the caseload fairly and evenly among the 48 judges participating therein; to avoid conflicts in scheduling among the attorneys appearing for argument; and to assure each case would have a suitable prehearing memorandum prepared to assist the panel members in achieving the proper decisions in each case. What could have been a logistical nightmare without careful advance preparation, was a smooth running efficient operation in harmony with the needs of fairness and justice. Carol Green, Clerk of the Kansas Appellate Courts, deserves much of the credit for the advance planning and smooth running of this special docket.

The "blitz" docket was outstandingly successful in all respects.

FOSTER CARE

Foster care issues are a high priority for the Judiciary. We strive to work with the applicable Executive Branch agencies to insure that all components of the system work together and the system can function smoothly. The Office of Judicial Administration, for the second year in a row, is collaborating with SRS to distribute \$500,000 to the district courts in an effort to more quickly formalize permanent placements for children in the state's custody. Working together are many public officials, including judges, prosecutors, and guardians ad litem.

JUDICIAL BRANCH WORK WITH THE JUVENILE JUSTICE AUTHORITY

Judges and nonjudicial personnel continue to work with the Juvenile Justice Authority (JJA) to implement community plans and to serve on Juvenile Corrections Advisory Boards. Further, district courts and the Office of Judicial Administration are working with the JJA to implement the juvenile offender reforms outlined by the 1997 Kansas Legislature. Personnel in each judicial district actively participated in the development of community plans. Judges, court administrators, and court service officers continue to serve on Juvenile Corrections Advisory Boards as these plans are brought into operation.

PROBATION SUPERVISION FEE

During the spring of 1999, the Kansas Supreme Court exercised authority prescribed by the 1998 Kansas Legislature by authorizing judges to impose a fee for juvenile offenders on supervision under Court Services, Community Corrections, after care or placement in a community-based program. Juvenile offenders adjudicated of a felony offense may be assessed a fee of \$50 while offenders adjudicated of a misdemeanor may be assessed a fee of \$25. The fee can be waived at the discretion of the judge and all funds collected are submitted to the county in which the case is filed. It is hoped these funds, although they are not expected to be substantial, will benefit community programs providing services to juvenile offenders.

ALTERNATIVE DISPUTE RESOLUTION

The court mediation referral program was very active during 1999. Statewide there are now nine approved non-profit mediation programs, and 271 approved mediators are providing services ranging from child custody mediation, parent/adolescent mediation, and victim/offender reconciliation to USDA agricultural mediation. Grant awards totaling over \$35,000 from the Dispute Resolution Fund are helping develop new mediation programs and expand mediation services for low income Kansans.

ACCESS TO THE COURTS

The Kansas courts are focusing on continuing what we believe to be an excellent record of customer service and on constantly working to upgrade and improve service and accessibility to the public. Customer service was the featured topic of the November 1999 Judicial Branch Employee Newsletter, and it was a theme at the Fall 1999 conference of the Kansas Association of District Court Clerks and Court Administrators.

The courts face increased service expectations and demands, but must work with resources that do not increase at a rate even approaching caseload growth. We are working harder to recognize and respect the needs of the public as they use the court system. Considerations involve recognizing the needs of *pro se* litigants, as well as considering physical, language, economic, and other communication barriers which can make public access to the court system difficult.

The Supreme Court administers the Access to Justice Fund, which for FY 1999 granted more than \$940,000 to Kansas Legal Services, Inc., for programs which provide access to the Kansas civil justice system for persons who would otherwise be unable to gain access. Such programs include legal assistance to *pro se* litigants, legal counsel for civil and domestic matters, and dispute resolution services. One of the most widely-used services funded by the Access to Justice grant is a toll-free advice line which offers advice on how to proceed in court and referrals to no cost or low cost legal services.

Many district courts have community-based programs which increase public awareness of the functions of the courts, especially among the youth in the communities. Many courts invite classes from local schools to visit the local courthouse to meet judges and observe the court in action. The development of more community outreach programs will be a focus of our spring 2000 Judicial Conference in order that Kansas citizens can have a greater understanding of their court system.

The Court of Appeals regularly schedules three-judge panels to hear oral arguments in locations across the state. Frequently area schools are contacted in advance of these dockets and arrangements made for classes to attend oral argument. Sometimes the dockets are held on college campuses or even in high school auditoriums. The judges often answer questions and discuss the court's activities with students and teachers at the end of the formal proceedings.

At the Judicial Center, we receive and educate many visitors. Several court staff members are trained to provide tours and speak about the Kansas court system and history. Grade school, middle school, and high school students have all toured the building and met with various members of the Court and court staff to learn more about the Kansas court system. In addition,

members of the appellate courts often host law students from Kansas law schools, as court members serve as judges for practice rounds in moot court competitions and other law school-related events. Groups of adults have visited the building frequently to learn more about the courts, as well. Members of Kansas civic groups, as well as international visitors, spent time with us in the last year.

