

KANSAS JUDICIAL COUNCIL BULLETIN

DECEMBER, 1960

PART 4—THIRTY-FOURTH ANNUAL REPORT

MOTION DAYS FOR 1961

A Report on the Progress of Code of Civil Procedure Revision



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FOREWORD

This issue of the BULLETIN contains an article by Judge Spencer A. Gard, of Iola, a member of the Judicial Council and chairman of the Code Revision Advisory Committee, in the nature of a report on the progress of the code of civil procedure revision. We feel that the article will be of particular interest to all lawyers of the state.

Following established practice, this issue of the BULLETIN also contains a list of Motion Days for 1961 in the various district courts of the state as designated by the district judges.

(70)

Progress of Code of Civil Procedure Revision

(By JUDGE SPENCER A. GARD)

With its large mailing list of all the lawyers, courts, public officials, newspapers, and libraries in the state, the Judicial Council BULLETIN is logically the primary instrument for reporting, from time to time, the progress of the work now being done in the revision of the Kansas Code of Civil Procedure.

It is contemplated that later issues of the BULLETIN will contain the tentative drafts of the material proposed by the revision committee for the consideration of the justices, judges and lawyers; and the final draft of the material after it has been approved by the Judicial Council for submission to the Kansas legislature.

At the time of this writing, the reporter-draftsman, Mr. Earl Hatcher, of Topeka, and the advisory committee have made real progress, but the decisions of the committee must be considered as tentative until the preliminary draft is completed and the result can be viewed as an integrated whole. Not until then will the material be ready for publication for the scrutiny of the bar and courts.

The Judicial Council Advisory Committee working with Mr. Hatcher, and appointed by the Council, is composed of this writer as chairman, former District Judge, A. K. Stavely, of Lyndon, Emmet A. Blaes, of Wichita, Raymond F. Rice, of Lawrence, George Templar, of Arkansas City, and Leonard O. Thomas, of Kansas City.

The Kansas Judicial Council exists by the authority of Article 22 of Chapter 20 of the General Statutes of Kansas, 1949. Section 20-2203 provides that it shall be the continuous duty of the Council to study the Judicial Department of the state and among other things "to receive and consider suggestions from judges, members of the bar, public officials and citizens concerning faults in the administration of justice, and remedial rules and practices; to recommend methods of simplifying civil and criminal procedure, expediting the transaction of judicial business, and eliminating unnecessary delays therein, and correcting faults in the administration of justice." It is further charged with the duty of submitting to the courts and judges from time to time "suggestions as to changes in rules and methods of civil and criminal procedure as may be deemed by the Council to be beneficial," and in Section 20-2204, to report the results of its work "with recommendations concerning needed changes in the organization of the Judicial Department, in rules and methods in civil and criminal procedure and pertinent legislation."

Influenced by the interest of the lawyers and judges of the state as expressed through various organized bar activities and by individuals, the Judicial Council in May, 1959, adopted a resolution which, after reciting the statutory functions of the council and reviewing the many suggestions and recommendations which had been made to it and to the state bar association, determined "that there is a need for a study and revision of civil procedure and rules of evidence" and resolving "that the Judicial Council undertake to study a revision of civil procedure and rules of evidence for the purpose of making recommendations to the courts and legislature with reference thereto and

that we request the assistance and co-operation of the Kansas Bar Association in said study."

At the adjourned meeting of the Judicial Council in September of 1959, the action taken in May was reaffirmed and it was resolved that the council request from the legislature an appropriation of \$15,000 in addition to the normal operating budget of the council "to initiate and carry forward the research program of studying and recommending revision of the Code of Civil Procedure." By action of the 1960 legislative budget session, the requested appropriation was made available and subsequently the services of Mr. Hatcher were employed and the advisory committee above named was established to work with Mr. Hatcher in going forward with the project. Mr. Hatcher's term of employment began on May 1, 1960, but a meeting with him was held by the advisory committee in April at which time the plans for the work were set up.

