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Supreme Court accepting comment on new and amended rules related to statewide eCourt project

TOPEKA—The Kansas Supreme Court is accepting public comment on five new rules and one amended rule that relate to electronic filing, court case data, and case records as the state's judicial districts and appellate courts begin to transition to a new centralized case management system, a primary component of Kansas eCourt.

The court is accepting comment until 5 p.m. Monday, May 13. Comment may be made by email to publiccomments@kscourts.org with "eCourt Rules" in the subject line.

The new and amended rules are available on the judicial branch website at www.kscourts.org under *What's New*.

The new rules provide the framework for how documents are filed, and what documents may or may not contain, anticipating that case data and case documents will be available online free of charge through a public access portal associated with the new case management system.

"With these rules, we are striking the appropriate balance between online public access on the one hand and the need to protect sensitive confidential information on the other," said Justice Caleb Stegall, chair of the rules subcommittee of the Kansas eCourt project. "A lot of this information is confidential by rule or law, but these rules will make sure it is protected in practice and procedure."

The new rules will apply in courts that operate on the new case management system. Two judicial districts in east-central Kansas, the 8th and the 21st, will be the first to convert to the new case management system in June. The state's remaining judicial districts and appellate courts will be brought onto the new case management system in phases over the next year and a half according to a [rollout plan announced last year](#).

Attorneys electronically filing in courts that have converted to the new system will be expected to meet the requirements in the new rules, as will self-represented parties filing on paper. The eCourt rules do not apply to courts that have not yet converted to the centralized case management system.

The new rules open for comment:

- **Supreme Court Rule 20** is an introductory rule establishing that Rules 20, 21, 22, 23, and 24 together are the Kansas eCourt Rules. Combined, these rules:
 - standardize processing for case filings to provide a consistent user experience and allow for workshare among judicial branch employees.
 - expand access to case records available publicly through an internet browser-based access point using a public access portal.
 - balance the importance of protecting the interests of the parties participating in the judicial system, including personally identifiable information and proprietary business information, with the goal of expanding online access to court case information.
 - apply to courts as the Kansas eCourt case management system is implemented.
- **Supreme Court Rule 21** provides definitions for the terms used throughout the rules.
- **Supreme Court Rule 22** establishes the framework for providing public access to electronic court records, whether through an internet portal or at a computer terminal in the courthouse. The rule identifies the types of cases and documents in public case records that will not be available through the public access portal due to the sensitivity of information they contain.

Examples of the types of cases that will not be available through the public access portal include adoptions, child in need of care, grand jury proceedings, protections from abuse, and protection from stalking, sexual assault, or human trafficking.

Examples of the types of documents that will not be available through the public access portal include citations, coroner reports, poverty affidavits, probable cause affidavits, and warrants, some of which are not currently available by law or rule.

- **Supreme Court Rule 23** establishes obligations for electronic document filers and requirements for district court personnel who process electronically filed documents. It includes requirements for filing documents under seal, and establishes parameters for document processing by the district court clerk.
- **Supreme Court Rule 24** requires the filer, whether an attorney or a party, to protect the confidentiality of personally identifiable information in court filings and identifies what kinds of identifiers are deemed confidential. These include Social Security numbers, taxpayer

identification numbers, bank account numbers, driver's license numbers, names of sex crime victims, and names of minors.

The court is also accepting comment on proposed amendments to Rule 111, which governs the physical characteristics of pleadings and other documents, whether they are filed electronically or on paper. Comments on amended Rule 111 may be included with comments on proposed rules 20 through 24.

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