

SENATE BILL No. 289

By Committee on Judiciary

1-22

1 AN ACT concerning courts; relating to time limits for decisions.

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3 *Be it enacted by the Legislature of the State of Kansas:*

4 Section 1. (a) (1) A district court shall enter and file its decision on
5 motions and non-jury trials within 120 days after the matter is submitted
6 for decision.

7 (2) If the district court does not enter and file its decision on a
8 submitted matter within 120 days of submission, all counsel shall, within
9 130 days after the matter is submitted for decision, file with the court a
10 joint request that such decision be entered without further delay. A copy of
11 such request shall be sent to the chief judge of the judicial district.

12 (3) Within 30 days after the filing of a joint request, the district court
13 shall enter its decision or advise the parties in writing of the date by which
14 the decision will be entered. A copy of such written advice shall be filed in
15 the case and sent to the chief judge of the judicial district.

16 (4) In the event the district court fails to enter its decision or to advise
17 the parties of an intended decision date as required by subsection (a)(3), all
18 counsel shall then file a joint request with the chief judge of the judicial
19 district to establish an intended decision date. A copy of such request shall
20 be filed in the case.

21 (5) Upon receipt of a request under subsection (a)(4), the chief judge
22 of the judicial district shall, after consultation with the judge to whom the
23 matter is assigned, establish a firm intended decision date by which the
24 district court's decision shall be made. Such setting of a final intended
25 decision date shall be in writing, filed in the case and served on the parties.

26 (b) (1) The court of appeals shall render and file its decision on
27 motions and appeals within 180 days after the matter is submitted for
28 decision.

29 (2) If the court of appeals does not enter and file its decision on a
30 submitted matter within 180 days of submission, all counsel shall, within
31 190 days after the matter is submitted for decision, file with the court a
32 joint request that such decision be entered without further delay. A copy of
33 such request shall be sent to the chief judge of the court of appeals.

34 (3) Within 30 days after the filing of a joint request, the court of
35 appeals shall enter its decision or advise the parties in writing of the date
36 by which the decision will be entered. A copy of such written advice shall

1 be filed in the case and sent to the chief judge of the court of appeals.

2 (4) In the event the court of appeals fails to enter its decision or to
3 advise the parties of an intended decision date as required by subsection
4 (b)(3), all counsel shall then file a joint request with the chief judge of the
5 court of appeals to establish an intended decision date. A copy of such
6 request shall be filed in the case.

7 (5) Upon receipt of a request under subsection (b)(4), the chief judge
8 of the court of appeals shall, after consultation with the judge or judges to
9 whom the matter is assigned, establish a firm intended decision date by
10 which the court's decision shall be made. Such setting of a final intended
11 decision date shall be in writing, filed in the case and served on the parties.

12 (c) (1) The supreme court shall render and file its decision on motions
13 and appeals within 180 days after the matter is submitted for decision.

14 (2) If the supreme court does not enter and file its decision on a
15 submitted matter within 180 days of submission, all counsel shall, within
16 190 days after the matter is submitted for decision, file with the court a
17 joint request that such decision be entered without further delay. A copy of
18 such request shall be sent to the chief justice.

19 (3) Within 30 days after the filing of a joint request, the supreme
20 court shall enter its decision or advise the parties in writing of the date by
21 which the decision will be entered. A copy of such written advice shall be
22 filed in the case and sent to the chief justice.

23 (4) In the event the supreme court fails to enter its decision or to
24 advise the parties of an intended decision date as required by subsection
25 (c)(3), all counsel shall then file a joint request with the chief justice to
26 establish an intended decision date. A copy of such request shall be filed in
27 the case.

28 (5) Upon receipt of a request under subsection (c)(4), the chief justice
29 shall, after consultation with the justice or justices to whom the matter is
30 assigned, establish a firm intended decision date by which the court's
31 decision shall be made. Such setting of a final intended decision date shall
32 be in writing, filed in the case and served on the parties.

33 (d) For the purposes of this section:

34 (1) A motion shall be deemed submitted for decision on the date the:
35 (A) Court announces on the record in open court, at the conclusion of the
36 hearing thereon, that the matter is submitted for decision; or (B) last
37 memorandum or other document is permitted to be filed. If no oral
38 argument is conducted on the motion, a motion shall be deemed submitted
39 for decision as of the date the last memorandum or other document is
40 permitted to be filed.

41 (2) A non-jury trial shall be deemed submitted for decision on the
42 date the: (A) District court announces on the record in open court, at the
43 conclusion of the trial, that the matter is submitted for decision; or (B) last

1 memorandum or other document is permitted to be filed.

2 (3) An appeal shall be deemed submitted for decision on the date the:
3 (A) Court announces on the record in open court, at the conclusion of oral
4 argument, that the matter is submitted for decision; or (B) last
5 memorandum or other document is permitted to be filed. If no oral
6 argument is conducted, an appeal shall be deemed submitted for decision
7 as of the date the last memorandum or other document is permitted to be
8 filed.

9 Sec. 2. This act shall take effect and be in force from and after its
10 publication in the statute book.