Since the initial meeting in April, the advisory committee has met with Mr. Hatcher in Topeka each month, except the month of August. The meetings have been all-day meetings except for a two-day meeting held in September. Two of the meetings have been held jointly with the Judicial Council so that the members of the council have been fully apprised of the progress of the work, not only through their participation in meetings, but through the providing of each member of the council with copies of all the material which has gone out from the draftsman.

Considerable progress has been made to date. Preliminary drafting and redrafting, after discussion, has been done on the subjects of process, pleadings, parties, third-party practice, misjoinder and nonjoinder of parties, interpleader, intervention, pretrial, class actions, and depositions. It is not contemplated by the committee that any tentative drafts of material will be circulated, at least until after the subject matter which will be contained in Article 2 is completed.

The plan for the rearrangement of material at present is to retain the same scope of material in the new Chapter 60 which is included in the present Chapter 60. Article 1 would be a short prefatory article. Article 2 would cover many sections under the heading "Rules of Civil Procedure." The numbering of the sections will be identified with the numbering of the Federal Rules of Civil Procedure so that lawyers practicing in both the federal and state courts may be able to work under one rule or the other without unnecessary confusion. Article 3 will include material under the heading of Rules of Evidence. The other articles in Chapter 60 having to do with substantive matter will be revised and retained as a part of Chapter 60 under suitable article titles.

It should be noted that Section 20-2203 defining the duties of the Judicial Council requires the Council to submit, from time to time "to the courts or judges thereof" suggestions for changes in "rules and methods of civil and criminal procedure." This would seem to reflect a legislative policy that the primary obligation for procedural revision lies with the courts, with the aid of the Judicial Council, and that it is not primarily a legislative function.

While the Judicial Council has taken no formal action on the matter, it appears to be presently in contemplation that when the revision work is completed and approved by the Judicial Council, after it has had the indorsement of the bar and the courts, it will be submitted to the legislature for

enactment. If this course is pursued, it will be in recognition of the time-honored tradition in Kansas and the acquiescence of the Supreme Court in looking to the legislature, not only for substantive law, but for rules of procedure.

Many lawyers and judges think that it would be more feasible and much less cumbersome, and more flexible, if the adoption of the revised rules of civil procedure (mainly the material to be contained in Articles 2 and 3) should be submitted to the Supreme Court for adoption, in the form of court rules.

In some states, the legislature has resolved the possible conflict of jurisdiction between the judicial and the legislative branches on this subject by passing a resolution acknowledging the inherent power of the Supreme Court in its supervisory jurisdiction to adopt rules of procedure for the lower courts. Such a resolution is quite different from an enabling act. Some authorities feel that it is presumptuous for the legislature to "enable" the Supreme Court to exercise an inherent authority which it has without the aid of legislation. If the 1961 session of the legislature were to pass such a resolution, the bulk of material to be submitted to the legislature in connection with the code revision would be considerably reduced.

If the material is to be submitted in final form for legislative enactment, it is not contemplated that it would be ready for submission prior to the 1963 session of the legislature.

The desire of the draftsman and the advisory committee is to submit to the Judicial Council for recommendation to the enacting powers, a modern code of civil procedure which will be so satisfactory that it will result in a policy of making future amendments as the need arises by the Judicial Council with approval of the Supreme Court subject to the right of the legislature to disapprove. Such a plan, if the legislative authority in the rule making field is continued, would facilitate the task of future amendments without the cumbersome necessity of affirmative enactment.

Needless to say, the draftsman and the advisory committee are finding this to be not only a responsible job, but a very interesting and challenging job. Space will not permit in this article mention of specific problems or specific changes which are in contemplation. These will come along later when tentative drafts are published and circulated.

Naturally, considerable interest exists as to the extent to which the Federal Rules of Civil Procedure will be incorporated in the revised article on civil procedure in the code. As was stated in the recent article in the Journal of the Bar Association of the state of Kansas, it can only be said at this point that where experience with the federal rules has shown that they have worked well on the federal level and would meet the needs of the Kansas practice, they will be drawn upon to the full extent that they may contribute to the over-all quality of the work. In the instances—and there may be many—where the federal rules are incorporated in substance, they will have to be reconciled with the needs of Kansas practice.