The increased availability and public use of technology can increase the public's access to the court system. Within the last few years, the Judicial Branch has made increasing use of its internet website, www.kscourts.org, and posts Kansas appellate court decisions there, as well as information about Judicial Branch programs and court rules. It has been named a Lycos top 5 percent site on the World Wide Web.

During the last year, the Shawnee County District Court website, www.shawneecourt.org, received sixth place in a contest which compared the designs of 250 judicial websites nationwide.

The organization sponsoring the contest noted that Shawnee County's site has electronic case filing, a good set of forms that can be downloaded, and a simple, neat organization. The site also has an overview of the district court and sets out court rules. Many other judicial districts have created websites containing helpful court information, making the courts more accessible to the public.

INFORMATION TECHNOLOGY

Judicial Branch information technology planning is proceeding rapidly. We are working to acquire or build a new court accounting and case management system. The staff will provide a common court information technology architecture to guide each court location's equipment acquisitions. Our goal is to have a uniform case management system available to all the Kansas district courts. This system must meet today's requirements and be ready to accommodate future innovations. It should limit the district courts' hardware investment and support costs, provide a way for the district courts to share information, and have an integrated statistical system interface. Most importantly, the plan must be achievable and fiscally realistic.

Each year, the Kansas Supreme Court receives a grant from the federal Department of Health and Human Services for Court Improvement. Recently, funds received from this grant have been dedicated to the development of a child-in-need-of-care case management system. The first version of this software was received in November 1999 and is being distributed to certain judicial districts on a pilot basis to track children in placement and to assist districts in reducing delays in the court process. We are very pleased with the many useful features of this software and look forward to the broad distribution of a second version sometime after July 1, 2000.

Also in the field of technological innovation, we are working with the Department of Social and Rehabilitation Services (SRS) to lend our expertise in child support payment processing and assist SRS in establishing the Kansas Payment Center (KPC), an entity which will provide centralized child support collection. Implementation of the KPC is the result of federal welfare reform laws which required SRS, as the Kansas IV-D agency, to establish a single Kansas

location to accept child support payments. Kansas' current statutory scheme requires that child support payments be made to the clerks of the district court and district court trustees. For this reason, SRS sought the cooperation of the Judicial Branch in planning for the KPC implementation. The KPC was not an entity contemplated in the long-term planning for the courts prior to the federal mandate requiring it. However, we determined it was in the best interests of the courts and the customers of the courts for the Judicial Branch to cooperate with SRS in its efforts to meet this mandate. Our objective has been to provide information about the court systems' child support collection and processing procedures, in order to assist with SRS's efforts at transition to the KPC.

The Supreme Court responded to the SRS request for assistance with the KPC based, in part, on the long and successful tradition of the court system's receipt and processing of child support payments in Kansas. In calendar year 1999, the Kansas district courts processed over \$302 million in child support payments.

In addition, without the participation of the Judicial Branch in the KPC, citizens and employers of Kansas would have a centralized payment location for IV-D (SRS) payments, but would continue to pay Non IV-D support at 110 court locations. We felt this was an unacceptable situation and that the only choice for Kansas citizens was for the Judicial Branch to work with SRS to make the KPC user-friendly and cause as little disruption in child support collection and disbursement as possible.

The stated intent of the federal legislation that established the KPC is to ease the burden on employers by centralizing the processing of income withholding payments and to better serve the public by providing a single point of contact for child support-related questions. Some states have reported significant increases in child support collections because of the increased availability of information necessary to locate delinquent child support payors. We certainly hope Kansas will experience some of these benefits.

SRS signed a contract with Tier Technology in November 1999. Tier will be responsible for design, development, and ongoing operation of the KPC. Tier operates full-service payment centers in several states, including Idaho and Kentucky, and a payment call center in New Jersey. Tier has provided other child support-related services in more than 20 states. SRS plans for the KPC to be fully operational by September 2000.

CONCLUSION

As we look forward, we should keep in mind what Chief Justice Warren Burger of the United States Supreme Court once stated:

"A sense of confidence in the courts is essential to maintain the fabric of ordered liberty for a free people, and three things could destroy that confidence and do incalculable damage to society:

"That people come to believe that inefficiency and delay will drain even a just judgment of its value;

"That people who have long been exploited in the smaller transactions of daily life will come to believe that courts cannot vindicate their legal rights from fraud and overreaching;

"That people come to believe the law—in the larger sense—cannot fulfill its primary function to protect them and their families in their homes, at their work, and on the public streets."

In this "Year 2000," and in the years beyond, we will undoubtedly have numerous challenges and opportunities, many of which are probably beyond what we might imagine today. I want to work with you to set goals that will not only maintain and improve the existing judicial system, but also bring about meaningful and sincere cooperation among the three branches of government for the benefit of all the people of Kansas.

The Judicial Branch's primary purpose is to deliver timely, quality justice at the lowest possible cost. I am committed to maintaining a Judicial Branch of government that inspires and deserves the confidence and trust of our citizens. By working with the Legislative and Executive Branches, I am confident we will be successful. On behalf of all the members of the Judicial Branch, I thank you for your continued support and wish you a successful and productive conclusion to this legislative session.