

IN THE DISTRICT COURT OF DOUGLAS COUNTY, KANSAS

ADMINISTRATIVE ORDER NO. 23-04

Order Affecting Assignment of Cases
Under Local Court Rule No. 1

WHEREAS, it is the responsibility of the Chief Judge to determine case assignments or reassignments in this district in accordance with our local rules; and

WHEREAS, this district has determined that it best serves the interests of justice, the administration of law and the interests of our community to administer certain specialty courts, which, at the time of this order, includes Behavioral Health Court (“BHC”)(presently Division Two) and Drug Court (presently Division Five); and

WHEREAS, this district has likewise determined that cases involving the care and treatment of persons pursuant to K.S.A. 59-2945, *et seq.* (concerning, the care and treatment of persons with mental illness) and/or K.S.A. 59-29b45, *et seq.*, (concerning the care and treatment of persons with alcohol or other substance abuse problems) are most comprehensively administered and monitored by assigning them to a single division;

NOW, THEREFORE, the clerk is hereby directed that in assigning or reassigning cases pursuant to the directive of Local Court Rule No. 1, the following applies:

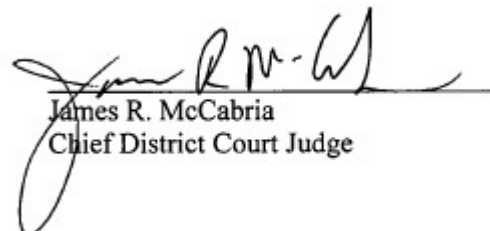
- 1) Cases filed pursuant to the care and treatment of persons pursuant to either K.S.A. 59-2945, *et seq.*, or 59-29b45, *et seq.*, (“CT cases”) shall be assigned to Division Five, except that when the District Attorney’s office provides notice to the clerk at the time of filing that the proposed patient has or had a case (past or present) assigned to BHC, the clerk shall assign the case to Division Two.

For any CT case assigned to Division Five, if that division discovers that the person had/has a current or prior BHC case with Division Two, upon the direction of the Division Five judge, the clerk shall reassign the case to Division Two.

- 2) When any defendant is accepted for participation in either BHC or Drug Court, the original division judge (if different from the division administering that specialty court) shall notify the clerk of that acceptance and the clerk shall then reassign the case to the division where the specialty court program is being administered.

If it is determined that the defendant who was accepted is no longer qualified to participate in the program, the division judge administering the program may direct the clerk to reassign the case to the division where it originated or keep the case for resolution.

IT IS SO ORDERED this 6th day of January, 2023.


James R. McCabria
Chief District Court Judge