During the many years the Judicial Council has been in existence, it has contributed much to the cause of efficient judicial administration. Most of the work it has done in recent years has been in the consideration of isolated suggestions for improvement in specific areas where some special problem has been presented. In addition to this and its work in gathering and publishing

statistics reflecting the volume, and the quality, and the subject of matters receiving attention in the Judicial tribunals of the state, the Judicial Council was responsible for the drafting, promulgation and adoption of the Kansas Probate Code in 1939. The present project of revising the Kansas Code of Civil Procedure is of equal, if not greater, importance than the Probate Code project, and the challenge is being met with the same thoroughness as that which marked the work on the Probate Code. The Council, of course, hopes that in this undertaking, it will have the constructive co-operation and assistance of the bar and the judges, to the end that the finished product may be of the very highest quality.

SPENCER A. GARD,

Member of Judicial Council and Chairman
of Code Revision Advisory Committee.

JUDICIAL COUNCIL BULLETIN

MOTION DAYS IN DISTRICT COURTS—1961

(Please see notes on page 83)

JUDICIAL COUNCIL BULLETIN

MOTION DAYS IN DISTRICT COUNTIES—1961—CONTINUED

(Please see notes on page 83)

(Please see notes on page 83)

JUDICIAL COUNCIL BULLETIN

Counties	County seat	Judge	Clerk	No. Ind. Dist.	Jan.	Feb.	Mar.	Apr.	May	June	Sept.	Oct.	Nov.	Dec.
Ellis (See note 8)	Hays	Benedict P. Cruise	Charlotte I. Weltz	23	16	6	14	11	15	13	12	16	14	12
Ellsworth	Ellsworth	John I. Young	Frank A. Vanek	30	23	10	6	24	22	8	6	5	7	11
Finney (See note 9)	Garden City	Roland H. Tate	G. Mae Purdy	32	9	10a	10a	7a	8	6a	18	6a	10a	8a
Ford	Dodge City	Ernest Vieux	Eltia J. Riley	31	6a	10a	10a	7a	5a	9a	8a	6a	10a	8a
Franklin	Ottawa	Floyd H. Coffman	Christina W. Wole	4	3	1	1	3	3	14	11	8	6	6
Geary	Junction City	Walter E. Hembrow	Edward C. Verbeke	8	3	1	6	4	2	5	6	3	18	5
Gove (See note 8)	Gove	Benedict P. Cruise	Louise Brown	23	18	23	20	13	9	19	14	10	20	14
Graham	Hill City	C. E. Birney	Louise Lee	34	4	6	8	12	8	7	18	10	13	6
Grant (See note 10)	Ulysses	L. L. Morgan	Juanita Barber	39	3d	6d	6d	10	1d	5d	2a	2d	6d	4 .
Gray	Cimarron	Ernest Vieux	Carrie Bortland	31	3a	7a	7a	3a	2a	6a	5a	3a	7a	5a
Greeley (See note 9)	Tribune	Roland H. Tate	Laura M. Holmes	32	4a	13	8a	4a	3a	7a	13a	16	8a	5a
Greenwood	Eureka	George Reynolds Page W. Benson Div. No. 1	Alma Long	13	16	2	2	7	15	1	8	9	3	1
Hamilton (See note 9)	Syracuse	Roland H. Tate	Amelia J. Minor	32	6a	20	8d	4d	5a	9a	15a	9	8d	5d
Harper (See note 3)	Anthony	Clark A. Wallace	Helen Pearl	24	9	8	9	10	10	19	7	9	8	6
Harvey (See note 11)	Newton	Sam H. Sturm	Joe Fox	9	5	13	2	6	8	7	12	13	7	21
Haskell (See note 10)	Stibblette	L. L. Morgan	Evelyn Yount	39	3a	13	3a	1a	5a	18	2a	6a	11a	
Hodgeman	Jetmore	Lorin T. Peters	Nina Lupfer	33	4d	27d	8d	5d	15e	7d	6d	4d	13d	6d

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MOTION DAYS IN DISTRICT COURTS—1961—CONTINUED

(Please see notes on page 83)

