

Rule 10.01

EXPEDITED APPEAL FOR WAIVER OF PARENTAL CONSENT REQUIREMENT

- (a) **Docketing; Briefing; Oral Argument.** On receipt of a notice of appeal from a district judge's decision under Rule 173 of the rules relating to district courts, together with a certified copy of the district judge's opinion, the clerk of the appellate courts must docket the appeal in the Court of Appeals. No docketing statement is required. Counsel for the minor must file the appellant's brief no later than 7 days after the date the appeal is docketed. No amicus curiae briefs will be accepted. Unless otherwise ordered by the Court of Appeals, no oral argument will be held.
- (b) **Expedited Decision.** The Court of Appeals must expedite the determination of an appeal under this rule to the extent necessary to protect the rights of the minor. The decision of the Court of Appeals must be filed no later than 14 days after the appeal is docketed.
- (c) **Protection of Minor's Anonymity.** In an appellate proceeding under this rule, the minor's anonymity must be protected. A motion, brief, or opinion or order of the appellate court must refer to the minor as "Jane Doe."
- (d) **Decision of the Court of Appeals.**
 - (1) **Decision Not Subject to Reconsideration or Modification.** The decision of the Court of Appeals under this rule is not subject to reconsideration or modification by the Court of Appeals.
 - (2) **If District Court Decision Is Affirmed.** If the Court of Appeals affirms the decision of the district judge, the appellant may petition for discretionary review by the Supreme Court under Rule 8.03. If a petition for review is not granted within 14 days after the petition is filed, the petition is deemed denied. If a petition for review is granted, the Supreme Court will review the matter on the record submitted to the Court of Appeals and will file its opinion no later than 14 days after the date the petition is granted.
 - (3) **If District Court Decision Is Reversed.** If the Court of Appeals reverses the decision of the district judge, the Court of Appeals decision is not subject to discretionary review by the Supreme Court, and the clerk of the appellate courts must issue the mandate immediately.
- (e) **Computation of Time.** K.S.A. 60-206(a) governs the computation of a period of time prescribed by this rule.

[History: New rule effective July 1, 1992; Am. effective February 8, 1994; Am. effective July 1, 2010; Restyled rule and amended effective July 1, 2012.]