

Thirty-First Judicial District Administrative Orders
(signed and filed copies available on request)

[No. 217 – Regarding Restriction of Weapons in Courtrooms](#)

[No. 293 – Procedures For Civil Actions Under 2021 SB 40](#)

THIRTY FIRST JUDICIAL DISTRICT
Administrative Order No. 217

An Administrative Order, Restricting Weapons in the "Courtrooms and Any Court Areas of Operation" of the Thirty-First Judicial District

1. The 31st Judicial District of Kansas includes Allen, Neosho, Woodson, and Wilson Counties.
2. The issue of safety in the Judicial Branch of Government is important, not only to all employees of the Kansas Judicial Branch but also to all persons who are summoned to a Courtroom or Court areas of operation, or those who appear for professional or personal reasons.
3. An integral part of any Court's duty to administer justice and fairly adjudicate disputes is to promote that all parties have the opportunity to advance their cause in an atmosphere of safety, decorum and fairness. It is fundamental that a trial Court is vested with the discretion to provide for security within a Courtroom or any Court areas of operation, and to take measures to promote the safety of Court officers and employees, parties, and the public in conducting the business of the Judicial Branch wherever it may occur.
4. A Court's inherent power is that belonging to it by virtue of being one of three separate branches of government. Inherent authority is limited to matters reasonably necessary for proper functioning of the judiciary, and the orderly and efficient exercise of the administration of justice. It is within the inherent power and discretion of a Court to impose additional security measures to provide for the safety of the public and persons in a Courtroom or any Court areas of operation.
5. For the purposes of this Administrative Order, "Courtroom(s) or any Court areas of operation" means those areas in any building, which are used for Court proceedings, or to conduct Court-related business, including, but not limited to: Courtrooms, ancillary Courtrooms, jury rooms, judge's chambers, offices of the Clerk of the District Court, Court Reporter, Court Services, Court-Appointed Special Advocate, and any other offices and areas used for official Court business; together with waiting areas, corridors, and hallways adjacent thereto.
6. This order includes "the Courtrooms or any Court areas of operation":
 - a. the Allen County Courthouse, 1 North Washington, Iola, Kansas 66749;

- b. the second floor of the Woodson County Courthouse, 105 West Rutledge, Yates Center, Kansas 66783, except the county attorney's office;
 - c. the second floor of the Wilson County Courthouse, 615 Madison, Fredonia, Kansas 66736, except the county attorney's office;
 - d. the Neosho County District Court, Chanute Division, Hudson Judicial Center, 102 South Lincoln, Chanute, Kansas 66720, except the county attorney's office; and,
 - e. the Neosho County Courthouse, 100 South Main, Erie, Kansas 66733
7. Except as otherwise provided within this Administrative Order, all persons are prohibited from carrying or possessing any weapon, including a firearm or any explosive device, in "the Courtrooms or any Court areas of operation" of the Thirty-First Judicial District of Kansas.
8. Nothing herein shall limit the authority of a Judge of the District Court to authorize or restrict a law enforcement officer or security officer from possessing and carrying a weapon or firearm in a "Courtroom or any Court areas of operation" in the performance of their official duty. Nothing herein is intended or shall be construed to limit, in any way, a Judge of the District Court's authority.
9. Appropriate notice of this weapon restriction and a copy of this order shall be posted for the "Courtrooms and Court areas of operation" of the Thirty-First Judicial District. A copy of this order shall be available in each Clerk of the District Court office. This Administrative Order may be enforced by any judge by the contempt power of the Court.
10. This Administrative Order shall be effective on and after July 1, 2013.

BY ORDER OF THE CHIEF JUDGE OF THE THIRTY-FIRST JUDICIAL DISTRICT OF KANSAS this
_____ day of June, 2013.