COUNTIES	County seat	Judge	Clerk	No. Jud. Dist.	Jan.	Feb.	Mar.	Apr.	May	June	Sept.	Oct.	Nov.	Dec.
Jackson (See note 12)	Holton	Robert H. Kaul	Florence Clements	36	9	1	8	5	1	7	6	2	8	6
Jefferson (See note 12)	Oskaloosa	Robert H. Kaul	Myrtle Kimmel	36	13	3	6	7	5	5	8	6	6	8
Jewell	Mankato	Donald J. Magaw	Iris Cosand	15	5	2	6	3	4	5	18	5	1	5
Johnson	Olathe	Earl E. O'Connor	Betty West	10	3	6	6	3	1	5	5	2	6	4
Div. No. 1	Div. No. 2	Clayton Brenner												
Div. No. 3	Div. No. 4	Raymond H. Carr												
Kearny (See note 9)	Lakin	Roland H. Tate	Bertha Adams	32	6d	8d	18	6a	5d	9d	15d	4d	13	7a
Kingman (See note 3)	Kingman	Clark A. Wallace	Gladys Layman	24	6	10	27	7	12	5	25	6	10	11
Kiowa	Greensburg	Ernest Vieux	Eunice E. Rich	31	4d	8d	5d	1a	7d	6d	4d	8d	6d	
Lambette	Oswego	Hal Hyler	Glen Cosatt	16	6	7	10	11	5	9	8	3	3	
Oswego Div.	Parsons Div.			20	24	24	28	24	28	22	20	17	22	
Lane (See note 9)	Dighton	Roland H. Tate	Eva Gramer	32	5a	9a	20	5a	4a	8a	14a	5a	20	6a
Leavenworth	Leavenworth	Joseph J. Dawes	Mary Kate Gausz	1	6	3	3	7	5	2	1	6	3	1
(See note 13)														
Lincoln	Lincoln	John I. Young	Roy Livingood	30	20	2	6	15	7	7	3	2	13	
Linn (See note 14)	Mound City	Robert H. Miller	Ferne Bearly	6	12	9	9	3	4	1	7	12	9	4
Logan (See note 8)	Russell Springs	Benedict P. Cruise	Ade Rouge	23	19	24	15	3	10	14	5	11	15	4

MOTION DAYS IN DISTRICT COURTS—1961—CONTINUED

(Please see notes on page 83)

JUDICIAL COUNCIL BULLETIN

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COUNTIES	County seat	Judge	Clerk	No. Jud. Dist.	Jan.	Feb.	Mar.	Apr.	May	June	Sept.	Oct.	Nov.	Dec.
Lyon.....	Emporia.....	Jay Sullivan.....	Louise Hendricks.....	5	25	22	26	31	28	27	25	29	29	27
Marion.....	Marion.....	Walter E. Hembrow.....	C. J. Ross.....	8	4	6	2	6	1	2	5	2	7	7
Marshall (See note 5).....	Marysville.....	Lewis L. McLaughlin.....	Walter J. Koppes.....	21	6	6	1	7	1	9	8	2	1	8
McPherson (See note 11).....	McPherson.....	Sam H. Sturm.....	Alma Bretches.....	9	9	3	3	21	19	23	8	20	3	1
Meade.....	Meade.....	Ernest Vieux.....	Edyth Cooper.....	31	2d	6d	6d	3d	1d	5d	5d	2d	6d	4d
Miami (See note 14).....	Paola.....	Robert H. Miller.....	Ethel J. Hunt.....	6	10	6	7	11	9	5	5	2	7	12
Mitchell.....	Beloit.....	Donald J. Magaw.....	Ida Jamison.....	15	3	8	2	5	2	15	12	24	25	18
Montgomery.....	Independence.....	Warren B. Grant.....	Bessie Scofield.....	14	7	4	4	1	6	3	2	1	6	6
Independence Div.....	Coffeyville Div.....	.....	.....	.....	6	3	3	7	5	2	1	6	3	1
Morris.....	Council Grove.....	Walter E. Hembrow.....	Nellie McMichael.....	8	5	3	3	3	3	19	7	5	8	4
Morton (See note 10).....	Richfield.....	L. L. Morgan.....	Irene Kuder.....	39	4d	13	7a	4d	2d	6d	6	3d	7d	12d
Nemaha.....	Seneca.....	Chester C. Ingels.....	Ruth Shaffer.....	22	16	20	20	17	15	5	18	16	20	18
Neosho.....	Erie.....	George W. Donaldson.....	Merle Estes.....	7	4	1	1 ⁴ / ₈	5	3	7	6	11	1	6
Erie Div.....	Chanute Div.....	.....	.....	.....	10	7	10	2	6	12	10	7	5	5
Ness.....	Ness City.....	Lorin T. Peters.....	Geraldine Hurnburg.....	33	5e	9e	13e	6e	3e	8e	11e	5e	9e	11e
Norton.....	Norton.....	Robert W. Hemphill.....	Elsie Braut.....	17	9	13	6	17	12	3	5	6	22	11
				16							16			

