

Rule 165

REASONS FOR DECISION

- (a) **Court Must State Findings of Fact and Conclusions of Law.** In a contested matter submitted to the court without a jury—and when the court grants a motion for summary judgment—the court must state its findings of fact and conclusions of law in compliance with K.S.A. 60-252.
- (b) **Presumption That Evidence Was Considered.** If evidence was admitted over proper objection in a matter submitted to the court without a jury, and in the reasons for the decision the court does not state that the evidence—specifying the evidence with particularity—was not considered, then it will be presumed in a subsequent proceeding that the court did consider the evidence in reaching its decision.

[History: Am. effective September 8, 2006; Restyled rule and amended effective July 1, 2012.]