

State of the Judiciary  
Chief Justice Eric S. Rosen, Supreme Court of Kansas  
Message to the Legislature  
January 13, 2026

Mr. Speaker, Mr. President, Governor Kelly, legislators, other honored dignitaries, and my fellow Kansans—good afternoon.

Thank you, Speaker Hawkins and President Masterson, for the opportunity to provide a report on the state of the Kansas judiciary.

This is the first time I've had the honor of speaking in this chamber and addressing a large and distinguished group of elected individuals who share a common interest – serving our fellow Kansans.

I would like to take this opportunity to recognize my colleagues on the Supreme Court, Chief Judge Sarah Warner and members of the Court of Appeals. Thank you for being here today.

Though I have worked alongside many of you in the past, I want to formally introduce myself and share with you how I came to be standing before you today.

My name is Eric Rosen, and I have been a member of the Kansas Supreme Court since 2005. Following Justice Luckert's recent announcement that she would be stepping down as Chief Justice and retiring from the Court, I was appointed to fill that role – in accordance with the provisions outlined in the Kansas Constitution that the responsibility goes to the next most senior justice on the bench.

I am especially grateful to be joined today by my wife, Libby, with whom I have shared 52 wonderful years of marriage. Her support, wisdom, and commitment to our community have been a constant source of strength throughout my career. We are also joined by some of our children and grandchildren, whose presence reminds me every day why the work we do in public service and the policies you consider and adopt in this chamber matter so deeply.

Family, community, and service have shaped every chapter of my life, and they are at the heart of the remarks I will share with you today.

Some of you know that before law school, before opening a legal practice, and before becoming a judge, my career began in education and social work. Then, as now, my passion has been public service and building meaningful relationships.

I am a Topeka native, educated in Topeka public schools, and a proud graduate of Topeka West High School class of 1971 and honorary graduate of Topeka High School. I also graduated from two Kansas colleges -- the University of Kansas and Washburn University School of Law.

I was born here after my parents moved to Kansas, when my father began post graduate training and his life's work at the world-renowned Menninger Clinic. That move shaped our family's story and my own. It's also how I met my wife. Her parents also moved to Topeka, and her father, Stuart Averill, like mine, trained and worked at Menninger and also served as clinical director at the Boys Industrial School.

At that time and for decades afterward, people from across the nation and around the world came to Topeka to train, to work, and to seek care at the Menninger Clinic. Growing up within the Menninger community fostered a distinct spirit: an unparalleled cultural and ethnic mix that is difficult to describe unless you lived it.

Menninger revolutionized mental health care. Its integrated, multidisciplinary model treated the whole person – not merely a diagnosis – and helped countless individuals achieve lasting recovery and success. Just as importantly, Menninger ignited broader conversations about systemic change, reshaping how society understands and responds to mental illness.

With us today is Dr. Walter Menninger, the last surviving member of the generation of Menningers whose vision and leadership helped define psychiatry and mental health treatment in the twentieth century.

What we came to understand then and what we know even more clearly today is this: without addressing underlying issues and providing individualized support, lasting change is unlikely.

In 2022, the judicial branch, the legislature, and the executive branch came together to host a mental health summit that served as a catalyst for us to break out of our silos and bring together the courts, law enforcement, mental health providers, and the community to improve how we respond to mental health issues. Following that summit, former Chief Justice Luckert signed an administrative order for our judicial districts to develop multibranch communities of practice.

When we convened for the second statewide mental health summit this past year, 26 of 31 judicial districts had established a community of practice or were in the process of putting one in place.

The 2025 summit, held at Fort Hays State University, brought together nearly 500 professionals from different disciplines. We once again saw the power of coming together to learn from one another and identify solutions to help those adults and children struggling with behavioral and mental health challenges. These professionals are on the front line working with members of our communities who are trying to access services. The summit combined national and local speakers who educated and informed participants on how each system partner can contribute to the common vision of improving court and community response to mental health issues.

As a district court judge for over twelve years, I saw firsthand how overwhelming it can be to navigate the justice system. I became acutely aware of how individuals with mental health challenges and substance use disorders enter and, too often, cycle through our courts. Recent data reaffirms this reality: young women with mental health issues are significantly more likely

to be arrested, while young men who are arrested are more likely to struggle with substance use disorders.

In response, Kansas has taken meaningful steps forward through interagency collaboration. We have implemented specialty courts, including drug treatment, veterans, and most recently, family treatment courts. The judicial branch has championed these problem-solving courts to address cases where mental illness or substance use disorders are an underlying cause of criminal behavior.

Specialty courts focus on accountability paired with treatment, supervision, and support.

They aim to address the root causes of crime, not just its consequences. These courts are designed to break cycles—guiding people out of repeated contact with the justice system and into treatment, stability, and recovery.

The results are clear: individuals who graduate from specialty court programs are more likely to live stable, productive lives and are less likely to return to court. That is the power of treating the whole person, and it is the kind of justice system our communities deserve.

The judicial branch appreciates the legislature's action last year to provide state general fund dollars for specialty courts. Funding for these courts has historically come from multiple sources including state agencies, local partners and federal grants. While these investments have been instrumental in establishing courts in some areas, they are neither stable nor sustainable as demand grows. As grant funding becomes more competitive, or in some cases is eliminated, opportunities to expand specialty courts into new areas are limited. The legislature's investment allows for better coordination of services, additional data collection, program improvement, accountability and expansion of programs.

The Specialty Court Funding Advisory Committee, which includes four legislators, is recommending an appropriation of \$1.5 million in FY 2027 to support the ongoing work of specialty courts. We look forward to sharing with the Judiciary and Budget committees the work being done by our specialty courts and discuss how they offer a powerful return on investment for Kansas.