JUDICIAL COUNCIL BULLETIN

MOTION DAYS IN DISTRICT COURTS—1961—CONTINUED
 (Please see notes on page 83)

COUNTIES	County seat	Judge	Clerk	No. Ind. Dist.	Jan.	Feb.	Mar.	Apr.	May	June	Sept.	Oct.	Nov.	Dec.
Osage (See note 15)	Lyndon	Alex Hotchkiss.	Lucille Nelson.	35	6	3	7	5	6	1	6	7	1	
Osborne	Osborne	Donald J. Magaw	Irene Laffoon.	15	6	1	1	6	1	7	21	2	7	7
Ottawa	Minneapolis	John I. Young	Esther Plunkett.	30	9	9	1	10	3	6	5	4	1	12
Pawnee	Larned	Lorin T. Peters.	Eulah Almquist.	33	23d	7d	7d	10d	2d	6d	5d	7d	5d	
Phillips	Phillipsburg	Robert W. Hemphill	Gene Britt.	17	17	6	7	14	1	1	12	19	3	12
Pottawatomie	Westmoreland	Robert H. Kaul.	Deane L. Arnold.	36	12	2	9	4	4	8	5	5	9	5
(See note 12)	Pratt	Clark A. Wallace.	Mabel Axline.	24	5	9	13	6	15	2	11	5	13	8
Pratt (See note 3)	Atwood	Robert W. Hemphill.	Louise Portschy.	17	19	17	10	12	15	6	15	4	1	15
Rawlins	Hutchinson	John F. Fontron	George Walker.	40	6	3	3	7	5	2	1	6	3	1
Reno	Belleville	Marvin O. Brummett.	Earl J. Baldridge.	12	4	6	7	4	1	6	26	f6	21	19
Republic	Lyons	Frederick Wolssagel.	Laura Saint.	20	3	6	6	4	1	5	5	2	7	4
Rice (See note 4)	Manhattan	Lewis L. McLaughlin.	Joseph F. Musil.	21	3	3	3	3	5	2	5	6	3	1
Riley (See note 5)	Stockton	C. E. Birney.	Irma Rennet.	34	9	3	9	13	1	8	5	12	15	8
Rooks	La Crosse	Lorin T. Peters.	Estta Manahan.	33	9e	7e	27e	4e	2e	6e	25e	3e	7e	5e

MOTION DAYS IN DISTRICT COURTS—1961—CONTINUED

(Please see notes on page 83)