Daniel Dale Creitz
Chief Judge

IN THE THIRTY-FIRST JUDICIAL DISTRICT OF THE STATE OF KANSAS

ADMINISTRATIVE ORDER NO. 293

PROCEDURES FOR CIVIL ACTIONS
UNDER 2021 SB 40

Following publication in the Kansas Register, in SB 40, under New Sections 1(d)(3) and 2(d)(3) and Sections 6(g)(3), 8(e)(3), and 12(d)(3), the Supreme Court is authorized to “adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection.” In its Administrative Order 2021-RL-032 filed April 13, 2021, the Supreme Court has adopted Emergency Rules of Procedure for Hearing under 2021 Senate Bill 40, which order supersedes portions of this District’s Administrative Order 292. KS SB 40 can be found here: http://www.kslegislature.org/li/b2021_22/measures/documents/sb40_enrolled.pdf.

This order supersedes and repeals Administrative Order 292 and is supplemental to the aforementioned Supreme Court Administrative Order. Subsequent to the effective date of this Order, the following procedures are adopted for the 31ST Judicial District as supplemental to Supreme Court Administrative Order 2021-RL-032:

1. Petitions filed under SB40, New Sections 1(d)(1) and 2 (d)(1) and under Sections 6(g)(1), 8(e)(1), and 12(d)(1) must prominently provide, immediately following the case caption that the Petition is filed pursuant to 2021 SB 40. The Petition must otherwise comply in all respects with the provisions of Supreme Court Administrative Order 2021-RL-032.
2. Petitions should attach a copy of the order(s) under which the petitioner is aggrieved showing the date of adoption or issuance.
3. The Petitions must contain specific factual allegations and not mere conclusory language, claiming the petitioner is substantially burdened or inhibited by the order under consideration. To the extent possible the allegations should recite how the petitioner’s burden is substantially different from the burden upon persons or entities similarly situated who are not included on the petition.
4. If a prayer for relief seeks injunctive relief, either of a temporary or permanent nature, the petition must also include all of the factual allegations necessary to support the elements of injunctive relief.
5. The Petitioner shall provide actual notice to the respondent of the filing of the petition within 24 hours of filing. Proof of service must be filed immediately following completion of service. The respondent shall have not more than 24 hours after service to file and serve a response to the petition.

6. Relief sought in petitions under 2021 SB 50 should specify how the order which is under review and the subject of the action could be more narrowly tailored to respond to the disaster or emergency addressed by the order and must suggest the less restrictive means, if any, to achieve such purpose(s).
7. Petitions should contain information as to: whether they had an opportunity to appear and be heard prior to the adoption or issuance of the order under review; and, if so whether they did appear and express their aggrieved burden; and, whether they suggested the alternatives expressed in the petition.
8. Hearings shall be commenced in the time mandated by the statute after receipt of the petition by the Clerk of the District Court. The clerk shall promptly advise the District Judge of the filing.
9. The respondent shall be the entity or party issuing or adopting the order under review as named in the petition. The petitioner and respondent shall be notified by the Court of the time and date for commencement of the hearing.
10. Given the time restraints to conduct the hearing, both parties shall exchange witness and exhibit lists as soon as practicable. To the extent possible, petitioners should attach any exhibits intended to be used to the Petition. Both parties shall provide the district judge with a list of intended exhibits immediately prior to commencement of any hearing. The list shall specifically identify and number each exhibit and provide columns for court use to record the offering of any exhibit and admission or denial thereof.
11. When a petition is filed, a copy of this Administrative Order shall be provided by the Clerk of the District Court to each petitioner. In the event filing occurs by a deposit in the Court's drop box, a copy shall be provided via an email addressed to the address provided by the petitioner.
12. The Court will issue its decision with findings of facts based upon verified pleadings, affidavits, sworn testimony, or documents received in evidence within the statutory time after the conclusion of the hearing. The hearing, timely started under the statute, may be continued as necessary to hear the facts before conclusion and submission. After hearing all the facts and after the case is fully submitted, the time starts for the Court to issue its ruling.

As necessary, these rules of procedure may be modified by the District Judge hearing the case. They will remain in effect until such time as they are superseded by additional rules adopted by The Kansas Supreme Court or further Order of the Court.

The Thirty-First Judicial District Administrative Order No. 292 is hereby repealed.

IT IS SO ORDERED.

Dated this 30TH day of April 2021

Daniel Dale Creitz
Chief Judge, Thirty-First Judicial District of Kansas

