

FILED

2017 SC 65

JUN 29 2017

**DOUGLAS T. SHIMA
CLERK OF APPELLATE COURTS**

IN THE SUPREME COURT OF THE STATE OF KANSAS

**Re: Kansas Judicial Branch Fiscal Year 2018 and Fiscal Year 2019 Surcharge and
Application to Reinstatement Fees Assessed by Municipal Courts**

Rescinding 2015 SC 61

Pursuant to the authority granted in 2017 House Bill 2041, a Judicial Branch Surcharge is assessed in accordance with the attached schedule, effective July 1, 2017, which also continues in effect the \$22.00 Judicial Branch Surcharge to be assessed by municipal courts on drivers' license reinstatement payments collected.

The following terms and conditions apply:

1. The district, municipal, and appellate courts may waive all or part of the Judicial Branch Surcharge set forth in this order on motion of the party to be charged, and upon a showing that such surcharge will result in undue hardship to the petitioning party;
2. Notwithstanding the provisions of Supreme Court Administrative Order No. 41 or local rules pertaining to the order of payment in criminal cases, funds received in criminal cases must first be applied to the Judicial Branch Surcharge in the amount required, then must be credited to other charges or entities as Supreme Court Administrative Order No. 41 or local rule directs;
3. In criminal and civil cases in which a party is ordered to pay court costs, the Judicial Branch Surcharge is considered a portion of such court costs;
4. The Judicial Branch Surcharge is not a service or operations charge and funds will be utilized solely to reduce the deficit in the budget; and
5. This order is effective on and after July 1, 2017, and will continue until June 30, 2019, unless rescinded or amended by the Kansas Supreme Court.
6. On the effective date of this order, 2015 SC 61 is hereby rescinded.

BY ORDER OF THE COURT the 29th day of June, 2017.



Lawton R. Nuss
Chief Justice

Attachment

FY 2018 AND FY 2019 SURCHARGE CHART

(Effective July 1, 2017, through June 30, 2019)

Surcharge amounts remain unchanged from those assessed by 2015 Supreme Court Order 61.

TYPE OF FEE	STATUTE	SURCHARGE
CIVIL		
Chapter 60	60-2001	\$22.00
Domestic:	60-2001	\$22.00
Post Decree Motion	28-179	\$22.00
Limited Actions:		
<=\$500	61-4001	\$19.00
>\$500 or <=\$5,000	61-4001	\$19.00
>\$5,000 or <=\$25,000	61-4001	\$19.00
Small Claims:		
<=\$500	61-2704	\$12.50
>\$500 or <=\$4,000	61-2704	\$12.50
Transfer Limited to Civil		
Original \$35.00 (\$500 or less)	61-2910; 60-2001	\$22.00
Original \$55.00 (over \$500)	61-2910; 60-2001	\$22.00
Original \$101.00 (over \$5,000)	61-2910; 60-2001	\$22.00
Order or Writ of Execution	28-178; 60-2401; K.S.A. 61-3602	\$12.50
Hearing in Aid of Execution	28-178; 60-2419; 61-3604	\$12.50
Order for Garnishment Chapter 60	28-178; 60-729	\$12.50
Order for Garnishment	28-178; 61-3502	\$12.50
Writ or Order of Sale	28-178; 60-2401; 61-3602	\$12.50
Attachment Order	28-178; 60-701; 61-3501	\$12.50
BONDS, LIENS, JUDGMENTS		
Post-Judgment Promotion of Ch. 61 to Ch. 60	28-170	\$22.00
Foreign Judgment (another state)	60-2001; 60-3005	\$22.00
Foreign Judgment (another county)	28-170; 60-2202	\$22.00
Tax Warrant	28-170; 79-3235	\$22.00
Personal Property Tax Warrant	28-170; 79-2101	\$22.00
Statutory Bond	28-170; 60-1110	\$22.00
Hospital Lien	65-409	\$22.00
Lis Pendens	28-170; 60-2203a	\$22.00
Mechanic's Lien	28-170; 60-1102	\$22.00
Notice of Intent to Perform	28-170; 60-1103	\$22.00
Oil & Gas Mechanic's Lien	28-170; 55-209	\$22.00
Restitution Judgment	28-170; 60-4301	\$22.00
CRIMINAL		
Murder/Manslaughter	28-172a	\$22.00
Felony	28-172a	\$22.00
Misdemeanor	28-172a	\$22.00
Forfeited Recognizance	28-172a	\$22.00
Expungement (conviction)	21-6614	\$19.00
Expungement (arrest)	22-2410	\$19.00

TYPE OF FEE	STATUTE	SURCHARGE
TRAFFIC	28-172a	\$22.00
DL Reinstatement	8-2110	\$22.00
Appearance Bond	8-2107	\$22.00
FISH & GAME	28-172a	\$22.00
WP Reinstatement	32-1049a	\$22.00
JUVENILE		
Offender	38-2314	\$22.00
Child in Need of Care	38-2215	\$22.00
Juvenile Tobacco	28-172a	\$22.00
Expungement	38-2312	\$19.00
PROBATE		
Conservatorship &/or Guardianship	59-104	\$22.00
Trusteeship	59-104	\$22.00
Filing Will & Affidavit	59-104	\$22.00
Determination of Descent	59-104	\$22.00
Probate of Estate or Will	59-104	\$22.00
Refusal to Grant Letters of Administration	59-104	\$22.00
Termination of Joint Tenancy	59-104	\$22.00
Termination of Life Estate	59-104	\$22.00
Adoption	59-104	\$22.00
Certified Probate Proceedings (out of county)	59-104	\$22.00
Decrees in Probate from Another State	59-104	\$22.00
Care and Treatment:		
Alcoholism or Drug Abuse	59-104	\$22.00
Mentally Ill	59-104	\$22.00
Commitment of Sexually Violent Predator	59-104; 59-29a01	\$22.00
Marriage License	23-2510	\$26.50
APPEALS		
Municipal Court Appeal	28-172a	\$22.00
Appellate Courts	20-3021	\$10.00