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COUNTIES	County seat	Judge	Clerk	No. Jud. Dist.	Jan.	Feb.	Mar.	Apr.	May	June	Sept.	Oct.	Nov.	Dec.
Russell (See note 8)	Russell	Benedict P. Cruise	Gladys King	23	2	20	13	10	1	12	11	2	13	11
Saline	Salina	John I. Young	Betty J. Just	30	6	8	13	5	2	5	11	2	6	4
Scott (See note 9)	Scott City	Roland H. Tate	Nellie Seneherman	32	5d	9d	10	4d	8d	14d	5d	9d	11	
Sedgewick	Wichita	William C. Kandt	Mrs. Harriet Graham	18	All motions in civil cases, except divorce, are heard on the second Monday morning following the filing thereof. These motions are assigned to the various divisions of court by the Assignment Judge who mails notices of hearings to attorneys of record in advance.									
Div. No. 1	Div. No. 2	Howard C. Kline			All motions in divorce cases, including contempt and custody, are heard at 1:30 P.M. on the second Monday afternoon following the filing thereof, at which time they are called by the Assignment Judge and assigned to the various divisions of court for immediate hearing.									
Div. No. 3	Div. No. 4	B. Mack Bryant			All motions in criminal cases are heard by the Judge in charge of the Criminal Court, by arrangement with him. The Criminal Court rotates among the various divisions from term to term.									
Div. No. 5	Div. No. 6	Clement F. Clark												
		James J. Nonne												
		E. E. Sattgast												
Seward (See note 10)	Liberal	L. L. Morgan	Mrs. Mary Lindley	39	9	10a	3a	17	5a	9a	1a	9	10a	1a
Shawnee	Topeka	Beryl R. Johnson	Mrs. Lucile Carter	3	6	3	3	28	26	23	15	13	10	8
Div. No. 1	Div. No. 2	Marion Beatty		13	10	7	5	2	2	22	20	17	15	
Div. No. 3	Div. No. 4 (See note 17)	Dean McElhenney		20	17	17	14	12	9	1	27	24	22	
		David Prager		27	24	24	21	19	16	8	6	3	1	
Sheridan	Hoxie	C. B. Birney	Mrs. Minnie Carder	34	2	20	6	10	15	5	7	9	14	4
Sherman	Goodland	C. E. Birney	Viva Peter	34	5	2	7	3	5	12	1	11	20	7
Smith	Smith Center	Donald J. Magraw	Florence Vincent	15	4	7	8	4	3	1	19	4	2	4

JUDICIAL COUNCIL BULLETIN

MOTION DAYS IN DISTRICT COURTS—1961—CONCLUDED
 (Please see notes on page 83)

COUNTIES	County seat	Judge	Clerk	No. Jud. Dist.	Jan.	Feb.	Mar.	Apr.	May	June	Sept.	Oct.	Nov.	Dec.
Stafford (See note 4)	St. John.	Frederick Woleslagel	Arlene McCandless	20	2	7	8	3	2	7	11	3	1	5
Stanton (See note 10)	Johnson.	L. L. Morgan.	Mrs. Hazel Polly.	39	4a	27	6a	4a	2a	6a	11	3a	7a	12a
Stevens (See note 10)	Hugoton	L. L. Morgan.	John F. Fulker son.	39	23	9a	27	6a	4a	8a	2d	23	9a	2a
Summer.	Wellington	Wendell Ready	Verlene Gaddie	25	3	7	7	4	2	6	12	3	7	5
Thomas.	Colby.	C. E. Birney.	Thelma Livingston.	34	3	1	20	11	22	6	8	9	6	5
Trego (See note 8)	WaKeeney	Benedict P. Cruise.	Nina J. Galloway.	23	17	21	6	12	8	5	13	9	6	13
Waばunsee (See note 15)	Alma.	Alex Hotchkiss.	Mary Tolbert.	35	5	7	2	6	2	1	7	3	2	7
Wallace (See note 8)	Sharon Springs.	Benedict P. Cruise.	Evelyn P. Warren.	23	19	24	15	17	10	14	18	11	15	18
Washington.	Washington.	Marvin O. Brummett.	Paul Proehl ich.	12	5	7	6	5	2	5	27	17	20	20
Wichita (See note 9)	Leoti.	Roland H. Tate.	Kate Elder.	32	4d	8a	9a	17	3d	7d	13d	4a	9a	18
Wilson.	Frederia.	George W. Donaldson.	Dwaine Spoon.	7	3	2	2	4	4	1	5	5	2	7
Woodson.	Yates Center.	Spencer A. Gard.	Maude Surber.	37	3	7	7	25	16	6	12	24	7	19
Wyandotte.	Kansas City.	O. Q. Cratin, III.	Richard D. Shannon.	29	6	3	7	5	2	1	6	3	1	1
Div. No. 1.	Div. No. 2.	Milton Beach.	Div. No. 3.	Div. No. 4.	Div. No. 18) (See note 18)	7	4	1	6	3	2	7	4	2
						13	10	14	12	9	8	13	10	9
						14	11	8	13	10	9	14	11	9
						21	17	17	15	20	16	15	20	15
						21	18	18	15	17	16	21	18	16
						27	24	28	26	23	22	27	24	22
						28	25	25	22	24	23	28	25	23

e-9:00 a. m. a-10:00 a. m. c-1:30 p. m. d-2:00 p. m. b-1:00 p. m.

