

FILED

2008 SC 67
2008 AUG 28 P 4: 17

IN THE SUPREME COURT OF THE STATE OF KANSAS

CAROL G. GREEN
CLERK APPELLATE COURTS

RULES RELATING TO DISTRICT COURTS

RULE 106

CUSTODY OF COURT RECORDS

Supreme Court Rule 106 is hereby amended, effective the 28th day of August, 2008.

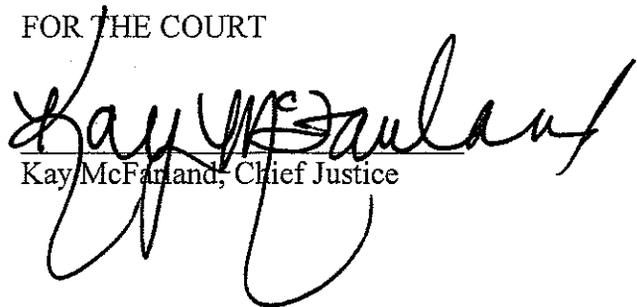
~~CUSTODY OF COURT RECORDS~~

(a) No file or record of the court shall be permitted to be outside of the physical possession and control of the clerk or judge except on the signed receipt of an attorney or of an abstracter, and subject to being returned immediately upon request. No file or record shall be taken outside of the county of the clerk's office except with the knowledge and consent of the clerk or by order of the judge.

(b) Court services officer files, including but not limited to case notes, are confidential and are not subject to subpoena or other process and shall not be disclosed to anyone other than to the judge or court personnel assigned to the case or to others entitled by law to receive reports unless or until otherwise ordered by a judge of that judicial district. Orders for production of drug and alcohol information shall comply with procedures set forth in 42 C.F.R. Part 2.

BY ORDER OF THE COURT this 28th day of August, 2008.

FOR THE COURT



Kay McFarland, Chief Justice