As I reflect on initiatives like specialty courts and the mental health summit, I continue to believe that Kansans are best served when our branches of government work collaboratively. As we consider the work that lies ahead, it is no surprise that the judicial branch is especially concerned about the growing attorney shortage and its impact on all communities – but most especially our rural communities.

In 2022, the Supreme Court convened the Rural Justice Initiative Committee to gather data and make recommendations about how to respond to the attorney shortage. The committee, led by my colleague Justice K.J. Wall, included leaders from across the state with a passion and interest in serving rural Kansas, including Senator Elaine Bowers and Senator (formerly Representative) Tory Blew. The committee released its report and recommendations in December 2024.

The ten recommendations identified by the committee include both legislative and nonlegislative strategies for addressing this issue. I am pleased to report that we have made progress on many of the recommendations this past year. Recently, I signed an administrative order establishing a permanent Rural Justice Initiative Committee charged with monitoring this issue, implementing recommendations and evaluating their success.

Because so many of our rural attorneys are in solo practice, the committee heard from law students and lawyers about being unprepared to set up and run a small firm. The University of Kansas and Washburn University law schools have taken steps to address this concern by developing a rural curriculum that prepares students practicing in rural areas to manage the business aspects of running a law firm.

At the same time, law schools and professional organizations are working to create professional networks to better support those practicing in more isolated areas.

During the 2025 legislative session, this body held hearings on legislation that would establish two programs – a rural attorney training program and a tuition reimbursement program for those who attend a Kansas law school and ultimately live and practice in rural Kansas. These programs were modeled after other initiatives in Kansas that seek to address similar challenges – most notably involving physicians and veterinarians. That legislation remains alive for your consideration this year and our budget request includes funding to get these programs started.

The judicial branch asks, in the continued spirit of working together for Kansans, that the legislature advance SB 214.

I want to be clear about the challenges that lie ahead if we don't act. Accessing the court system will become more difficult for Kansas businesses and Kansans seeking remedies in criminal and civil matters. We currently have counties in Kansas with no attorneys. And, in other counties, attorneys are serving as city or county attorneys, prosecutors or judges – meaning they are not taking on any additional casework.

There is also the public safety impact of the attorney shortage: increased caseloads for guardians ad litem, lack of access to legal representation in child in need of care (or CINC) cases, domestic matters, criminal prosecution and defense, and the risk of being unable to continue the important work we have committed to do with specialty courts. Regardless of the legal question, our system calls for a fair and efficient process for all matters coming before the court.

Our urban and suburban communities are beginning to feel the impact of the attorney shortage as those lawyers take on cases in our rural communities, stretching themselves to reach all four corners of the state. This “stretch” is not just inconvenient – travel time means less time with clients, the challenge of scheduling hearings across multiple districts and, ultimately, a more expensive process overall. Remote hearings can provide some relief but cannot and should not be used for all types of legal proceedings.

Courts can and are doing many things, including working to simplify procedures without sacrificing due process. But our court system and rules of procedure – both civil and criminal –

were built to handle complex cases in which the parties are represented by attorneys, and for many individuals hiring an attorney is simply not possible.

To help respond to those challenges, this year, the judicial branch launched the Kansas Online Self-Help Center. This site includes links to pay fines online, court forms and topical information, district court contact information, where to find in-person self-help centers, hearing schedules, and other resources. While not a substitute for having legal representation, these resources can help individuals become more familiar with court processes and complete the necessary paperwork for filings. The portal has quickly become one of the most accessed resources available to Kansans through the judicial branch's website and we have delivered – to each of your offices – cards for your constituents to take with them when they visit you here. Those cards have information about how to access this service.

All this work aligns with the mission, vision and priorities set forth in our most recently adopted strategic plan. Several years ago, with assistance from the National Center for State Courts, Chief Justice Luckert directed the judicial branch to develop a new strategic plan to guide the branch as it entered a new phase—particularly during the rollout of the statewide case management system.

In 2025, we convened a diverse group of judicial branch employees from across Kansas to develop an updated strategic plan. Working again with the National Center, the committee engaged in in-person meetings and online discussions, reviewed extensive survey data, and ultimately crafted a new mission and vision that reflects both where the branch is today and where we are headed.

The judicial branch's priorities moving forward are: enhance access to justice for court users; build public trust, confidence, and understanding; improve court operations and efficiencies; and foster a strong workforce.

The core values that I embraced in those early years of my training and professional experience – serving others, focusing on shared interests, working collaboratively to identify solutions and effect positive change, and acting with integrity – continue to guide my work today and I believe they are values that everyone in this chamber shares.

Finally, I would like to take a moment of personal and professional privilege to recognize Justice Marla Luckert for her outstanding leadership and service as chief justice over the past five years. Justice Luckert and I have traveled parallel paths for much of our legal careers. We were appointed as Shawnee County district court judges within a year of each other in the early 1990s, and after her appointment to the Supreme Court in 2003, I joined her there in 2005. Together, we have served side by side for more than three decades.

Under her steady leadership, the judicial branch navigated some of the most significant challenges we ever faced with unflappable grace. She strengthened our court system, making it more resilient, more effective, and better prepared for the future. Equally important, she fostered strong relationships within the judicial branch and with our partners in the executive and legislative branches.

She will be deeply missed by all of us, and especially by me as a colleague and a confidant. While her tenure as chief justice has come to a close, she will always remain a trusted and close personal friend.

To all in the chamber, thank you – for your service, your leadership, and your dedication to the great state of Kansas. To all judicial branch employees and judges, we appreciate you and could not do this work without you.

Together we are making great strides improving and strengthening our courts and serving our communities. But much work remains to be done. The judicial branch stands ready to work with you to make sure that our court system is accessible and responsive to the needs of all Kansans.

May you and our great state be blessed. Thank you.