Note 1.—Italicized dates indicate the first day of the regular term of court.

Note 2.—Court will open at 9:30 a. m. in Garnett and Ottawa.

Note 3.—July 10th is term and motion day in Barber county. In Barber, Harper, Pratt and Kingman counties, court convenes at 10 a. m. on all motion days. Court convenes at 9:00 a. m. for jury trials.

Note 4.—In Barton, Rice and Stafford counties, court convenes at 10:00 a. m., except when jury appears, when court will convene at 9:00 a. m. Note 5.—In Clay, Marshall and Riley counties, additional motion days are scheduled as the need arises. In addition to the regular motion days in Riley county, time permitting, special motion days will be held on the 3rd Friday of the month. Opening day of term in Riley county delayed one day account of New Year holiday and Labor Day.

Note 6.—In Pittsburg, July 7th is motion day. In Girard, July 12th is motion day.

Note 7.—No jury at May term in Dickinson county, and June terms in Morris and Geary counties, except on special order.

Note 8.—In Ellis, Gove, Logan, Russell and Trego counties, court opens at 9:00 a. m. In Wallace county, court opens at 1:00 p. m.

Note 9.—In Finney, Greeley, Hamilton, Kearny, Lane, Scott and Wichita counties, court convenes at 10:00 a. m. each day of regular term. Motion days, forenoon sessions at 10:00 a. m. Afternoon sessions at 2:00 p. m. Jury sessions (unless otherwise ordered) 9:30 a. m.

Note 10.—In Grant, Haskell, Morton, Seward, Stanton and Stevens counties, court convenes at 10:00 a. m. first day of each regular term. Motion days, forenoon sessions at 10:00 a. m. Afternoon sessions at 2:00 p. m. Jury sessions (unless otherwise ordered) 10:00 a. m.

Note 11.—In Harvey and McPherson counties, court opens at 9:30 a. m. July 6th and 20th and August 10th are motion days in Harvey county. July 7th and 21st and August 11th are motion days in McPherson county.

Note 12.—In Jackson, Jefferson and Pottawatomie counties, court convenes at 9:00 a. m. on the opening day of term. On motion days the court will convene at 10:00 a. m. Time permitting, a special motion day will be held in each county two weeks after the regular motion days.

Note 13.—In Leavenworth county, July 7th and August 4th are motion days. In Miami county, July 11th and August 8th are motion days. In Bourbon county, July 14th and August 11th are motion days.

Note 14.—In Lincoln county, July 10th and August 10th are motion days. In Bourbon county, July 14th and August 11th are motion days.

Note 15.—In Osage and Wabaunsee counties, court convenes at 10:00 a. m.

Note 16.—In Douglas county, July 7th and August 4th are motion days. Court will open at 9:30 a. m. It is also provided hereby that on the days on which a term of court opens, the civil docket will be called beginning at 9:30 a. m. and the criminal docket will be called beginning at 2:00 p. m.

Note 17.—In Shawnee county, the schedule continues through July and August as follows:

Division No. 1.—Judge Beryl R. Johnson: July 21 and August 18.

Division No. 2.—Judge Marion Beatty: July 28 and August 25.

Division No. 3.—Judge Dean McElhenney: July 7 and August 4.

Division No. 4.—Judge David Prager: July 14 and August 11.

Note 18.—In Wyandotte county, separate dates are fixed for hearing pre-trial and post-trial motions. The first line of dates opposite each judge's name applies to pre-trial motions and the second line to post-trial motions. On all days court begins promptly at 9:30 a. m.

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